

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Thursday, Jan. 19, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Steele of Hallowell.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act relating to the registration and use of motor vehicles and the licensing of persons operating the same," came from the House, by that branch referred to the committee on judiciary. (On motion by Mr. Smith of York, tabled for printing pending reference.)

Bill, "An Act to correct and protect helpless, neglected and offending children," came from the House, by that branch referred to the committee on judiciary. (On motion by Mr. Milliken of Aroostook, tabled for printing pending reference.)

Bill, "An Act to insure publicity with respect to demands upon the State and facilitate the legislative committees in dealing with questions of appropriations," came from the House, by that branch referred to the committee on judiciary. (On motion by Mr. Milliken of Aroostook, tabled for printing pending reference.)

Bill, "An Act to authorize York Light & Heat Company to acquire additional property," came from the House, by that branch referred to the committee on legal affairs. (On motion by Mr. Milliken of Aroostook, tabled for printing pending reference.)

The following communication was received:

STATE OF MAINE.

Executive Department.

Augusta, Maine, Jan. 19, 1911.

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

I have the honor to transmit herewith the report of the commission for the enlargement of the State House, as provided by Chapter 156, Resolves of 1909.

(Signed) FREDERICK W. PLAISTED.

On motion by Mr. Boynton of Lin-

coln, the report was tabled for printing.

The following bills, petitions and resolves were presented and referred:

Judiciary.

By Mr. Irving of Aroostook: Bill, "An Act to extend the charter of the Central Aroostook Electric Company."

By Mr. Irving of Aroostook: Bill, "An Act to extend the charter of the Maple Grove Electric Company."

By Mr. Milliken of Aroostook: Bill, "An Act additional to an act to incorporate the General Conference of Free Baptists."

By Mr. Blanchard of Franklin: Bill, "An Act to incorporate the New Sharon Water Company."

Mr. Gowell of York: Bill, "An Act to amend Chapter 153 of the Public Laws of 1907, as amended by Chapter 72 of the Public Laws of 1909, relative to transportation of public affairs."

Legal Affairs.

By Mr. Allan of Washington: Bill, "An Act to regulate the practice of Osteopathy." (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

Appropriations and Financial Affairs.

By Mr. Theriault of Aroostook: "Resolve in favor of Northern Maine General hospital of Eagle Lake.

By Mr. Moulton of Cumberland: "Resolve in favor of S. C. W. Simpson." (On motion by Mr. Boynton of Lincoln, tabled for printing pending reference.)

Claims.

By Mr. Milliken of Aroostook: "Resolve in favor of Stockholm Plantation." (With statement of facts.)

Insane Hospitals.

By Mr. Noyes of Kennebec: "Resolve in favor of Maine Insane hospital, 1911."

Also; "Resolve in favor of Maine Insane hospital, 1912."

Also; "Resolve in favor Maine Insane hospital, 1912."

Also; "Resolve in favor Maine Insane hospital, 1912." (On motion of Mr. Noyes of Kennebec, the foregoing resolves were tabled for printing pending reference.)

Orders of the Day.

On motion by Mr. Donigan of Somerset, Bill, An Act to amend the charter of The Songo Improvement Company, was taken from the table. On further motion by the same senator, the bill was referred to the committee on interior waters. Sent down for concurrence.

On motion by Mr. Staples of Knox, the following order was taken from the table:

"Ordered, the House concurring, that the secretary of State be and hereby is authorized to furnish all necessary, suitable and proper supplies and stationery for the several legislative committees; and the secretary of State shall not be authorized, without special order of the Legislature, to purchase any typewriters, embossed paper, postage stamps or fountain pens for the committees."

The same senator then offered Amendment A: "By striking out in the sixth line of the order the two words "postage stamps."

The order as amended, on further motion by Mr. Staples of Knox was given a passage. Sent down for concurrence.

MR. STAPLES of Knox: Mr. President: I wish to say right here that it is understood while it is desirable to purchase a typewriter for the Judiciary committee, it is understood that the secretary of State will furnish a suitable typewriter for the use of that committee. And I accept that, because I have the word of the senator from Lincoln, Mr. Boynton, that if the typewriter is not furnished by the secretary of State, he will buy one for the use of the committee.

MR. HAMILTON of York: Mr. President: I cannot quite understand the distinction between that committee and other committees that certainly are of as much importance, if not more so, than that committee; the committees on financial affairs, on roads, on taxation, are really the committees that are running this State, and they are of importance to this State. It is as important to those committees to have a typewriter as it is for the Judiciary committee to

have one; because we could get along without them, but these other committees we could not get along without and I cannot see why the senator should ask for that distinction. If he is to be served, and his committee is to be served, with a typewriter,—a machine and someone to operate the machine,—why should not other committees of equal importance be provided with the same. I know we are here on the basis of economy, and I am sorry that my distinguished brother should begin to get so elaborate. If economy is to be practiced in one place, it should be practiced in another. All of the committees do not need all this paraphernalia. All some of them need to do is to open their books for a precedent and see what some Lord has said in the year 1600. And they do not have to use their minds or their thoughts, but we poor fellows on the other committees must go on what we know and what the circumstances are. If the Judiciary committee is to be provided with a typewriter, why should not all the other committees be provided with the same?

