

# MAINE STATE LEGISLATURE

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**Legislative Record**

of the

**Seventy-Third Legislature**

of the

**State of Maine.**

1907.

**SENATE.**

Tuesday, March 5, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Doherty of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, An Act to amend the law in relation to the taking of smelts in the St. Croix river. On motion by Mr. Wyman of Washington this bill was indefinitely postponed.

Petition for law to prevent prize fighting. Previously referred by the Senate to the committee on legal affairs was returned from the House the same being ordered placed on file by that branch. The Senate voted to recede and to concur with the House.

**House Bills Read and Assigned.**

Resolve in favor of the Northern Maine General hospital of Eagle Lake.

Resolve in favor of the assessors of Moro plantation.

Resolve requesting delegation in Congress to oppose the consolidation of pension agencies.

Resolve in favor of the town of Waldoboro.

Resolve in favor of the town of Liberty for money paid out on account of State roads.

Resolve in favor of Margaret Jane Tibbetts of Hermon.

An Act relating to the records of instruments affecting or conveying title to real estate in the county of Waldo and now recorded in other counties.

An Act to grant certain powers to the Northeast Harbor Water Company. This bill passed to be engrossed by the Senate on Feb. 25, was returned from the House passed as amended by House Amendment A. The Senate voted to reconsider the vote whereby the bill was passed to be engrossed. House amendment A was adopted in concurrence and the bill as amended was passed to be engrossed.

The following communications were received:

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

I have the honor to herewith transmit the report of the trustees and principal of the Maine School for the Deaf.

Very respectfully, etc.,

(Signed) A. I. BROWN,  
Secretary of State.

which was referred to the committee on appropriations and financial affairs. To the President of the Senate and Speaker of the House:

I have the honor to herewith transmit the report of the cattle commissioners.

Respectfully yours,

(Signed) A. I. BROWN,  
Secretary of State.

which was referred to the committee on agriculture.

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

I have the honor to herewith transmit the report of the commissioners of inland fisheries and game.

Very respectfully, etc.,

(Signed) A. I. BROWN,  
Secretary of State.

which was referred to the committee on inland fisheries and game.

The following order which came from the House was passed in concurrence:

Ordered, The Senate concurring, that when the Senate and House adjourn it be to meet at 9 o'clock the following forenoon unless otherwise ordered.

By unanimous consent Mr. Heselton of Kennebec introduced out of order Bill, An Act to authorize the manufacture and sale of denatured alcohol, which was referred to the committee on temperance.

Mr. Simpson of York presented petition of Henry C. Loring of Portland and 21 others in favor of enacting the State Board of Charities law.

Also: Petition of W. P. Whitehouse and 11 others of Augusta for the same; which was referred to the committee on appropriations and financial affairs.

**Read and Assigned.**

Resolve for an amendment to the Constitution by abrogating and annulling Article XXVI, being the amendment to the Constitution adopted on the 8th day of September, in the year of our Lord one thousand eight hundred and eighty-four, relating to the sale and manufac-

ture of intoxicating liquors, and being the fifth amendment to the amended Constitution.

An Act to extend the charter of the Peaks Island Railroad Company.

An Act to amend Section 17 of Chapter 80 of the Revised Statutes relating to the power of county commissioners to raise temporary loans.

An Act in relation to Elias Thomas Company.

An Act to prohibit the hunting of foxes by dogs in Swans Island.

An Act to amend Chapter 345 of the Private and Special Laws of 1901, entitled "An Act to authorize the erection and maintenance of dams, side dams, piers and booms in the Sandy stream, Gilman pond and Gilman stream in the plantations of Highland and Lexington and the town of New Portland in the county of Somerset and State of Maine, and to make improvements in said streams and pond."

An Act to quiet the title to real estate.

An Act to confer additional powers on the Duplex Roller Bushing Company, a corporation organized under the general laws of the State of Maine.

Resolve to amend Section 2 of Article 10 of the Constitution of the State of Maine.

An Act to empower the Ben Venue Granite Company to erect and maintain wharves and docks on the shores of Crotch Island and Green Head in the town of Stonington.

An Act requiring steam plants in school buildings, churches and other public buildings to be in charge of competent persons.

An Act to incorporate the Stonington Water Company.

An Act additional to and amendatory of Chapter 48 of the Revised Statutes of the State of Maine, as amended, relating to the organization and management of Trust Companies.

An Act to amend the charter of the United States Trust Company.

Resolve to provide a commission to inquire into the present system of assessing and collecting taxes, and, if possible, to provide for a better and more complete system of assessment

and collection and report to the Governor and Council.

Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

An Act to amend Section 21 of Chapter 6 of the Revised Statutes, relating to the filling of vacancies in the office of ballot clerks.

An Act to incorporate the Oakland Trust Company.

An Act to incorporate the Ashland Trust Company.

#### Reports of Committees.

Mr. Deasy for the committee on judiciary on Bill, An Act to amend Section 45 of Chapter 66 of the Revised Statutes, relating to the appointment of appraisers of the estates of deceased persons, reported that same ought not to pass.

