

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

**Seventy-Second Legislature**

OF THE

STATE OF MAINE.

---

1905.

**SENATE.**

Friday, March 10, 1905.

Senate called to order by the President.

Prayer by Rev. Mr. Hamel of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

Mr. MORSE of Waldo: Mr. President, I hold in my hand several acts and resolves which were received in this body under suspension of the rules and refused a passage in the House, on which a conference was appointed. I have to report that the committee of conference on these matters report that the House recedes, and concurs with the Senate.

The report submitted by the Senator from Waldo included the following bills and resolves:

An Act to change the name of the Dover Gas Light Co.

Resolve in favor of the town of China.

Resolve in favor of Ida Yeaton, widow of John Yeaton, late of the Third Maine Cavalry.

Resolve in favor of the town of Chelsea.

Resolve in favor of the town of Farmingdale.

Resolve in favor of the town of Litchfield.

Resolve in favor of the town of Vassalboro.

Resolve in favor of the town of Vienna.

Resolve in favor of the town of Wayne.

Resolve in favor of the town of West Gardiner.

An Act for the protection of fish in Dead, Bailey and Levenseller brooks in the towns of Brooks and Waldo in the county of Waldo.

An Act to authorize the town of Mechanic Falls to acquire certain property and rights in the Mechanic Falls Manufacturing Co.

The report was accepted.

The following order came from the House: Ordered, the Senate concurring, that the committee on Legal Affairs, make inquiry in relation to the present method of assessing and de-

scribing wild lands taxed by the State and the several counties for the purpose of securing legal assessment and proper and sufficient description of such lands to make the sale thereof by the State Treasurer for the non-payment of State and County taxes of binding and legal effect; and further to make inquiry as to the advisability of requiring the State Treasurer to give in the name of the State additional and amended deeds to DeForest Keyes and Herbert I. Kimball, containing sufficient description of the wild lands forfeited to the State and sold by the State to them on tax sale, so as to enable them to locate such lands so sold to them, and to report by bill or otherwise in said matters, looking to the just interest of the State and to just and equitable relief of said parties herein mentioned who have in good faith paid their funds to the State and have received nothing whatsoever therefor from the State.

The PRESIDENT: This is an order directed to the committee on Legal Affairs, and comes from the House referred in that branch to the Committee on Judiciary. What action will the Senate take with reference to the order?

On motion by Mr. Shaw of Sagadahoc the Senate voted to non-concur with the House in referring the order to the committee on Legal Affairs, and voted that it be referred to the committee on Judiciary.

On motion by Mr. Stetson of Penobscot "Petition of D. L. Pettengill and 55 others relative to abolishing the fee system," which came from the House referred to the Committee on Salaries, was placed on file, the Senate non-concurring with the House in its reference.

**House Bills Read and Assigned.**

An Act to amend Section 3 of Chapter 41 of the Revised Statutes of 1903 relating to Sea and Shore Fisheries.

Resolve in favor of Maine School for the Deaf.

Resolve in favor of aid in building highway bridge across the Kennebec river between the towns of Bingham and Concord. On motion by Mr. Stetson of Penobscot, the rules were suspended, and the bill took its second reading, and was passed to be engrossed.

Majority and minority reports of the committee on taxation, on bill "An Act to amend Section 25 of Chapter 8 of the Revised Statutes relating to taxation of railroad companies." Majority report "ought not to pass." Minority report "ought to pass" in new draft.

The question being upon the acceptance of the majority report, the same was accepted.

Mr. Stetson of Penobscot, presented out of order the following, "Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet on Monday, March 13, 1905, at 8.15 in the evening." The order was passed, and sent down for concurrence. Subsequently, the President announced that the order had been concurred in by the House.

The following bill came from the House: "An Act to amend Section 10 of Chapter 52 of the Revised Statutes relating to management and operation of steam railroads. (In the House this bill was received under suspension of the rules, and without reference to a committee took its several readings and was passed to be engrossed.) On motion by Mr. Gardner of Penobscot, the bill took its several readings, and was passed to be engrossed.

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

By Mr. Furbish of Franklin: Resolve in favor of clerk and stenographer and messenger to the committee on inland fisheries and game, which was referred to the committee on appropriations and financial affairs.

