

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

SENATE.

Thursday, March 5, 1903.

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

Prayer by the Rev. Fr. Doherty of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

At this point Mr. Randall of Cumberland was called to the Chair and presided.

On motion by Mr. Goodwin of Somerset, petition of E. Porter and 23 others for the enactment of a law prohibiting the putting of sawdust and other mill waste into any tributary of Crooked river was laid on the table.

Read and Assigned.

An Act to incorporate the executive committee of Huntoon Hill Grange No. 398, Patrons of Husbandry.

An Act relating to the office of county commissioners. On motion by Mr. Goodwin of Somerset, this bill was laid on the table.

An Act to authorize the town of Kennebunk to own and maintain an electric light and power plant. On motion by Mr. Rankin of York, this bill took its second reading, under suspension of the rules, and was passed to be engrossed.

An Act for the better protection of youth.

An Act to amend Chapter 332 of the Public Laws of 1897 relating to the powers and duties of school committees and the manner of electing superintendents.

An Act to incorporate the Security Trust Company.

An Act providing for a license for non-residents to hunt moose and deer. On motion by Mr. Gardner of Penobscot, this bill was laid on the table.

An Act to amend Chapter 149 of the Private and Special Laws of 1895 entitled "An Act to divide the town of Sullivan and incorporate the town of Sorrento." On motion by Mr. Clark of Hancock, this bill was laid on the table.

An Act relating to the salary of the sheriff of Aroostook county and fixing the same at \$500.

An Act to amend Chapter 61, Public Laws of 1887, relating to Loan and Building Associations.

An Act to incorporate the Meduxnekeag Light and Power Company.

An Act to incorporate the Houlton and Woodstock Electric Railroad Company.

An Act to incorporate the Millinocket Trust Company.

An Act to incorporate the Security Trust Company.

An Act to incorporate the Maine Midland Railroad Company.

An Act to incorporate the Brunswick and Topsham Water District.

An Act to incorporate the Kennebec Valley Railroad Company.

An Act to enable the Presque Isle Water Company to issue bonds to pay, retire and cancel its outstanding bonds.

An Act to amend the charter of the president and trustees of Colby College.

An Act to amend the charter of the Portland and Cape Elizabeth Ferry Company.

An Act to amend Chapter 194 of the Public Laws of 1901 entitled "An Act additional to Chapter 29 of the Revised Statutes relating to bowling alleys."

An Act for the better protection of deer in the county of York.

An Act to provide in part for the expenditures of government for the year 1903.

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

An Act to amend Chapter 175 of the Private and Special Laws of 1887, entitled "An Act to incorporate the Androscoggin Valley Agricultural Society."

An Act to consolidate and amend Chapter 177 of the Special Laws of 1887, and all acts additional thereto and amendatory thereof, relating to the Old Town municipal court.

Resolves authorizing a temporary loan for the year 1903.

Resolves authorizing a temporary loan for the year 1904.

Resolve making appropriations for the Passamaquoddy tribe of Indians.

Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of roads in the Indian Township, Washington county.

Resolve making appropriation for the Penobscot tribe of Indians.

Resolve in favor of establishing a fish hatchery and feeding station at the Rangeley Lakes.

An Act to amend Chapter 43 of the Public laws of 1891 relating to the practice of dentistry.

An Act appropriating one-half of the taxes received from trust and banking companies to the school fund.

An Act to regulate costs in the taking of lands or other property for public uses. On motion by Mr. Clark of Hancock this bill was laid on the table.

An Act to amend section 11 of chapter 68 of the Revised Statutes relating to trust estates.

An Act to amend the charter of the Maine Historical society, permitting said society to hold real and personal estate to the value of five hundred thousand dollars.

An Act in reference to State detectives.

An Act additional to the acts which constitute the charter of the trustees of Hebron Academy.

An Act relating to the taxation of mortgages. On motion by Mr. Wing of Androscoggin, this bill was laid on the table.

An Act to provide for the protection of trees and shrubs from injurious insects and diseases.

The following bills, petitions, etc. were presented and referred:

Judiciary.

Mr. Pierce of Aroostook, under suspension of the rules, presented Bill, An Act, authorizing the town of Fort Fairfield to make a loan.

Mr. Burns of Cumberland, under suspension of the rules, presented, Bill, An Act to regulate the appointment of constables by the City Council of the City of Portland.

Legal Affairs.

Mr. Morse of Waldo, under suspension of the rules, presented Bill, An Act to incorporate the Village Cemetery Association of Searsport, Waldo County, Maine.

Banks and Banking.

By Mr. Titcomb of York, under suspension of the rules, Bill, An Act to amend the charter of the Maine Investment and Guarantee Company.

Ways and Bridges.

By Mr. Knowlton of Penobscot, Petition of C. A. Arnold and 25 others of Newburgh for making the raising of highway money in cash or labor optional with towns.

On File.

By Mr. Rankin of York, Petition of S. Fred Cummings of Houlton and 17 others registered Maine guides for fixing license fee at \$10 for hunting by non-residents.

On motion by Mr. Staples of Knox, it was Ordered, That the committee on legal affairs be instructed to inquire into the expediency of electing a State Insurance Commissioner by the people, and report by bill, or otherwise.

Reports of Committees.

Mr. Wing, for the committee on Judiciary, on bill, An Act to amend the charter of the city of Auburn, reported same ought to pass. Report accepted. On motion by the same Senator, this bill took its several readings, under suspension of the rules, and was passed to be engrossed.

The same senator, for the same committee, on bill, An Act to extend the rights, powers and privileges of the Greenville Water Company, reported same ought to pass. Report accepted. Bill tabled for printing, under the joint rules.

