

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

SENATE.

Wednesday, March 4, 1903.

Senate met according to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Degen of Augusta.

Journal of the previous session read and approved.

The PRESIDENT: The Chair wishes to state that certain errors which appear in the Kennebec Journal of this date (March 4th) relating to the ruling on the point of order raised by the Senator from Penobscot, Mr. Gardner, as to the rule of procedure in the Legislature; and also the Chair's suggestion as to the best method of procedure will be corrected in the printed Legislative Record of said proceedings. Said corrected ruling should be as follows:

"The Chair will rule that on ordinary proceedings, for a great many years in the Legislature, it has been customary for documents to be reported from a joint committee, to the branch in which they originated. This has not been the custom without exception. The Secretary has looked up the matter in the records, and he finds that in each of the sessions of the Legislature for quite a number of years past, House documents, when referred to a joint committee, have been reported to the Senate, and vice versa. So it is not a rule without exceptions. My ruling in this matter is: That the matter, having been reported by the joint Committee on Ways and Bridges to the Senate, and having been tabled in the Senate for printing, and assigned for special consideration today; is now in the Senate, and the Senate can do with it as it sees fit. The Senate has just passed a vote assigning tomorrow for the consideration of the minority report."

Said corrected suggestion should read as follows:

"If the Senate will allow the Chair to make a suggestion, it would seem to the Chair that the best procedure in matters of this kind would be to allow the report to be accepted, where there are not two reports, and then let it go to the proper committee, and have all

debate on the merits of the bill after it has had its first reading."

Papers from the House disposed of in concurrence.

Read and Assigned.

An Act relating to commitments by trial justices and judges of police and municipal courts. (House amendment A adopted in concurrence).

An Act to incorporate the Tyngstown Water Company.

An Act relating to the jurisdiction of the Municipal Court of the city of Biddeford.

An Act relating to street railroad locations.

An Act to amend Section 29 of Chapter 18 of the Revised Statutes, relating to ways across station grounds of railroads.

An Act to extend the charter of the Granite Trust Company.

An Act to extend the charter of the Old Orchard Trust and Banking Company.

An Act authorizing Washington county to sell its stock in the Washington County Railroad Company, and authorizing the sale or lease of said railroad.

The following petition and remonstrance were presented and referred:

Judiciary.

By Mr. Stetson of Penobscot: Remonstrance of S. S. Ireland and 90 others of Dexter, against the incorporation of the Dirigo Electric Light Company.

Inland Fisheries and Game.

By Mr. Clark of Hancock: Petition of Blue Hill Fish and Game Association asking for a close time on fish on first or Billings Pond.

The Committee on Revision of the Statutes, reported Bill. An Act to amend Section 80, Chapter 18 of the Revised Statutes, relating to injuries on highways, and that the same ought to pass. Report accepted. Bill tabled for printing under the joint rules.

Passed to be Engrossed.

An Act for the recording of plans.

An Act to amend Chapter 145 of the Private and Special Laws of 1887, en-

titled An Act to provide sewerage in the town of Houlton.

An Act to amend Section 3 of Chapter 216 of the Public Laws of 1893 relating to conveyance of scholars to and the maintenance of public schools.

An Act to amend Section 3 of Chapter 80 of the Public Laws of 1899, relating to the election of truant officers to fill vacancies occurring in the office of truant officers.

An Act to amend Chapter 284 of the Public Laws of 1901, relating to sea and shore fisheries.

An Act granting a new charter to the Farmington Village Corporation.

An Act to authorize municipalities to make contracts for water, gas and light.

An Act establishing the salary of the county attorney for the county of Kennebec.

An Act to grant testimonials of honorable service to soldiers who served in the war with Spain.

An Act to extend the charter of the Bluehill Water Company.

An Act to incorporate the Liberty Water Company.

An Act to amend Chapter 266 of the Public Laws of 1893, as amended by Chapters 128 of the Public Laws of 1899 and 167 of the Public Laws of 1901, relating to the militia.

An Act to amend Chapter 159 of the Public Laws of 1901, providing for the retirement of commissioned officers of the militia of the National Guard of the State of Maine.

Resolve, in favor of establishing a modern fish hatchery and feeding station at Sebago Lake.

An Act to amend Chapter 94 of the Public Laws of 1887, relating to agricultural societies.

An Act to repeal Sections 7, 8, 9 and 10 of Chapter 61 of the Revised Statutes, relating to the rights of married women.

An Act to repeal Section 36 of Chapter 63 of the Revised Statutes, relating to examination before judges of probate.

An Act to authorize executors and administrators to provide for the perpetual care of burial lots.

An Act to amend Chapter 67 of the Revised Statutes and Chapter 143 of the Revised Statutes relating to the ap-

pointment of guardians for persons insane.