By Mr. Simpson of York: Petition of F. S. Smith of Biddeford and 18 others, urging passage of bill relating to the proper labelling of proprietary drugs containing alcohol and narcotic drugs. Placed on file.

By Mr. Owen of Piscataquis: Petition of W. A. Meserve and 18 others for same. Placed on file.

By Mr. Brown of Kennebec: Petition of Arthur B. Woods and 10 others, for same. Placed on file.

By Mr. Morse of Waldo: Bill, An Act relating to a winter speedway on the Kennebec river at Gardiner. Referred to the committee on judiciary.

Mr. Morse of Waldo, presented the following "Vote of thanks:"

Resolved, That the thanks of this Legislature are due, and we hereby extend to our delegation in Congress our sincere appreciation of their successful efforts in obtaining from the United States government the valuable property known as the United States arsenal grounds on the east side of the Kennebec river in the city of Augusta, to be used for hospital purposes, containing about 42 acres of land with 22 buildings thereon situated, the same being watered, sewerred and electric lighted, and valued at \$300,000.

The foregoing resolve was read and unanimously adopted and sent down for concurrence.

#### Orders.

Mr. Stetson of Penobscot, presented the following order, and moved that it be referred to the committee on appropriations and financial affairs:

Ordered, That there be paid to J. Perley Dudley, for services as clerk to the committee on salaries, for taking evidence at the hearings and transcribing the same, for keeping, filing and indexing all papers and documents referred to the committee together with the original papers submitted by the special committee, for keeping the records of the doings of said committee and drafting the bills submitted by said committee, the sum of \$350.

Mr. PUTNAM of Aroostook: Mr. President, I would suggest to the senator from Penobscot, that I understand under the joint rules, all these resolves to pay clerks and stenographers of committees, go to the committee on appropriations and financial affairs. I would suggest to the senator from Penobscot that he withdraw the order and that he present a resolve for the same subject matter.

The foregoing order was tabled on motion by the senator from Penobscot and subsequently that senator moved to substitute for the order the following resolve:

Resolve in favor of J. Perley Dudley. The motion prevailed and the order was withdrawn.

#### House Bills Read and Assigned.

An Act to extend the corporate pow-

ers of the Seabastcook Manufacturing and Power Company.

Mr. STETSON of Penobscot: Mr. President, I will state that I think it is desirable that many of these bills on first reading should also have their second reading at the present time, and pass to be engrossed; as we expect, at least, to adjourn to Monday, the 13th and it will give an opportunity to have many of these bills engrossed, and will not interfere with any of the bills under discussion. I therefore move that this bill take its second reading under suspension of the rules, and pass to be engrossed. The motion prevailed; and the bill was passed to be engrossed.

The following bills on first reading were disposed of in the same manner on motion by the same Senator, namely:

An Act to incorporate the Mattagammon Tow Boat Company.

Resolve authorizing the Land Agent to release the State's interest in Halfway Island in Hancock county.

An Act to incorporate the Alfred Light and Power Company.

An Act for the encouragement, development and conservation of the Sea Fisheries industry.

An Act to provide notice to beneficiaries under wills.

An Act relating to a winter Speedway on the Kennebec river at Hallowell.

An Act to authorize Justin M. Leavitt to maintain and extend a wharf at the harbor line, into the tide waters of Cape Porpoise Harbor, in the town of Kennebunkport.

An Act to extend the charter of the Camden and Liberty Railway.

An Act to prevent the unlawful diversion of electricity. (On motion by Mr. Clark of Hancock, this bill was tabled.)

An Act to amend chapter 557 of the Private and Special Laws of 1893, entitled An Act to incorporate a Home for aged men in Bangor.

An Act to amend chapter 415 of the Private and Special Laws of 1868, entitled An Act authorizing Drew Plantation to raise money for certain purposes.

An Act to confirm the charter and enlarge the powers of the old York Historical and Improvement Society.

An Act to extend the powers of the Eastern Timber Company.

An Act to incorporate the Saco River Electric Power Company.

An Act to amend and extend the charter of the Winterport, Frankfort and Prospect Electric Railway.

An Act to amend chapter 172 of the Private and Special Laws of 1891, as amended by chapter 295 of the Private and Special Laws of 1901, relating to consolidation of certain railroad corporations.