The same Senator, for the same committee, on bill, An Act concerning the Auburn free public library, reported same ought to pass. Report accepted. On motion by the same Senator, the bill took its several readings, under suspension of the rules, and was passed to be engrossed.

Mr. Guernsey, for the committee on the judiciary, on bill, An Act to incorporate the Hillside Water Company, reported same ought to pass. Report accepted. Bill tabled for printing, under the joint rules.

Mr. Pierce, for the committee on legal Affairs, on bill, An Act to incorporate the Wells Electric Light and Power Company, reported same in new draft, under same title and that it ought to pass. Report accepted. Bill tabled for printing, under the joint rules.

Mr. Titcomb, for the committee on Banks and Banking, on bill, An Act to amend section 106 of chapter 47 of the Revised Statutes relating to reserve fund of savings banks, reported same ought to pass. Report accepted. Bill tabled for printing under the joint rules.

The same Senator, for the same committee, on bill, An Act to amend chapter 136 of the private laws of 1837, relating to unclaimed deposits in savings banks, reported same ought to pass. Report accepted. Bill tabled for printing, under the joint rules.

The same Senator, for the same committee, on Bill, An Act to extend and amend the charter of the Blue Hill Trust and Banking Company, reported same ought to pass. Report accepted. Bill tabled for printing under the joint rules.

The same Senator, for the same committee, on Bill, An Act to incorporate the Union Trust Company of Bangor, Maine, reported same in new draft, under title of An Act to incorporate the City Trust Company, and that same ought to pass. Report accepted. Bill tabled for printing under the joint rules.

Mr. Wilson, for the committee on Shore Fisheries, on bill, An Act to repeal chapter 495 of the private and special laws of 1893 reported the same in new draft, under title of An Act to amend chapter 495 of the Private and Special Laws of 1893, relating to the destruction of fish in the Eastern Penobscot River in the town of Orland, and that the same ought to pass. Report accepted. On motion by the same Senator this bill was laid on the table and seven hundred copies of same ordered to be printed.

Mr. Maddocks, for the committee on Shore Fisheries, on Bill, An Act for the protection of lobsters, with eggs attached, reported same in new draft, under same title, and that it ought to pass. Under the rules this bill goes to the committee on appropriations and financial affairs.

The same Senator, for the committee on Ways and Eridges, on Bill, An Act to amend section 2 of chapter 20 of the Revised Statutes, relating to ferries, reported same ought to pass. Report accepted. Bill tabled for printing under the joint rules.

Passed to be Engrossed.

An Act to authorize the town of Kennebunk to own and maintain an electric lighting and power plant.

An Act to amend the charter of the City of Auburn.

An Act concerning the Auburn free public library.

An Act relating to the commitments by trial justices and judges of police and municipal courts.

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.

At this point the President resumed the chair.

Passed to Be Enacted.

An Act to incorporate the Merrill Trust Company.

Orders of the Day.

Report, Committee on Public Buildings and Grounds, on resolve for appropriation for Fort William Henry (ought not to pass) came up by special assignment.

The PRESIDENT: Yesterday, the Senator from Cumberland, Mr. Burns moved to reconsider the vote accepting the report, and then laid that motion on the table. The pending question now is on the motion to reconsider the vote whereby the report of the committee on public buildings and grounds was accepted.

Mr. MANLEY of Kennebec: Mr. President, That matter was heard before the committee during two days. They had a full hearing before the committee, and the committee were unanimous that there should be no appropriation for Fort William Henry. From the testimony, it appeared that it is a private institution, and the man there gets his living by charging a fee to everybody that goes there. We came to the conclusion to make no appropriation for it. It was a unanimous report, accepted by both branches; and I do not understand that the Senator from Cumberland made the motion of his own free will, but that he made it because he was requested to make it by a member from the House. I think the Senate should sustain the report of the committee.

Mr. BURNS of Cumberland: Mr. President, I have no personal interest in this matter, I understand that two members of the committee, on the part of the Senate were absent at that time, were not present at the hearing, and I think every member of the Commission was present at that hearing. They were out of town, and the members of the committee who have been consulted, are willing, the most of them, I think with one exception, to have the bill re-committed to them. As I said before, I make this at the request of a member from the House, of the Lincoln county delegation.

Mr. MANLEY: There was not two members of the committee absent when the vote was taken. They were all present.

Mr. BURNS: I stated they were absent during the hearing.

Mr. MANLEY: When the vote was taken they were all present. I don't know about the hearing, myself. I was not present. The Senators know it is a very easy matter to run between these different members of the committee, after a case has been heard fully and freely, and get them to say they will consent to having it sent back. This has been fought out be-

fore the committee and a dozen other prominent men throughout the State were there, and we heard all they had to say; and no one wants to appear before the committee but a member of the House. I do not think it should be re-committed again, but I think the Senate should accept the report of the committee.

Mr. BURNS: Mr. President, I believe even the Senator from Kennebec wishes one of his bills re-committed to another committee.

Mr. MANLEY: No Sir. I have no notion of it.

The question being put upon the motion to reconsider the acceptance of the report, the motion was lost.

On Motion by Mr. Morrison of York the Senate adjourned to meet on Friday, March 6, 1903, at ten o'clock A. M.

HOUSE.

Thursday, March 5, 1903.

Prayer by Rev. Mr. Cannon of Lowell.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

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 1892, 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 the charter of the city of Auburn. (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Oakes of Auburn.)

An Act concerning Auburn Free Public Library. (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Oakes of Auburn.)

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.