The same senator for the same committee on Bill, An Act to amend Section 11 of Chapter 69 of the Revised Statutes, relating to the appointment of appraisers of wards' estates, reported that the same ought not to pass.

Mr. Stearns for the committee on education, on Bill, An Act to amend Section 41 of Chapter 15 of the Revised Statutes, relating to superintendent of schools, reported that the same ought not to pass.

Mr. Philoon for the same committee on petition of H. H. Dunbar and others of Orland, relating to the election of a superintendent of schools in said town, reported that the petitioners have leave to withdraw.

Mr. Deasy for the committee on judiciary, on Bill, An Act to incorporate the Northern Aroostook Electric Company, reported that the same ought to pass.

The same senator for the same committee on Bill, An Act to incorporate the Central Aroostook Electric Company, reported that the same ought to pass.

The same senator for the same committee on Bill, An Act to incorporate the Washburn Electric Company, reported that the same ought to pass.

The same senator for the same committee, on Bill, An Act to amend Sec-

tion 13 of Chapter 117 of the Revised Statutes, relating to witness fees before referees, auditors or commissioners, reported that the same ought to pass.

The same senator for the same committee on Bill, An Act to incorporate the Naples Water Company, reported that the same ought to pass.

Mr. Hastings for the same committee, on Bill, An Act to relating to the Bluehill Water Company, reported that the same ought to pass.

The same senator for the same committee, on Bill, An Act to authorize the Auburn Water Commissioners to make a further issue of bonds to be used for the purposes of its incorporation, reported that the same ought to pass.

The same senator for the same committee, on Bill, An Act to extend the charter of the Waterville Gas and Electric Company, reported that the same ought to pass.

The same senator for the same committee on Bill, An Act to extend the powers and rights of the Brunswick Electric Light and Power Company, submitted the same in new draft under the same title.

Mr. Rice for the committee on education, on resolve in favor of the Castine Normal School, reported that the same ought to pass.

Mr. Staples for the committee on State lands and State roads, on resolve in favor of the town of Isle au Haut, reported that the same ought to pass.

The foregoing reports were accepted and bills and resolves reported ought to pass were tabled for printing under the joint rules.

The committee on public buildings and grounds on order to inquire into the expediency of change of location of the seat of government of this State and the erection of a new State House such as will afford more convenient and sufficient accommodations to the Legislature and to State officials; and to report by bill or otherwise, submitted report A and report B, report A being Bill, An Act to amend Section 24 of Chapter 2 of the Revised Statutes, establishing the seat of government,

and that the same ought to pass signed by Messrs. Curtis, Clarke, Pike, Snow and Haskell; Report B being that legislation thereon is inexpedient signed by Messrs. Barrows, Allen, Danforth, Lynch, Farrar. On motion by Mr. Clarke of Lincoln both reports were tabled to be printed pending the acceptance of either report and Wednesday, March 13 assigned for their consideration.

#### **Passed to Be Engrossed.**

An Act to extend the powers of the Canaan Power Company.

An Act relating to the building and maintenance of weirs on the Presumptscot river.

An Act to regulate fishing through the ice in South East pond, in Baldwin and Sebago, in the county of Cumberland, and in Barker pond and Middle pond, both situated partly in Sebago, in said county of Cumberland, and partly in Hiram, in the county of Oxford.

An Act to prohibit the throwing of mill waste into the tributaries to Lake Webb, also to regulate fishing in Lake Webb and Webb's river, in the county of Franklin.

An Act to regulate fishing in Rapid river, in the county of Oxford, also in so much of Lake Umbagog as is situated in the State of Maine.

An Act to incorporate the Lisbon Falls Gas and Electric Company.

An Act relating to recorders and clerks of municipal and police courts.

Resolve in favor of Maine Soldiers' monument at the National cemetery at Salisbury, North Carolina. On motion by Mr. Parkhurst of Penobscot this resolve was tabled pending its second reading.

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

An Act to amend Section 17 of Chapter 41 of the Revised Statutes, relating to measurement of lobsters.

An Act in addition to Chapter 144 of the Revised Statutes, relating to the commitment of the insane.

Resolve in favor of a monument in memory of the soldiers of Maine who were at Valley Forge.

#### **Passed to Be Enacted.**

An Act to amend the third paragraph

of Section 51 of Chapter 79 of the Revised Statutes, relating to supreme judicial courts.

An Act to extend the charter of the Wilton Trust Co.

An Act to prevent the pollution of the waters of Lake Nokomis.

An Act to incorporate the Myles Standish Rifle Club of Portland.

An Act to abolish the January term of the supreme court for the county of Hancock.

An Act to amend Section 44 of Chapter 41 of the Revised Statutes, relating to the taking of smelts.

An Act to make valid the organization of the Middle Intervale Telephone Co. and to legalize its acts and doings.

An Act to extend the charter of the Waterville & Winslow Bridge Co.

An Act to regulate fishing in Sunday river and tributaries in the county of Oxford.