(All the foregoing bills, on first reading, were passed to be engrossed, having had their second reading under suspension of the rules, on motion duly made.)

#### Reports of Committees.

Mr. Pierce of the Committee on Legal Affairs on bill "An Act to amend Section 19 of Chapter 53 of the Revised Statutes, relating to the construction and control of streets by cities and towns on which street railways may be, or may have been, constructed," reported same "ought not to pass." Report accepted.

The same Senator for the same Committee on bill, "An Act to amend Section 19 of Chapter 6 of the Revised Statute, relating to elections," reported that same be referred to the next Legislature. Report accepted.

The President announced three several reports of the Committee on Legal Affairs, pertaining to the alleged non-enforcement of the prohibitory law in Cumberland county, as follows: Report A. The Committee on Legal Affairs, to whom were referred petitions praying for the appointment of a special committee to investigate the non-enforcement of the law in Cumberland county, report as follows; That from the evidence presented the Committee find that the sheriff of Cumberland county permits various persons to sell intoxicating liquors in a manner not authorized by law; that this condition of things is open, and a matter of common knowledge, and was not in any way controverted at the hearing; that in the opinion of the Committee this is a clear violation. In view of the

foregoing the Committee consider that further investigation is unnecessary, and so recommend. (Signed) Pierce, Mills, Oakes, Holmes, Tracy, Gray and Weatherbee.

Report B. The Committee on Legal Affairs, to whom were referred petitions asking for the appointment of a special committee to investigate the nonenforcement of the law in Cumberland county, report as follows; That the evidence presented at the hearing was no more than hearsay and common report, and not such as would be legally admissible in judicial proceedings; that so far as we are informed the degree of enforcement in Cumberland county appears not to be materially different from that in several of the other counties in this State; that under these conditions a legislative investigation of the nature suggested should not be confined to a single county, as requested by these petitions; that the constitution of the State makes ample provision for the trial and impeachment of public officers for malfeasance in office, which remedy was and still is available to these petitioners. We are therefore of the opinion that no further action of this Committee is necessary or justifiable, and we recommend that the petitioners have leave to withdraw. (Signed) Baxter and Reed.

Report C. The Committee on Legal Affairs, to whom were referred the petitions for the appointment of a special committee to investigate the nonenforcement of the prohibitory law in Cumberland county, report that the petitioners have leave to withdraw.

(Signed) L. M. STAPLES.

On motion by Mr. Simpson of York the foregoing reports "A," "B" and "C" were tabled, and ordered to be printed, and Wednesday of next week assigned for their consideration.

Mr. Irving for the Committee on Railroads and Expresses on bill, "An Act to incorporate the Peak's Island Railway Co," reported that the same "ought not to pass." Report accepted.

Mr. Furbish for the Committee on Inland Fisheries and Game, to whom was recommended "An Act to amend Section 1 of Chapter 301 of private and special laws of 1903, relating to the protection of deer in the counties of Kennebec, Knox, Waldo and Lincoln, re-

ported same "ought not to pass." Report accepted.

Mr. Shackford for the Committee on Sea and Shore Fisheries, on petition of R. E. Doherty and 35 others of Sedgwick and vicinity, praying that the use of purse and drag seines for the taking of fish in Benjamin's river and coves, so called, reported that petitioners have leave to withdraw. Report accepted.

Mr. Stetson for the committee on mercantile affairs and insurance, on bill "An Act to amend Section 1 of Chapter 49 of the Revised Statutes, relating to individuals doing a fire insurance business, reported same "ought not to pass." On motion by Mr. Clark of Hancock, the bill and accompanying report was tabled.

Mr. Bailey for the committee on agriculture on "report of the cattle commissioners on contagious diseases of animals," reported that same be placed on file. Report accepted.

Mr. Clark for the committee on judiciary on "resolve authorizing Frank G. Sterling et als to build a wharf into the tide waters of Cranberry Isles," reported bill under same title and that it "ought to pass." Report accepted.

Mr. Staples for the committee on legal affairs on bill "An Act recognizing the Fepperill Manufacturing Company as a corporation legally organized for banking and additional powers," reported same in new draft under same title, and that it "ought to pass." Report accepted.

