

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

SENATE.

Thursday, February 21, 1907.

Senate called to order by the President.

Prayer by Rev. Fr. Hamel of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Curtis of Cumberland, Bill, "An Act to amend Chapter 43 of the Private and Special Laws of 1905, entitled, 'An Act to authorize the sale of bonds on the installment plan by a foreign corporation,'" was tabled to be printed, pending reference.

On motion by Mr. Parkhurst of Penobscot, Bill, "An Act to amend Chapter 419 of the Private and Special Laws of 1897, and Chapter 155 of the Private and Special Laws of 1899 and Chapter 308 of the Private and Special Laws of 1901 entitled, 'An Act to incorporate the Penobscot East Branch Log Driving Company,'" was tabled for printing, pending reference.

On further motion by the same Senator, Bill, "An Act to incorporate the Penobscot Log Driving and Improvement Company," was tabled for printing, pending reference.

On motion by the same Senator, Bill, "An Act to incorporate the Maine Title and Guaranty Company," was tabled to be printed, pending reference.

Bill, "An Act to provide for the ownership and maintenance of highway bridges by the State in the several counties, came from the House having been reported by the Committee on Ways and Bridges," submitting same in new draft under same title and that it ought to pass and amended by House amendment A. Report accepted and Bill read once. Mr. Simpson of York offered Senate amendment A amend the Bill by adding after the word "length" in the fourth line of Section 4 the words "constructed and in process of construction, including those in bridge districts." On motion by Mr. Heselton of Kennebec the Bill and amendments were tabled and ordered to be printed and Wednesday, February 27, assigned for consideration.

The following communications were received:

February 21, 1907.

To the President of the Senate and Speaker of the House:

I have the honor to herewith transmit the Report of the Auditor of State Printing.

Very respectfully,

A. I. BROWN,
Secretary of State.

Which communication together with the report were referred to the Governor and Council.

February 21, 1907.

To the President of the Senate and Speaker of the House:

I have the honor to herewith transmit the Report of the Board of Trustees and Officers of the Maine Industrial School for Girls.

Very respectfully,

A. I. BROWN,
Secretary of State."

Which was referred to the Committee on Appropriations and Financial Affairs.

The following Petitions were presented and referred:

Judiciary.

By Mr. Heselton of Kennebec: Resolve relating to the calling of a convention to propose an amendment of the Constitution of the United States for the prevention of polygamy.

By Mr. Stearns of Penobscot: Petition of A. V. Marston and 15 others of Millinocket in favor of the Initiative and Referendum.

Also: Petition of Paper Maker's Union of Millinocket for same.

Legal Affairs.

By Mr. Merrill of Cumberland: Petition in favor of a law to prohibit prize fighting, by James P. Baxter and others.

By Mr. Curtis of Cumberland: Petition in favor of a law to prohibit prize fighting.

By Mr. Garcelon of Androscoggin: Petition of Joseph Mailhoit and 51 others, operatives in Ring Spinning Room in Androscoggin Mills, Lewiston, in favor of improving the storage in Rangeley Lakes, as asked for by the Union Water Power Company.

Also: Petitions of H. F. Daniels and 77 others of Lewiston, of C. J. Callahan and 46 others of Lewiston, of Thomas A. Mullaney and 28 others of Lewiston, of Alex Mileau and 58 others of Lewiston, of Frank Gilbert and 36 others, of Napoleon Cote and 119 others of Lewiston all for same.

By Mr. Philoon of Androscoggin: Petition of Napoleon Vailloncourt and 55 others operatives in Continental Mills, Lewiston, of M. Beady and 68 others, operatives in Carding Room, Lewiston, of C. H. Dana and 52 others, operatives in Carding Room, Continental Mills, Lewiston, of James A. Cook and 40 others, operatives in Continental Mills, Lewiston, of James I. Nittall and 82 others, operatives in Continental Mills, Lewiston, of Alma Wall and 118 others, operatives in Continental Mills, of Emil Dick and 63 others, operatives in Continental Mills, of B. Jackson and 14 others, operatives in Continental Mills, Lewiston, of H. B. Estes and 8 others, operatives in Continental Mills, Lewiston, in favor of improving storage in Rangeley Lakes, as asked for by the Union Water Power Company.

Also: Petition of William H. Drain and 99 others, operatives in Continental Mills, Lewiston, for same.

Appropriations and Financial Affairs.

By Mr. Heselton of Kennebec: Petition of Annie T. Bailey and 9 others of Gardiner in favor of State Board of Charities.