MR. STAPLES: Mr. President, it is unfortunate that the Senate did not appoint so learned a man as my brother from York on the Judiciary committee. I have not any doubt about his great learning. This order does not authorize the secretary of State to buy a typewriter or to furnish a typewriter. There is no designation from one committee to the other; if there is a committee that wants a typewriter, and needs it, they can put in an order, and I have no doubt that this body, or the Legislature assembled, will grant it.

We feel that we need a typewriter in the Judiciary committee. I do not agree with my brother that the business before the Judiciary committee, the most important committee there is, is of small consequence. It is necessary that we have a typewriter there to copy Resolves or Bills or any matters that may come up, and I did not intend to designate for this committee—in fact, all I have in the amendment I have put in here, is simply for the benefit of every committee, and

while I believe in economy as well as anybody in this body, I think the committees should have a certain amount of stamps to send out their documents which are for the benefit of their constituents.

As far as the typewriter is concerned, we shall ask the secretary of State to furnish one for the Judiciary committee, and if the other committees are not smart enough to get one it is not my fault.

Mr. HAMILTON: Mr. President, we have a typewriter for our committee because we contributed for it. I presume the other committees could do the same, irrespective of any order or anything of the kind. Now the wisdom of my brother who has just spoken, no one questions. It is world wide and noted, and he need not have taken great pains to express it himself. But it is neither a typewriter, nor embossed paper, nor any appliances that make an efficient committee; it is the men behind the paper and the typewriter that make an efficient committee.

Mr. STAPLES: Mr. President, I agree with the Senator from York.

Mr. BOYNTON of Lincoln: Mr. President, perhaps it would be well for them to state the object of this order. It was, if possible, to do away with the waste or extravagance that has perhaps, in past Legislatures, existed in the furnishing of supplies to the committees, whereby, one session after another there has been an increase of their expenses. It was thought best to try, if possible, to cut this down. It is the intent with every committee that needs a typewriter, that the secretary of State shall hire one for their use, and not buy one. Typewriters have been bought by committees, used one year and then have disappeared. New typewriters cost in the neighborhood of \$100, and it was thought best to hire rather than buy. This order was presented only with the intention of keeping expenditures down within reason.

Mr. Donigan of Somerset presented the following order:

Ordered: The House concurring, that when the Senate and House ad-

ourn they adjourn to meet on Monday, Jan. 23, 1911, at 4.30 o'clock P. M.

Mr. BOYNTON of Lincoln: Mr. President: I hope that order will not prevail. It seems to me that we are getting behind in our business, and we should stay here and attend to it. Adjourning today until Monday only puts us back another day. We can stay here and receive the new business that comes in and refer it to the different committees and we will be just so much ahead. For my part I have come here to stay and give my whole time to getting the business of the Legislature through and then getting home.

Mr. STAPLES of Knox: Mr. President: Do I understand that this order calls for an adjournment today? (The President read the order to the Senate.)

Mr. STAPLES: Mr. President: I wish to say right here at this time that I think we ought not to adjourn today, but stay here this week and come back Monday. We threw away one or two days last week. We are here to do business and should not adjourn until Friday night or Saturday morning. There is work coming in, and let us do some business.

Mr. DONIGAN: Mr. President: I wish to explain my position. That order was passed to me by one of the clerks and I understood there was a conference between the House and the Senate, probably between the President and the Speaker, and I understood the committees did not have enough work to keep them here any later than today. I believe we will get along just as well as we will to stay here until the last of the week. Next week there will be work enough and we can stay all the week. I believe in staying just as long as there is anything to do.

Mr. HAMILTON of York: Mr. President: I would be in favor of the senator's motion that we adjourn until Monday afternoon or Tuesday, provided that the committees would work this afternoon and issue their notices for hearings. Then we would be just as fast and far along. Hearings can-

not be held at once, for the public must have notice of these matters. Notices have been sent out up to this time, and if this afternoon other matters come in and the notices of hearings go out, then we would be just as far along as we would be to stay here, in my judgment. I do believe that it is proper and right to ourselves and to the State that the committees should work this afternoon and give notice of hearings on the measures that come before them, so that next week we may be in a position to go ahead.

Mr. STAPLES: Mr. President: I understand there is an important committee hearing this afternoon on a contested election case. I am informed that the committee may get through this afternoon, and it is anxious to make a report tomorrow. I think it is right that it should. Both parties are waiting, and it seems desirable that the committee should have its meeting this afternoon, and if it gets through it will make a report to this body tomorrow, and that will hasten the completion of affairs between these contestants. If for no other reason, I think this body should remain in session until tomorrow.