Mr. Staples for the same committee on bill "An Act to amend the charter and the city ordinances of the city of Gardiner, in relation to the election of city marshal and street commissioner, reported that the same "ought to pass." Report accepted.

Mr. Pierce for the same committee on bill "An Act amending Section 88 of Chapter 84 of the Revised Statutes, relating to challenging of jurors," reported same "ought to pass." Report accepted.

The same senator for the same committee on bill "An Act to amend Section 31 of Chapter 93 of the Revised Statutes relating to Hens," reported that same "ought to pass." Report accepted.

Mr. Putnam for the committee on appropriations and financial affairs, on resolve in favor of William H. Reid, State binder, reported same "ought to pass." Report accepted.

Mr. Tupper for the committee on education on resolve to provide for completion of the residence of the principal of the Western State Normal school at Gorham, reported that the same "ought to pass." Report accepted.

Mr. Mills for the same committee on bill "An Act to amend Chapter 223 of the Private and Special Laws of 1903, in relation to the establishment of a private Normal school at Presque Isle in Aroostook county, reported that the same "ought to pass." Report accepted.

Mr. Stetson for the committee on inland fisheries and game, on bill "An Act to extend the close time on caribou and to amend Chapter 32 of the Revised Statutes relating to inland fisheries and game, reported same in new draft under same title and that it "ought to pass." On further motion by the same senator the bill and accompanying report were tabled for printing pending the acceptance of the report.

Mr. Pierce for the committee on claims on resolve in favor of the city of Portland, for reimbursement for amounts spent for relief of soldiers' families during the war with Spain, reported same "ought to pass." Report accepted.

Mr. Morse for the committee on State prison on bill "An Act to amend Section 4 of Chapter 141 of the Revised Statutes relating to State prison," reported same "ought to pass." Report accepted.

The same senator for the same committee on bill "An Act to amend Section 1 of Chapter 116 of the Revised Statutes relating to salaries of public officers, and compensation of members of the government," reported same "ought to pass." Report accepted.

Mr. Stetson for the committee on salaries on report of the special committee on salaries and fees reported accompanying bill entitled "An Act relating to compensation of clerks of courts," and that it "ought to pass." Report accepted.

The same senator for the same committee, on the same subject matter, reported accompanying bill, entitled "An Act relating to compensation of county commissioners, and that it "ought to pass." Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, entitled "An Act relating to compensation of county treasurer, and that it ought to pass. Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, "An Act relating to the compensation of judges of probate, and that it ought to pass. Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, "An Act relating to compensation of registers of probate, and that it ought to pass. Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, "An Act relating to compensation of registers of deeds, and that it ought to pass. Report accepted.

The same Senator for the same committee on the same subject matter, reported accompanying bill, "An Act to amend section 18 of chapter 117 of the Revised Statutes, relating to fees of registers of deeds," and that it ought to pass. Report accepted.

The same Senator for the same committee on the same subject matter, reported accompanying bill "An Act relating to the duties of county attorneys," and that it ought to pass. Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, "An Act relating to the compensation of county attorneys," and that it ought to pass. Report accepted.

The same Senator for the same committee, on the same subject matter, reported accompanying bill, "An Act relating to compensation of sheriffs," and that it ought to pass. Report accepted.

Mr. Shaw for the Committee on

Advertising Legislative Hearings, which was instructed by an order of the Legislature to inquire into the expediency of considering the matter of advertising legislative hearings, reported the accompanying bill, "An Act relating to advertising hearings before legislative committee."

On further motion by the same Senator the foregoing bill and report were tabled for printing pending the acceptance of the report, and Tuesday of next week assigned for consideration.

The following committees submitted their final reports, that they had acted on all matters referred to them, namely:

The Joint Standing Committee on Banks and Banking.

The Joint Standing Committee on Inland Fisheries and Game.

The Joint Standing Committee on Education.

The Joint Standing Committee on Railroads and Expresses.

The Joint Standing Committee on Ways and Bridges.

The Joint Standing Committee on Labor.

The Joint Standing Committee on Mercantile Affairs and Insurance.

The Joint Special Committee on Salaries.

#### Passed to be Engrossed.

An Act to provide for the appointment of receivers of corporations.

