

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Monday, February 13, 1911.

Senate called to order by the President.

Prayer by Rev. Fr. Nelligan of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, An Act to consolidate the management of the State institution for the Insane and Feeble Minded, came from the House, by that Branch referred to committee on legal affairs. On motion by Mr. Staples of Knox, tabled for printing.

Bill, An Act to consolidate the management of the State juvenile institutions, came from the House, by that Branch referred to the committee on legal affairs. On motion by Mr. Milliken of Aroostook, tabled pending reference.

Bill, An Act to amend Sections 18, 20 and 23 of the Revised Statutes of 1903, relating to the registration of dentists, came from the House, by that Branch referred to the committee on legal affairs. On motion by Mr. Stearns of Oxford, tabled for printing pending reference.

Bill, An Act relating to the termination of contracts in relation to real estate, came from the House, by that Branch referred to the committee on legal affairs. On motion by Mr. Noyes of Kennebec, tabled.

Resolve in favor of Chick Hill road in Penobscot and Hancock counties; also petition of J. G. Dunham and 44 others; Petition of Charles P. Siisby and 4 others in favor of same, came from the House, by that Branch referred to the committee on State lands and State roads. On motion by Mr. Milliken of Aroostook, the resolve and two petitions were tabled.

Bill, An Act to amend Chapter 407 of the Private and Special Laws of 1903, as amended, relating to fishing in the tributaries to Bryant pond, so-called, which pond is situated in the town of Woodstock, county of Oxford, came from the House, by that Branch referred to the committee on inland fisheries and game. On motion

by Mr. Milliken of Aroostook, tabled.

Petition of B. R. Billings and 24 others, residents and taxpayers of the town of Woodstock, Oxford county, to remove restrictions from fishing in Village brook of said Woodstock, came from the House, by that Branch referred to the committee on inland fisheries and game. Tabled on motion by Mr. Milliken of Aroostook.

Resolve in favor of the town of Nobleboro.

Also, Resolve in favor of Plantation No. 33, Hancock county.

Also, Resolve in favor of R. H. Palmer, agent of the Mansur estate of Bangor, Maine.

Also, Resolve in favor of M. P. Colbath of Seboomcook.

The foregoing Resolves came from the House, by that Branch referred to the committee on claims. Tabled on motion by Mr. Milliken of Aroostook.

A communication was received from the secretary of State, transmitting the eighth report of the forest commission of the State of Maine.

On motion by Mr. Boynton of Lincoln, the report was received and placed on file.

A communication was received from the secretary of State transmitting the fifteenth report of the State Board of Health, for the four years ending Dec. 31, 1909.

On motion by Mr. Boynton of Lincoln, the report was received and placed on file.

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

Judiciary.

By Mr. Staples of Knox—Remonstrance of A. P. Champney and 75 others against the medical bill.

Also, remonstrance of W. P. Wright and 110 others against same.

Also, bill "An Act to establish a municipal court in the city of Belfast."

Also, bill "An Act to amend Section 43 of Chapter 114 of the Public Laws relating to sessions of the law court."

York County Delegation.

By Mr. Gowell of York—Bill "An Act to amend Section 1 of Chapter 151 of the Public Laws of 1905 relating to

compensation of clerk-hire for register of probate in York county."

Reports of Committees.

Mr. Staples, for the committee on judiciary, on An Act to make uniform the law relating to the sale of goods, referred from the last Legislature to this Legislature, reported that the same be referred to the next Legislature.

The same senator, for the same committee, on An Act relating to negotiable instruments, referred from the last Legislature to this Legislature, reported that the same be referred to the next Legislature.

Mr. Stearns, for the committee on judiciary, on an order of the Legislature of 1909 relating to the expediency of a uniform law for the annulment of marriage and divorce as adopted by the National Congress, reported legislation inexpedient.

The same senator for the same committee, on An Act to make uniform the laws of warehouse receipts, referred from the last Legislature to this Legislature, reported same "ought not to pass."

The same senator for the same committee, on An Act to extend the charter of the Maple Grove Electric Company, reported that same "ought not to pass."

Mr. Moulton, for the committee on agriculture, on An Act to amend Chapter 147 of the Public Laws of 1909, providing for the uniform grading, packing and branding of apples, reported that the same "ought not to pass."

Mr. Donigan for the committee on ways and bridges, on resolve in favor of Seven Islands Road, located at headwaters of St. John river in Aroostook county, reported that same "ought not to pass."