Mr. HESELTON of Kennebec: Mr. President, by special request I introduced yesterday, in the absence of the senator from Hancock, Senator Mills, "Resolve relating to the calling of a convention to propose an amendment of the Constitution of the United States for the prevention of polygamy." At the time of introducing it I did not realize to what committee it should be referred. After the consultation with the President of the Senate, I believed the proper committee to which it should be referred is the committee on Legal Affairs; and I therefore move its reference to the committee on Legal Affairs.

The PRESIDENT: I will suggest to the senator from Kennebec that it might be in order for the Senate to

adopt the resolution without reference to a committee.

Mr. HESELTON: If the senator from Hancock would not consider it a matter necessary to be considered by a committee, I would certainly prefer to have it adopted at this time without reference to a committee. And I therefore move that it be adopted without reference.

At the suggestion of Senator Mills of Hancock the Resolve was read in full and adopted without reference to a committee.

The Resolve is as follows:

STATE OF MAINE.

Resolve relating to the calling of a convention to propose an amendment of the Constitution of the United States for the prevention of polygamy.

"Whereas, it appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof, and

"Whereas, The practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the subject under Federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its laws relating to marriage and divorce; now, therefore,

"Resolved, That the application be made and hereby is made to Congress, under the provisions of Article V. of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

"Resolved, That the Legislature of all other States of the United States now in session or when next convened, be and they hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution.

"Resolved further, That the Secretary of State be and he hereby is di-

rected to transmit copies of this application to Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein; also to transmit copies thereof to the Legislatures of all other states of the United States."

On motion by Mr. Deasy it was Ordered, That the committee on Judiciary be directed to enquire into the expediency of amending Revised Statutes, Chapter 135, Section 12, relating to challenge of jurors in certain criminal cases whereby the number of challenges allowed to the state may be increased, and report by bill or otherwise.

Reports of Committee.

By Mr. Hastings for the committee on judiciary on Bill, "An Act to incorporate the Northern Water Company, reported same ought to pass.

The same senator for the same committee on Bill, "An Act relating to the Bar Harbor and Union River Company reported that same ought to pass."

The same senator for the same committee on Bill, An Act to amend Chapter 310 of the Private and Special Laws of 1905, incorporating the State Loan Company, reported that same ought to pass.

The same senator for the same committee on Bill, An Act granting certain powers to the Northwest Harbor Water Company, reported same in new draft under title of "An Act to grant certain powers to the Northeast Harbor Water Company" and that it ought to pass.

The same senator for the same committee on Bill, An Act to abolish the January term of the Supreme Judicial Court for the county of Hancock, reported that same ought to pass.

The same senator for same committee on Bill, An Act to change the time of holding the January session of the court of county commissioners for Hancock county, reported that same ought to pass.

The same senator for the same committee on Bill, An Act to incorporate the Penobscot Bay Electric Company, reported same in new draft under same title and that it ought to pass.

Mr. Deasy for the same committee on

Bill, An Act to make valid the organization of the Middle Intervale Telephone Company, and to legalize its acts and doings reported the same ought to pass.

Mr. Clarke for the committee on legal affairs on Bill, An Act to prevent desertion and non-support of families, reported same ought to pass.

The same senator for the same committee on Bill, An Act to amend Chapter 123 of the Public Laws of 1905 entitled "An Act for the protection of children," reported that same ought to pass.

Mr. Page for the committee on appropriations and financial affairs, on Order of the Legislature relating to advisability of requiring clerks in State treasurer's office to give bond of some surety company in place of bond signed by individual, reported Resolve entitled "Resolve for payment of premium on bonds of clerks in State treasurer's office."

Mr. Eaton for the same committee on Resolve in favor of the Maine State Sanatorium Association, reported same in new draft under same title, and that it ought to pass.

Mr. Page for the same committee on Bill, An Act to provide for the care and education of feeble-minded children and Resolve entitled "Resolve in aid of the Maine Home and School for Feeble Minded Children," referred from the last Legislature; also Bill entitled "An Act to provide for the care and education of the feeble minded children," presented at this session, and that portion of the Governor's message relating to the subject; reported Bill in new draft under title of "An Act to provide for the care and education of the feeble minded" and that it ought to pass.

The foregoing reports were accepted and the several bills and resolves were tabled for printing under the joint rules.

Mr. Houston for the committee on taxation on Bill, "An Act relating to the taxation of railroads and street railways, reported that same ought not to pass.

Mr. Simpson for the committee on appropriations and financial affairs on Resolve in favor of the town of Mariaville, reported that same be re-

ferred to the committee on ways and bridges.

Mr. Curtis for the committee on public buildings and grounds on resolve in favor of the town of Isle au Haut, reported that same be referred to the committee on State lands and State roads.

Mr. Tartre for the committee on railroads and expresses on Bill, An Act authorizing the construction of the Eastern Electric Railway Co., reported that same ought not to pass.