An Act in relation to the taxation of mortgages on real estate.

An Act to authorize the Sanford Light and Power Company to increase its capital stock, and to acquire and purchase rights of the Atlantic Shore Line to furnish light, heat and power in the town of Sanford.

An Act to extend the charter of the Union River Water storage company.

An Act relating to the Bar Harbor and Union River Power Company.

An Act to extend the charter of the Fish River Improvement Company.

An act relating to plumbers and plumbing.

An act to confirm the organization of the Sebec Power Co. and amend its

charter extending its corporate powers and purposes.

An act to amend Section 2 of Chapter 406 of the private and special laws of 1850, entitled "an act creating the Norway Village Corporation."

An act to extend the charter of the Buckfield Water Power and Electric Light Co.

An act to authorize the construction and maintenance of a wharf into the tide waters of Casco bay on the island of Little Chebeague, situated in the county of Cumberland and the city of Portland, Maine.

An act to authorize E. S. Everett and others to erect and maintain a wharf into the tide waters of Casco bay in the town of Freeport.

An act to amend Section 23 of Chapter 83 of the Revised Statutes, relating to orders for service.

An act to legalize and make valid the acts of Phillips Village Corporation.

An act to amend Section 101 of Chapter 4 of the Revised Statutes relating to harbors.

An act to amend Section 3, Chapter 24, of the Revised Statutes relating to notaries public.

An act to legalize and make valid the acts of the Phillips Village Corporation.

An act to extend and amend the charter of the Waterville and Winslow Bridge Co.

An act to amend Chapter 391 of the Private and Special Laws for the year 1903 relative to the Farmers' Telephone Co. enlarging its territory.

An act to repeal the first clause of sub-division entitled "In Washington County" of Section 1, Chapter 407 of the Private and Special Laws of 1903 entitled "An Act to consolidate and revise certain laws relating to closing certain lakes and ponds to ice fishing," etc.

An Act for the protection of fish in the tributaries of Upper Kezar Pond, Oxford county.

An Act relative to the artificial cultivation of fish by riparian proprietors.

An Act to prohibit the taking of oysters from Dyer's and Sheepscot rivers in the county of Lincoln.

An Act to repeal Chapter 264 of the Laws of 1824, as amended by Chapter 459 of the Laws of 1827, and Chapter



258 of the Laws of 1837, relating to the fisheries in the waters of Vinalhaven.

An Act to amend Section 1 of Chapter 462 of the Private and Special Laws of 1897, relating to the taking of alewives in Bagaduce river.

An Act to amend the charter of the Augusta Trust Co.

An Act prohibiting the use of titles ordinarily applied to banks and trust companies by other than duly authorized banking corporations.

An Act to extend the charter of the Bluehill Trust and Banking Co.

An Act to amend Section 19 of Chapter 77 of Revised Statutes relating to title by descent.

An Act regulating the sale of bonds and other obligations issued on the installment plan by foreign corporations.

An Act to incorporate the Fidelity Trust Co. of Portland, Maine.

An Act to amend Section 16 of Chapter 24 of the Revised Statutes relating to the law of the road.

An Act additional to Chapter 93 of the Revised Statutes relating to "mechanics' liens."

An Act to amend Section 12 of Chapter 140 of the Revised Statutes relating to coroner's inquests.

An Act to amend the Revised Statutes, Chapter 125, Section 48, relating to cruelty to animals.

An Act to incorporate the North Chesterville Light and Power Co. in the village of North Chesterville in the towns of Chesterville and Farmington in the county of Franklin.

An Act to authorize the removal of bodies of deceased persons from the Freedom cemetery in the town of Freedom.

An Act to amend Section 1 of Chapter 59 of the Revised Statutes, by providing for the incorporation of yacht clubs.

An Act to amend Chapter 64 of the Private and Special Laws of 1899, as amended by Chapter 472 of the Private and Special Laws of 1901, and Chapter 48 of the Private and Special Laws of 1903 relating to the Wilson Stream Dam Company.

An Act to authorize the Emerson Lumber Company to erect and maintain dams across the west branch of the Mattawamkeag river in the town

of Island Falls in the county of Aroostook.