The reports were accepted and sent down for concurrence.

Mr. Stearns, for the committee on Judiciary, on An Act to amend Section 6, of Chapter 80, of the Revised Statutes of Maine, relating to regular sessions of the county commissioners of Oxford county, reported that the same "ought to pass."

Mr. Gowell, for the same committee, on An Act to extend the charter of the Northern Aroostook Electric Com-

pany, reported that same "ought to pass."

The same senator, for the same committee, on An Act additional to An Act to incorporate the General Conference of Free Baptists, reported that same "ought to pass."

The same senator, for the same committee, on An Act to extend the charter of the Central Maine Aroostook Electric Company, reported that same "ought to pass."

Mr. Stearns, for the same committee, on An Act to ratify, confirm and make valid the proceedings of the special town meeting of the inhabitants of the town of Presque Isle, held May 3, 1909, and the bonds issued by said town in aid of the Aroostook Valley Railroad Company, reported that same "ought to pass."

The same senator, for the same committee, on An Act to abolish the Dover municipal court and the Milo municipal court and establishing the Piscataquis municipal court, reported same in a new draft under the same title and that it "ought to pass."

Mr. Moulton, for the committee on agriculture, on An Act to amend Chapter 247 of the Public Laws of 1909, relating to grading, packing and branding apples, reported a new draft under the same title, and that it "ought to pass." (Tabled on motion of Mr. Edwards of Androscoggin.)

Read and Assigned.

An Act authorizing the merger of Somerset Railway, the Washington County Railroad Company and the Sebecook and Moosehead Railway Company with the Maine Central Railroad Company. (On motion by Mr. Donigan of Somerset, tabled pending second reading.)

An Act to provide for the purchase of supplies by the State through a system of competitive bids.

An Act to repeal Section 2 of Chapter 148 of the Public Laws of 1905, relating to the construction of booths at polling places.

An Act to incorporate the Sawtelle Brook Dam and Improvement Company.

An Act relating to the Southwest Harbor Water Company.

Resolve in favor of Edward E. Chase, Jr.

Passed to be Engrossed.

Resolve in favor of E. M. Thompson.

Resolve in favor of the town of Bridgton in the county of Cumberland. (On motion of Mr. Milliken of Aroostook, tabled pending second reading for a statement of facts.)

Resolve in favor of Lola Coly, representative of the Penobscot Tribe of Indians for 1911 and 1912.

An Act to amend Chapter 318 of the Private and Special Laws of 1909 relating to the hunting of deer in the town of Searsmont, in the county of Waldo. (On motion by Mr. Donigan of Somerset, tabled.)

Resolve authorizing the land agent to release the State's interest in a certain ledge or reef near Bar Harbor in Hancock county. (Tabled on motion by Mr. Milliken of Aroostook for a statement of facts, pending second reading.)

Resolve in favor of James A. Benson.

An Act to authorize the York Light and Heat Company to acquire additional properties. (On motion by Mr. Milliken of Aroostook, tabled pending second reading.)

Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

Resolve in favor of Richard Stuart.

Orders of the Day.

Mr. DONIGAN of Somerset: Mr. President: I move to take from the table House Document 107 relating to the hunting of deer in the town of Searsmont, the bill I just placed on the table. After talking with the chairman of the committee, I now move that the bill be indefinitely postponed.

Mr. WINSLOW of Cumberland: Mr. President: I want this to be clear, and I wish Senator Donigan would explain the reason for this action.

Mr. DONIGAN: Mr. President: I will explain that this bill conflicts with a measure that we passed after this bill was presented. The Searsmont bill provides that there should be open season on deer from the middle of

October to the middle of November, as I remember it. Afterwards there was a bill came in there which we passed, asking for an open season from the first day of November until the first day of December, on all of Waldo county, and that would conflict with the later bill. It was decided by the committee that this bill when it came up should be indefinitely postponed.

The question being on the motion of Mr. Donigan to indefinitely postpone the bill, the motion was agreed to.

On motion by Mr. Staples of Knox, Bill, An Act relating to taxation of personal property, was taken from the table. On further motion by the same senator, the bill was referred to the committee on taxation, in concurrence.

On motion by the same senator, resolution favoring direct election of United States senators, was taken from the table.

The senator then moved that the Senate concur with the House.