Mr. Mills from the committee on legal affairs on Bill, An Act to amend Section 19 of Chapter 6 of the Revised Statutes relating to elections, reported that legislation thereon is inexpedient.

Mr. Deasy for the committee on judiciary on Bill, An Act to amend Chapter 40 of the Revised Statutes relating to the fortnightly payment of wages, reported that same ought not to pass. Which reports were severally accepted.

Passed to Be Engrossed.

An Act to amend Chapter 158 of the Private and Special Laws of 1903, incorporating the Brunswick and Topsham Water District.

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

An Act to incorporate the Lincolnville Water Power Company.

An Act relating to the ferry across the Penobscot river, between the town of Orono and the town of Bradley.

Resolve in favor of the Bangor Children's Home.

Resolve in favor of the Augusta City Hospital.

Resolve relating to the Documentary History of Maine.

Resolve in favor the the Webber Hospital Association.

An Act to amend Section 23 of Chapter 18 of the Revised Statutes, relating to the State Laboratory of Hygiene.

Resolve in favor of the Maine Children's Home Society, Augusta.

Resolve in favor of Lee Normal Academy.

Resolve in favor of the town of Bowdoinham.

Resolve in aid of navigation on Lewey, Long and Big Lakes.

An Act to incorporate the Carrabassett Dam Company.

An Act to enable the Sebago Lake,

Songo River and Bay of Naples Steamboat Company, to construct and maintain a wharf at the west shore of Sebago lake, in the town of Sebago, in the county of Cumberland.

An Act authorizing and empowering the Aroostook Lumber Company to erect and maintain piers and booms and store lumber in the Presque Isle Stream.

An Act to authorize John H. Walker to extend and maintain a wharf in Squa Pan Lake.

An Act to extend the charter of the Maine Water and Electric Power Company.

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

An Act to authorize the State Land Agent to sell Little Island in Mosquito Harbor in the town of St. George.

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

Resolve authorizing the Land Agent to release the interest of the State in the islets called "The Nub" in Bluehill in Hancock county.

An Act to set off part of the town of Bancroft and annex the same to the town of Weston.

Passed to Be Enacted.

An Act to amend Section 1 of Chapter 128 of the Revised Statutes relating to domestic animals.

An Act to repeal Chapter 58 of the Private and Special Laws of 1821 entitled "An Act to set off Jonathan Moody with his family and estate from the town of Whitefield and to annex them to the town Gerry.

An Act to amend Section 30 and Section 32 of Chapter 39 of the Revised Statutes, Section 5 of Chapter 38 of the Public Laws of 1905 and Section 6 of the Public Laws of 1905, relating to the jurisdiction of municipal and police courts and trial justices.

An Act to repeal an act incorporating the town of Mattimiscontis approved March 8, 1839, and providing for an adjustment and payment of its indebtedness.

An Act authorizing the erection of a bridge or roadway across the tide water between Mackey's or Mackworth's

island in the town of Falmouth and the main land in said town.

An Act in relation to the Hill Manufacturing Company.

An Act to incorporate the town of East Millinocket.

An Act to incorporate the Somesville Water Company.

Finally Passed.

Resolve in aid of the Temporary Home for Women and Children in Portland.

On motion by Mr. Wyman of Washington the Senate adjourned.

HOUSE.

Thursday, February 21, 1907.

Prayer by Rev. Mr. Evans of Augusta.

Papers from the Senate disposed of in concurrence.

Bill, An Act to authorize the Rumford Falls and Bethel Street Railway to maintain a dam on the Androscoggin river near the mouth of Bear river, came down from the Senate referred in that branch to the committee on railroads and expresses.

On motion of Mr. Gleason of Mexico the bill was tabled for printing pending is reference in concurrence.

Senate Bills on First Reading.

An Act to preserve trees abutting on public ways and other places.

The House report of the committee on interior waters, reporting ought not to pass on bill, An Act to establish a bench or water mark in Sebago lake, came back from the Senate the report accepted by that branch in non-concurrence with the action of the House in re-committing the same to the committee.

On motion of Mr. McKinney of Bridgton, the report from the Senate was tabled, and Tuesday of next week assigned for its consideration.

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

Judiciary.

By Mr. Libby of Amity—Petition of B. F. French and 39 others of Linneus in favor of change of S. J. court sessions in Aroostook county.

By Mr. Stuart of Belgrade—Petition of F. L. Pray and 70 others of Belgrade, to submit to the voters of the State an amendment for initiative and referendum.

By Mr. Martin of Bangor—Petition of John F. Connolly and 45 others of Bangor for initiative and referendum.

By Mr. Tolman of Portland—Petition of John E. Owen and 45 others of Portland in favor of initiative and referendum; of William E. Callaghan and 16 others of Portland; of Granite Cutters' Union of Portland for same.