An Act to regulate fishing in Mattawamkeag lake.

An Act to regulate fishing in Chepenticook lake, sometimes called Spednic lake, in the county of Washington.

An Act relating to fishing in Lufkin pond, Franklin county.

An Act to authorize the Mattawamkeag Lumber Company to erect and maintain piers and booms in the west branch of the Mattawamkeag river and Fish stream.

An Act to incorporate the Van Buren Light and Power Company.

An Act to incorporate the Hastings Brook Improvement Company.

An Act to regulate fishing in the south branches of the Sandy river, in Franklin county.

An Act for the protection of muskrats in the towns of Hartland, Harmony, Athens and Palmyra, in the county of Somerset.

An Act to repeal Chapter 415 of the Private and Special Laws of 1903 annexing certain islands to the town of Phippsburg.

An Act to regulate the purchase of milk or cream by creameries.

An Act authorizing Samuel Sylvester to build a wharf into the waters of Small Point harbor, in town of Phippsburg, in said State.

An Act to extend the charter of the Houlton and Woodstock Electric Railroad Co.

An Act to amend Section 8 of Chapter 117 of the Revised Statutes relating to constables.

Resolve in favor of town of Edmunds in the county of Washington in aid of building a bridge across tide waters in said town on road leading through the town of Edmunds to Whiting.

Resolve in favor of the town of Greenbush.

Resolve for the purpose of completing the fish hatchery and feeding station at the Rangeley lakes.

Resolve to authorize the land agent to sell and convey certain lands owned by the State in Caribou, now used as a fish hatchery.

An Act to amend the charter of the Lubec Electric Light and Power Company.

Resolve authorizing a temporary loan for the year 1906.

Resolve in favor of the Norcross Transportation Co.

Resolve in favor of the town of Fal-mouth.

Resolve authorizing temporary loan of the year 1905.

An Act relating to compensation of Commissioners of Inland Fisheries and Game.

An Act relating to enlarging the duties and fixing the compensation of the attorney general.

An Act to abolish the Common Council and increase the membership of the Board of Aldermen of the City of Portland.

Mr. STURGIS of Cumberland. Mr. President; pending the second reading of this bill I move that it be tabled. My reason for making the motion is, that the City Government of Portland desire to have the date of the referendum changed, and in order that they may be consulted in regard to the date I make this motion, and further move that it be taken up next Tuesday for consideration.

An Act relating to the compensation of certain state officers. This bill came from the House with House amendment A, to amend Section 4 by striking out in the third line after the word "legal" the words "and usual."

Mr. STETSON. Is not that the amendment I made yesterday? and action has not been taken in the House upon the matter. It was sent to the House, I presume?

The PRESIDENT. The Senator from Penobscot amended House document No. 228. This is House document 225.

Mr. STETSON. I desire to offer an amendment, and move that it be tabled until I have an opportunity to draw the amendment. The motion prevailed.

Subsequently the matter was taken from the table, on motion by Mr. Stetson, and on his further motion the Senate non-concurred with the House in the adoption of the amendment.

The PRESIDENT. The Chair wishes especially to call the attention of the Senate to bills fixing salaries, with regard to the fact that they are not amended in either branch without the knowledge of the other branch. It is an important matter.

An Act to amend Section 13 of Chapter 32 of the Revised Statutes relative to the manner of hunting and catching wild hares and rabbits.

Mr. STETSON of Penobscot: Mr. President, in the absence from the Senate chamber of the senator from Knox I move that this bill be tabled temporarily.

The senator from Knox thereafter returned to the Senate chamber, whereupon the President announced to the senator that during his temporary absence House document 321 had been tabled by the senator from Penobscot.

Mr. STAPLES: Mr. President, I move it take its second reading. Is it the one I tabled yesterday?

The PRESIDENT: No. The Chair will inform the senator from Knox that he is not advised what interest the senator has in the bill, but presumes the senator himself does.

Mr. STAPLES: I will simply say I have no more interest in it today than I had yesterday.

Mr. STETSON: I am very much interested in this matter. It came before our committee and had a wide discussion, and I would like to have the senator from Knox name a day when he will take the matter up for discussion.

Mr. STAPLES: What is the number of the bill, Mr. President?