Mr. MILLIKEN of Aroostook: Mr. President, I think there is room for some discussion about that matter, and I move that it be tabled and assigned for Wednesday.

Mr. STAPLES: Mr. President, if there is to be any discussion in regard to this resolution, I will acquiesce in the suggestion of the senator from Aroostook.

The motion was agreed to.

On motion by Mr. Staples of Knox, Bill, An Act to provide for nomination of candidates of political parties by primary elections, was taken from the table. On further motion by the same senator, the bill was referred to the committee on judiciary.

On motion of Mr. Milliken of Aroostook, Senate Document No. 84, "An Act to amend Section 1 of Chapter 136 of the Revised Statutes, relating to sentences in criminal cases," was taken from the table. On further motion by the same senator the bill was then referred to the committee on temperance.

Mr. MILLIKEN of Aroostook: Mr. President, I desire to ask permission to present a public bill out of order for the purpose of getting it printed in time to reach the committee this week.

There was no objection, and Mr. Milliken introduced bill, An Act to provide for the distribution of the school mill fund and the common school fund, and to amend Sections 122, 123 and 126 of Chapter 15, and Section 3 of Chapter 177 of the Public Laws of 1909, relating to the distribution of the common school fund.

On further motion by the same senator the bill was tabled for printing pending reference to the committee on taxation.

On motion by Mr. Kellogg of Penobscot, Resolve in favor of John B. McDonald was taken from the table. On further motion by the same senator the resolve was referred to the committee on claims in concurrence.

Mr. MILLIKEN of Aroostook: Mr. President, I move to reconsider the motion whereby the bill in relation to the distribution of the school mill fund and the common school fund, etc., was tabled for printing.

The motion was agreed to.

On further motion by the same senator the bill was again tabled for printing and 500 extra copies ordered printed.

On motion by Mr. Hill of Penobscot, bill, An Act for the extirpation of contagious diseases among cattle, horses, sheep and swine, was taken from the table. On further motion by the same senator the bill was referred to the committee on agriculture and sent down for concurrence.

On motion by Mr. Donigan of Somerset, Adjourned.

HOUSE.

Monday, February 13, 1911.

Prayer by Rev. Mr. Miner of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

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

Judiciary.

By Mr. Williamson of Augusta—Petition of M. P. Cullinan of Augusta and 21 others, in favor of Columbus day bill.

By Mr. Otis of Rockland—An Act to amend Chapter 127 of the Revised Statutes.

By Mr. Goodwin of Biddeford—An Act to amend Section 16 of Chapter 81 of the Revised Statutes relating to county attorneys. (Tabled for printing pending reference on motion of Mr. Goodwin.)

Also, An Act to amend Section 15 of Chapter 133 of the Revised Statutes, relating to limitation of prosecutions. (Tabled for printing pending reference, on motion of Mr. Goodwin.)

By Mr. Conners of Bangor—Petition of M. Cohen of Bangor and 23 others in favor of Columbus day bill.

Also, Petition of T. Walter Hanley of Bangor and 22 others, in favor of Columbus day bill.

Also, Petition of F. L. Wilkins of Bangor and 83 others, in favor of the Columbus day bill.

By Mr. Small of Machiasport—Petition of C. S. Hinkley and 16 others of Jonesport in favor of nomination of candidates of political parties by primary elections.

Legal Affairs.

By Mr. Snow of Bucksport—Remonstrance of Frank F. Smith and 44 others against passage of Dunn bridge bill, so called.

Banks and Banking.

By Mr. Scates of Westbrook—An act to amend Section 33, sub-division sixth, clause "d" of Chapter 43 of the Revised Statutes, as amended by Section 6 of Chapter 69 of the Public Laws of 1907, relating to investments legal for savings banks.

Agriculture.

By Mr. Porter of Mapleton—An Act to amend Section 20 of Chapter 36 of the Public Laws of 1909, relating to the regulation and sale of fertilizers. (Tabled for printing pending reference on motion of Mr. Porter of Mapleton.)

State Lands and State Roads.

By Mr. Mace of Great Pond—Petition of Arthur Chapin and 21 others, residents of Bangor, Me., in favor of a resolve for the Chick Hill road, in Penobscot and Hancock counties.

By Mr. Austin of Phillips—Petition for an appropriation on the Dead River road in Dallas Plantation.

Also, petition for an appropriation on the Dead River road in Dallas Plantation.