An Act relating to the authority of court over guardians ad litem or next friend.

An Act relating to the acknowledgment of deeds.

An Act relating to the waiving of the provisions of wills by widow.

An Act relating to the attachment of partnership property.

An Act to repeal Section 16 of Chapter 78 of the Revised Statutes, relating to duties of county commissioners.

An Act to amend Paragraph 5 of Section 62 of Chapter 81 of the Revised Statutes, relating to property exempt from attachment and execution.

An Act to amend Section 4 of Chapter 86 of the Revised Statutes, as amended by Chapter 157, Public Laws of 1893, relating to trustee suits.

An Act relating to the dissolution of attachments by filling bond.

An Act to amend Section 1 of Chapter 114 of the Revised Statutes, relating to duties payable by public officers.

An Act to amend Section 21 of Chapter 116 of the Revised Statutes and Chapter 225 of the Public Laws of 1893, relating to fees of registers of deeds.

An Act to prevent injury to books and works of art.

An Act to repeal Sections 8, 9, 10, 11 and 12 of Chapter 133 of the Public Laws of 1897, relating to pardons.

An Act relating to the commitment of the insane, and to abolish the right of appeal to justices of the peace and quorum.

On motion by Mr. Goodwin of Somerset, bill, An Act to amend An Act entitled An Act to authorize the opening of the second channel in Mousam river, was tabled pending the acceptance of the report of the committee on bills in second reading.

Passes to be Enacted.

An Act relative to the Clinton Electric Light and Power Company.

An Act to set apart an annual Old Home Week.

An Act to amend Paragraph 1, Section 6, of Chapter 6 of the Revised Statutes, relating to property exempt from taxation.

An Act relating to the duties of secretary of State.

An Act relating to the dedication of streets.

An Act to amend Chapter 162 of the Public Laws of 1895, relating to tax deeds.

An Act to repeal Section 58 and 59 of Chapter 38 of the Revised Statutes relating to bounties on silk, and on beet sugar.

An Act to repeal Chapter 25 of the Revised Statutes, except Sections 11 and 12, relating to watch and ward in towns.

An Act to repeal Sections 1 to 35, inclusive, of Chapter 38 of the Revised Statutes, relating to the inspection of pork and beef.

An Act relating to work houses.

An Act relating to houses of correction.

An Act to amend Chapter 204 of the Private and Special Laws of 1883, entitled "An Act to establish a municipal court in the town of Westbrook."

An Act to amend Chapter 154 of the Private and Special Laws of 1895, relating to the charter of the Wiscasset Water Company.

An Act to repeal Section 201, Chapter 6, of the Revised Statutes, relating to tax sales.

An Act to repeal Section 200 of Chapter 6, of the Revised Statutes as amended by Section 10, Chapter 70, Public Laws of 1895, relating to tax sales.

An Act to amend Section 33 of Chapter 6 of the Revised Statutes, relating to tax sales.

An Act to consolidate and amend Chapter 78 of the Special Laws of 1861, Chapter 395 of the Special Laws of 1864, Chapter 140 of the Special Laws of 1866, Chapter 536 of the Special Laws of 1874, Chapter 304 of the Special Laws of 1895, and Chapter 398 of the Special Laws of 1901, relating to a police court in the city of Rockland.

An Act to legalize the acts and doings of the town of Williamsburg.

An Act relating to lost goods and stray beasts.

An Act to repeal Section 30 and Section 31 of Chapter 39 of the Revised Statutes, relating to firearms.

An Act to amend Chapter 97 of the Public Laws of 1897, relating to assessment of damages resulting from the raising and lowering of ways.

An Act to amend Chapter 215 of the resolves of the State of Maine of 1897, relating to tuition of students in agriculture at University of Maine.

An Act conferring additional powers upon proprietors of Union wharf, incorporated in special act of the Legislature, approved February 9, in the year 1856.

An Act to incorporate the Smith Cemetery Association of Palermo, Waldo county, Maine.

An Act to amend Chapter 206 of the Public Laws of 1897, relating to the employment of superintendents of schools.

An Act to extend the charter of the Ellsworth Street Railway Company.

An Act in relation to the Hancock County Railway Company.

An Act to repeal Sections 40, 42 and 123 of Chapter 51 of the Revised Statutes, relating to railroads.

An Act to repeal the provisions of Section 3, of Chapter 544 of the Special Laws of 1889, relating to the Bangor Street Railway.

An Act to incorporate the South West Harbor Trust Company.

An Act extending the charter and changing the name of the Van Buren Trust and Banking Company.

An Act to amend Section 129 of Chapter 47 of the Revised Statutes, relating to officers and corporators of savings banks.