Mr. STETSON: It is the bill relating to wild hares.

Mr. STAPLES: It was tabled under your motion.

The PRESIDENT: The senator from Penobscot tabled it, and that senator has now taken it from the table; what does the senator from Knox want to do with it?

Mr. STAPLES: I don't want anything to do with it. I want the senator from Penobscot to have all the power to take care of all the hares in Penobscot county.

The bill having received its two readings was passed to be engrossed.

Resolve in favor of George N. Drost of Fort Fairfield.

Mr. Clark of Hancock, moved that the foregoing resolve be indefinitely postponed.

Mr. PIERCE of Aroostook: Mr. President, this matter came before the committee on claims, at first coming before the committee on pensions. It is one of peculiar significance, and on which I feel that the members of the Senate, when they fully understand the matter, will fail to take such action as that recommended by the senator from Hancock.

This resolve, as I understand, went to the committee on pensions, and they felt that it was a matter outside of their jurisdiction, and it was referred to the committee on claims. After a full consideration it was decided that it was a matter deserving of consideration by the State, and the committee so recommended.

Now I would make a statement of the facts as presented to the committee, to

the members of the Senate, and ask their consideration of it at this time. The person in whose favor this resolve is recommended is a man about 35 years of age, a man of ordinary mental ability, of good habits, and had been a hard-working individual until about two years ago. At that time while working in a hay field he was stricken with sun-stroke, which deranged his mind, and he was taken to the insane hospital at Bangor. While there, but in a convalescent state, he got away from the attendants, still being insane—but considered to be convalescent—and was found in the winter season in the town of Lagrange with both feet frozen.

He was taken to a hospital, and to save his life it was necessary that both feet should be amputated, which was done. He recovered his health, and recovered his mind; but he is a cripple, and will be such for life, without any means for support, and a burden upon his relatives who are unable to care for him.

Prior to this time he had turned his substance to his parents and family; unmarried himself, he was helping to support his parents and younger brothers and sisters.

This is a matter in one way in which it is felt the State was in part responsible for the accident. He had never served in the militia, or in any way in the military organizations of the State and country, and consequently could not receive a pension through any acts of the State or nation relating to pension for army service, and it was thought this was the only way it could be reached.

It was believed by the committee on claims that the State was responsible in part, if not wholly, for the unfortunate condition which he is now in. It is a case wherein he dislikes to be termed a pauper. If this is not passed, he becomes pauperized. In this case it is merely meeting by the State with the conditions which his needs demand, because, as he believes, and as we believe, by the negligence of the State's servants he was incapacitated.

For this reason, and in fairness to an individual who has suffered, and as right and justice on the part of the State for its own negligence, I ask and beg of you that you give this due consideration. The resolve carries a pension of \$8 a month to this individual, and of course it can be revoked at any time in the wisdom of the Legislature. In fairness and justice I say this resolve should have a passage.

Mr. CLARK of Hancock: Mr. President, I would like to ask the gentleman from Aroostook if he knows of any precedent for this action.

Mr. PIERCE: I do not know of any. In fact, I have not looked into the matter to see whether there is any or not.

The PRESIDENT: There is not any required is there?

Mr. PIERCE: It does not seem to me there should be.

The question being put upon the motion of the senator from Hancock that the resolve be indefinitely postponed, the motion was lost.

The resolve thereupon took its second

reading, and was passed to be engrossed.

#### Passed to Be Enacted.

An Act relating to the bills of expenses of State and county officers.

An Act relating to the taking of scallops in the Bagaduce river, so called, between the towns of Castine and Brooksville in the county of Hancock, from March first to November first in each year.

An Act to prohibit scallop fishing in Bluehill bay from the first day of April to the first day of November in each year.

An Act to amend Chapter 15 of the Revised Statutes of Maine, relating to education.

An Act relating to fishing in the tributaries to Anonymous pond.

An Act ceding to the United States exclusive jurisdiction over certain lands acquired for public purposes within this State, and authorizing the acquisition thereof.

An Act to incorporate the Mount Desert Trust Company.

An Act pertaining to the duties of the cattle commissioners.

#### Finally Passed.

Resolve for an appropriation for the use of the commissioner of sea and shore fisheries.