Mr. SMITH of York: Mr. President, as a member of that committee on elections I think the senator from Knox need not be alarmed as to our getting through today and reporting tomorrow. Beyond a possibility of a doubt it will be the first of the week before a report can be made.

Mr. STAPLES: Mr. President, I am not alarmed in regard to the committee being in session, but I suppose that the committee does not know any more than I whether they will get through today or not.

Mr. DONIGAN: Mr. President, I do not think that anybody had any idea, except the senator from Knox, but what the committee would remain here. I am on a committee and we meet this afternoon, and I propose to stay here, and if I cannot get through shall remain until tomorrow. As for those who can go as well as not, they should be allowed to go home.

Mr. STAPLES: Mr. President, there is another reason—I have known the senator from Somerset for many years, and if he is to remain here this afternoon I think it is very desirable that the Legislature should be in session and look out for him.

And the question being on the passage of the order, Mr. Boynton of Lincoln asked for a rising vote. A rising vote was taken, 18 voting in favor of the passage of the order and eight against. Thereupon the President declared the order passed. Sent down for concurrence.

The committee on appropriations and financial affairs to whom was referred the official bond of Hon. James F. Singleton, treasurer of State-elect, for the fiscal years 1911-1912, have had the same under consideration and ask leave to report that the same be approved by the Legislature and deposited in the office of the secretary of State.

Per order,

(Signed)

BOYNTON,
For the Committee.

The report of the committee was accepted, and the president declared the bond approved. Sent down for concurrence.

From the House:

In the House of Representatives.
January 19, 1911.

WHEREAS, the State House Commission in rearranging the State House removed the battle flags of Maine regiments from the prominent place in the rotunda which they have long occupied, and placed them in a room on the fourth floor of the State House where they are not easily accessible to the public view, and

WHEREAS, it is the sense of this Legislature that those flags cannot be too often seen or too prominently placed, recalling as they do the brave deeds of the soldiers of Maine,

BE IT RESOLVED, the Senate concurring, that the Governor and Council procure, forthwith, proper cases for those flags and restore them to their places in the rotunda of the State House.

This order came from the House, in that branch read twice and passed, under suspension of the rules, and sent down for concurrence.

On motion by Mr. Milliken of Aroos-

took, the order was referred to the committee on public buildings and grounds in non-concurrence.

The 18th annual report of A. G. Young, registrar of vital statistics, upon the births, marriages, divorces and deaths in the State of Maine, for the year ending December 31, 1909, was received and, on motion by Mr. Milliken of Aroostook, was placed on file. Sent down for concurrence.

Mr. HAMILTON of York: Mr. President, I want to go home and I want to stay there the first three days of next week. I cannot find the committee on leave of absence; I do not want to act against the rules of the Senate, but I want permission to go home to stay those three days of next week, in order to cut my wood and get it up for the winter. I may be able to do it in one day, and I ask leave of the Senate, as there is no committee on leave of absence.

The PRESIDENT: The senator may go home and stay, if he so desires, with the consent of the Senate.

Mr. Staples of Knox presented the following petitions out of order:

Petition of E. O. Gilchrist and 20 others prohibiting the catching, fishing for or taking herring in the waters of this State except by the use of permanent weirs or traps.

Also petition of Fred C. Dyer and 13 others for same.

Also petition of H. L. Elwell and 22 others for same.

Also petition of Gilford B. Butler and 100 others for same.

Also petition of A. H. Hurd and 20 others for same.

Also petition of Ralph B. Bird and 44 others for same.

On further motion by the same senator the foregoing petitions were referred to the committee on sea and shore fisheries.

Sent down for concurrence.

On motion by Mr. Boynton of Lin-

coln, petition of Bayville Improvement Association for charter for village corporation, with accompanying bill, was taken from the table. On further motion by the same senator, the petition and bill were then referred to the committee on judiciary.

On motion by Mr. Boynton of Lincoln, the order presented by Mr. Dodge of Kennebec, relating to the secretary of State furnishing the clerks of committees with writing material, etc., was taken from the table. On further motion by the same senator, the order was indefinitely postponed.

On motion by Mr. Boynton of Lincoln, the order presented by Mr. Mayo of Hancock, relating to the secretary of State furnishing a typewriter for the use of the committee on sea and shore fisheries, was taken from the table. On further motion by the same senator, the order was indefinitely postponed.

Mr. Stearns of Oxford presented the following bill, out of order:

An Act to amend Chapter 147 of the Public Laws of 1909, providing uniform grading, branding and packing of apples. On further motion by the same senator, the bill was tabled for printing pending reference to a committee.

The following communication was received:

The report of the State auditor, submitting a tabulated statement of the estimated expenditures and incomes of the various departments, State institutions, commissions and boards of trustees, as required by Section 9 of Chapter 147 of the Public Laws of 1907, for the years 1911 and 1912.

The report was received and referred to the committee on appropriations and financial affairs.

On motion by Mr. Donigan of Somerset, the Senate was declared adjourned until Monday, January, 23, 1911, at 4.30 o'clock P. M.