An Act to amend Chapter 229 of the Private and Special Laws of 1883 as amended by Chapter 383 of the Private and Special Laws of 1885, entitled "An Act to incorporate the Passadumkeag Log Driving Company."

An Act to incorporate the St. John River Toll Bridge Company.

An Act to authorize the erection of piers and booms in the Mattawamkeag river, at Jenkins' Cove.

An Act authorizing the Great Northern Paper Company to locate, erect and maintain piers and booms in the Kennebec river.

An Act to repeal Sections 21, 22, 46, 66 and 70 of Chapter 2 of the Revised Statutes, relating to the duties of treasurer of State and secretary of State.

An Act to repeal Sections 39, 40, 41, of Chapter 3 of the Revised Statutes, relating to the returns made by assessors.

An Act to repeal Section 67 of Chapter 2 of the Revised Statutes, and to amend Section 37 of Chapter 6 of the Revised Statutes, relating to the duties of the treasurer of State.

An Act to repeal Sections 14 and 17, Chapter 8 of the Revised Statutes, relating to duties of county treasurers.

An Act in relation to the trustees of Westbrook Seminary.

An Act to amend Section 12 of Chapter 3 of the Revised Statutes, as amended by Chapter 335 of the Public Laws of 1885, and to repeal conflicting statutes, relating to the election of collectors of taxes.

An Act to repeal Section 9 of Chapter 13 of the Revised Statutes, relating to the practice of medicine and surgery.

An Act to repeal Sections 7 to 22, inclusive, of Chapter 39 of the Revised Statutes, relating to the inspection of pot and pearl ashes and the inspection of nails.

An Act to repeal Chapter 23 of the Revised Statutes, relating to pounds and impounding beasts.

Finally Passed.

Resolve providing for paying to the city of Rockland the amount deducted from its school fund for the year 1902, on account of imperfect school returns.

Resolve in favor of the town of Sanford. Resolves in relation to the completion of the fifth revision of the general and public laws, and appointing a commissioner therefor.

Resolve in favor of purchase of Maine State Year Book and Legislative Manual for 1903 and 1901.

Orders of the Day.

The majority and minority reports of the committee on Ways and Bridges, on bill, to provide for ownership and maintenance of highway bridges, came up by special assignment, the pending question being upon the motion of Mr. Stetson of Penobscot to accept the minority report. On motion by Mr. Burleigh of Aroostook, said reports were re-assigned for Wednesday of next week.

On motion by Mr. Dudley of Aroostook, bill, An Act to amend the charter of the Easkahegan Dam Company was taken from the table the pending question being on first reading. The bill took its first reading, and on motion of Mr. Wilson of Washington, the rules were suspended and the bill took its second reading, and was passed to be engrossed.

Mr. Burns of Cumberland moved to reconsider the vote whereby upon the Resolve in favor of Fort William Henry at Pemaquid, the committee on Public Buildings and Grounds reported ought not to pass; and on further motion of the same senator, said motion was laid on the table until tomorrow.

On motion of Mr. Wilson of Washington, the Senate adjourned to meet on Thursday, March 5, 1903, at ten o'clock A. M.

HOUSE.

Wednesday March 4, 1903.

Prayer by Rev. Mr. Livingston of Augusta.

Papers from the Senate disposed of in concurrence.

The order, passed in the House yesterday, extending the time for the reception of petitions and bills for private and special legislation until March 11th, came from the Senate amended by making the time March 6th.

On motion of Mr. Weeks of Fairfield, the House recessed and concurred with the Senate.

Bill, An Act to extend the charter of the Sebasticook Manufacturing and Power Company, which was passed to be engrossed in the House, came from the Senate recommitted to the committee on legal affairs.

On motion of Mr. Curtis of Portland the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman it was recommitted to the committee on legal affairs in concurrence with the Senate.

Bill, An Act to regulate the placing of permanent moorings in harbors, which was passed to be enacted in the House, came from the Senate recommitted to the committee on legal affairs.

On motion of Mr. Allen of Sanford, the note was reconsidered whereby, this bill was passed to be enacted, and on motion of Mr. Watson of Chelsea the vote was reconsidered whereby, it was passed to be engrossed, and the bill was then recommitted to the committee on legal affairs in concurrence with the Senate.

The report of the committee on the judiciary, reporting ought not to pass on bill, An Act to supply towns and cities with pure water, came from the Senate with the report recommitted to the judiciary committee.

On motion of Mr. Weeks of Fairfield, the report was recommitted to the judiciary committee in concurrence with the Senate.

The report of the Committee on Taxation, reporting ought not to pass on Bill, An Act to tax railroads according to their cash value, came from the