Resolve providing for the screening of Sabattus pond, Androscoggin county.

Resolve in favor of the Western State Normal School at Gorham.

Resolve in favor of repairing Mattawamkeag bridge.

Resolve in favor of Lee Normal Academy.

#### Orders of the Day.

Bill, "An Act to incorporate the Danforth Water Company," came from the House reported by the committee on legal affairs in new draft under same title, and that it "ought to pass." Report accepted in concurrence. On motion by Mr. Pierce of Aroostook, the bill took its several readings under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Ayer of Kennebec, bill "An Act authorizing a topographic survey of the State," was taken from the table, and the same senator moved that the bill take its second reading and pass to be engrossed. On motion by Mr. Clark of Hancock, the bill was tabled.

On motion by Mr. Putnam of Aroostook, bill "An Act granting additional powers to the Eastern Manufacturing Company," was taken from the table, the same having been assigned for today; and on further motion by the same senator the bill was reassigned for Wednesday of next week.

On motion by Mr. Stetson of Penobscot, who stated that his action was by request of Senator Potter of Cumberland, Senate document 141, being report of committee on State printing on bill to amend Revised Statutes relating to State printing, was taken from the table, and was assigned for Thursday, March 16, under the name of Mr. Potter, and at his request.

On motion by Mr. Clark of Hancock, the vote whereby the report of the committee on judiciary on bill "An Act to incorporate the Prout's Neck Village Corporation," that "the same be referred to the next Legislature," was reconsidered, and on further motion by the same senator the same was recommitted to the committee on judiciary.

On motion by Mr. Clark of Hancock, bill "A general Act relating to negotiable instruments," was taken from the table, and on further motion by the same senator was recommitted to the committee on bills in second reading.

On motion by Mr. Stetson of Penobscot, the Senate reconsidered the vote whereby the bill relating to the Danforth Water Company, being House document No. 420, was passed to be engrossed. The same senator moved that the bill be tabled, and Tuesday of next week assigned for its consideration.

On motion by Mr. Gardner of Penobscot, the vote whereby Senate document No. 340, a general Act relating to negotiable instruments, was recommitted to the committee on bills in second reading, and was reconsidered, and on further motion by the same senator the bill was tabled.

Mr. GARDNER: I take this action because the bill makes some radical changes in business methods, and I desire to have some time to investigate the same.

Senate document 137, An Act to amend Chapter 175 of the Private and Special Laws of 1903, in relation to the Atlantic Shore Line Railway, which had been amended in the Senate and passed to be engrossed, was returned from the House, Senate amendment adopted in that branch, and House amendments A and B adopted by the House.

The Senate thereupon voted to reconsider the vote whereby the bill was passed to be engrossed. House amendments A and B were severally adopted in concurrence, and the bill as amended was passed to be engrossed.

On motion by Mr. Knowlton of Penobscot, the Senate adjourned to meet Monday evening, March 13, 1905, at 8.15 o'clock.

## HOUSE.

Friday, March 10th 1905

Prayer by Rev. Mr. Clark of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the town of Phippsburg, came from the Senate, that branch having received the resolve under a suspension of the joint order and referred the resolve to the committee on claims.

The House suspended the joint order and referred the resolve to the committee on claims in concurrence.

An Act authorizing the town of Stonington to issue bonds for the purpose of erecting a schoolhouse, came from the Senate having been received in that branch under a suspension of the joint order and read three times and passed to be engrossed under a suspension of the rules.

The House suspended the joint order in concurrence and the bill received its three several readings and was passed to be engrossed under a suspension of the rules in concurrence.

### Senate Bills on First Reading.

An Act authorizing the Governor and Council to execute a contract for water for the State Capitol. (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Higgins of Limerick.)

An Act to amend Chapter 266 of the Public Laws of 1893, as amended by Chapters 128 of the Public Laws of 1899, 159 and 167 of the Public Laws of 1901, and 73 and 212 of the Public Laws of 1903, relating to the militia. (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Higgins of Limerick.)

Resolve in favor George G. Weeks. (Read a second time and passed to be engrossed under suspension of the rules on motion of Mr. Higgins of Limerick.)

Resolve in favor of L. C. Morse. (Read a second time and passed to be engrossed under a suspension of the