An Act to change the time of holding the January session of the court of county commissioners for Hancock county.

An Act additional to Chapter 49 of the Revised Statutes, relating to insurance and insurance companies.

An Act to authorize the town of Brooks to retire its indebtedness and to issue new bonds.

An Act to amend Chapter 143 of the Revised Statutes, relating to the Maine Industrial School for Girls.

An Act to amend Chapter 310 of the Private and Special Laws of 1905, incorporating the State Loan Co.

An Act to incorporate the Sagadahoc Trust Co.

An Act to incorporate the Penobscot Bay Electric Co.

An Act to extend the charter of the Gardiner Trust Co.

An Act relating to the Waldo and Penobscot Agricultural Society.

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

An Act to extend the charter of the Lincoln Electric Railway Co.

An Act to establish the Lubec and Machias Railway Co.

An Act to incorporate the Cambolasse Telephone Co.

An Act to further define State printing.

#### Finally Passed.

Resolve to encourage the utilization of tidal and sea power in the State of Maine.

Resolve for payment of premiums on bonds of clerks in State treasurer's office.

Resolve in favor of the Maine Woman's Christian Temperance Union.

Resolve in favor of Benjamin Wentworth of Morrill, late private of Captain George F. Leppen's 5th Co., Mounted Artillery.

Resolve in favor of John S. Stokes of Sanford, Me.

Resolve in favor of the town of Hodgdon.

Resolve in favor of Barrett Potter.

Resolve in favor of the town of Baring for \$108.52 to be paid to the town of Baring on account of the State road constructed in the year 1906.

#### Orders of the Day.

On motion by Mr. Staples of Knox the majority and minority reports in relation to the matter of the Biddeford Police Board, were taken from the table, and, on further motion by the same senator, the reports were assigned for consideration on Thursday, March 7.

On motion by Mr. Putnam of Aroostook, House Document, No. 191, Resolve in favor of Maine State library was taken from the table, and on further motion by the same senator the resolve took its second reading, and was passed to be engrossed.

On motion by Mr. Curtis of Cumberland, House Document No. 179, Bill, An Act to authorize the American Thread Co. to erect piers and booms in Sebec river, was taken from the table; on further motion by the same senator the bill was assigned for its second reading.

On motion by Mr. Irving of Aroostook, Senate Document 165, Bill relating to transportation of State officials, was taken from the table; and, on further motion by the same senator the bill was referred to the committee on salaries and fees.

On motion by Mr. Proctor of Cumberland, Senate Document 161, Bill to amend Revised Statutes relating to compensation of members of the government was taken from the table, and

on further motion by the same senator the bill was referred to the committee on salaries and fees.

On motion by Mr. Heselton of Kennebec, Senate Document 166, Senate joint memorial on national aid in construction of post roads, was taken from the table; and on further motion by the same senator the same was adopted.

On motion of Mr. Stearns of Penobscot, the report of the committee on appropriations and financial affairs, on resolve in favor of the Jamestown Exposition, that the same ought not to pass, was taken from the table; and on further motion by the same senator the same was re-committed to the committee.

On motion by Mr. Barrows of Penobscot the Senate adjourned to meet at 9 A. M. on Wednesday, March 6, 1907.

## HOUSE.

Tuesday, March 5, 1907.

Prayer by Rev. Mr. McCabe of Augusta.

Papers from the Senate disposed of in concurrence.

### Senate Bills on First Reading.

An Act to authorize and empower Fleetwood Pride and his associates and assigns to erect, construct and maintain piers and booms in Pleasant river and in its east and west branches.

Resolve providing means for examination of claims for State pensions.

Resolve in favor of the Farmington State Normal school.

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

### Judiciary.

By Mr. Johnson of Waterville—Petition of E. L. Jones of Waterville and 170 others for favorable consideration of bill to regulate the practice of osteopathy in the State of Maine.

By Mr. Tolman of Portland—Petition of Ethel M. Parkman of Portland and 170 others for same; of Katherine Jarrett of Portland and 117 others for same; of A. H. Small of Portland and 24 others for same; of M. E. Williams of Portland and 30 others for same; of D. Wendall Coburn of Portland and 40 others for same.

By Mr. Sprague of Drew—Petition of Leonard D. Degrasse and 32 others of Drew and Reed Plantation for Initiative and Referendum.

By Mr. Clark of Hollis—Petition of J. W. Rankins and 12 others of Buxton for same.

By Mr. Hibbard of Perry—Petition of W. J. Johnson and 17 others of Perry; of John T. Clark and 76 others of Perry; of E. K. Brown and 65 others of Pembroke, for same.

By Mr. Lowe of Turner—Petition of C. R. Babb and 34 others of East Livermore; of Norris E. Bray and four others of Auburn; of C. W. Eenson and 42 others of Durham; of Elmer E. Miller and 84 others, for same.

By Mr. Tolman of Portland—Petition of Portland Board of Trade against creating an additional board of harbor commissioners for Portland harbor; re-