

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Thursday, February 23, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Kearney of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

The order in relation to the Governor appointing three attorneys-at-law who shall constitute a committee to examine the municipal courts throughout the State during the recess of the Legislature, came from the House, by that Branch read and passed.

On motion by Mr. Osborn of Somerset, the order was tabled.

House Bills in the First Reading.

Resolve in favor of Arlington J. Day.

Resolve in favor of the town of Hermon.

Resolve in favor of the town of Porter.

Resolve in favor of Albion Moody.

Resolve in favor of Annie Jones.

Resolve in favor of O. M. Davis.

Resolve in favor of Lettie Whittier.

Resolve in favor of O. W. Cole.

Resolve in favor of Helen B. Hobart.

Resolve in favor of the town of Baileyville.

An Act to revise and extend the charter of the Lilly Water Company.

An Act additional to Chapter 17 of the Public Laws of 1905, regulating the practice of veterinary surgery, medicine and dentistry.

An Act to repeal Section 75 of Chapter 2 of the Revised Statutes relating to the compensation of clerks in the office of State treasurer.

An Act to amend Sections 6, 7 and 11 of Chapter 15 of the Public Laws of 1907, relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, as amended by Chapter 34 of the Public Laws of 1909.

(On motion by Mr. Noyes of Kennebec, this bill was recommitted to the Committee on Agriculture.)

An Act to amend Section 23 of Chapter 114 of the Revised Statutes as amended by Chapter 249 of the Public Laws of 1909, relating to the relief of poor debtors.

An Act in favor of the Brewer Water Company.

An Act to authorize Walter Hadlock and his assigns to erect, extend and maintain a wharf in the tide waters at Hadlock's Cove, at Islesford, town of Cranberry Isles.

An Act to extend and amend the charter of the Waterville and Winslow Bridge Company.

An Act to extend the close time on caribou.

The following communications were received from the Secretary of State:

The Thirty-first Report of the Commissioner of Sea and Shore Fisheries for the years 1909 and 1910.

The Thirty-sixth Annual Report of the Board of Trustees and Officers of the Maine Industrial School for Girls for the year ending November 15, 1910.

The Twentieth Annual Report of the Board of State Assessors.

Report of the Trustees and Principals of the Maine School for the Deaf, from December 31, 1908, to December 31, 1910.

The reports were ordered placed on file.

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

Legal Affairs.

By Mr. Mullen of Penobscot—Remonstrance of Lewis Kinston and sons and 25 others against the bill in relation to qualifications necessary to practice law.

Education.

By Mr. Dodge of Somerset—Petition of A. M. Spaulding and 13 others of Belgrade for change in the distribution of mill tax for schools; also, Petition of Everett H. Withee and 15 others of Augusta; W. H. Bowman and 13 others of Oakland; A. N. Goodwin and 6 others of China; C. N. Webber and 25 others of China; J. S. Warren and 14 others of Benton; James Thompson and 7 others of Chelsea; J. E. Norris and 17 others of

Wayne; S. B. Farnham and 8 others of Belgrade, all for the same.

By Mr. Osborn of Somerset—Petition of Seth C. Ham and 19 others of Cambridge; Henry Smith and 9 others of Birgham; F. F. Farnham of Hartland, for same.

Mercantile Affairs and Insurance.

By Mr. Chandler of Washington—Bill, An Act to amend Section 78 of Chapter 49 of the Revised Statutes, relating to insurance and insurance companies. (On motion by Mr. Chandler of Washington, tabled for printing pending reference.)

State School for Boys and Industrial School for Girls.

By Mr. Winslow of Cumberland—Resolve in favor of Howard Winslow.

Orders.

On motion by Mr. Osborn of Somerset, it was

Ordered, the House concurring, that the committee on Inland Fisheries and Game be hereby directed to take up the question of extending the close time on the small fur bearing animals of the State to November first, and report by bill or otherwise.

Sent down for concurrence.

Read and Assigned.

An Act to amend Chapter 88 of the Public Laws of 1907 (as amended by Chapter 133 of the Public Laws of 1909) as follows:

Resolve in favor of repairing a highway in the town of Moscow and the Plantations of Caratunk and The Forks.

Reports of Committees.

The committee on Judiciary to which was referred, Bill, An Act to authorize the city of Lewiston to take ice from the Androscoggin River, Lake Auburn, and other ponds in Androscoggin county, and sell the same at cost to its inhabitants, submitted a report that it "ought to pass," signed by Messrs. Staples, Williamson, Chase, Trafton, Goodwin, Hersey, Bogue.

Mr STEARNS of Oxford—Mr. President: I move that this report lie on the table, as I understand there is to

be a minority report of the bill in new draft. It is not yet prepared, but will be prepared and presented very soon.

Mr. EDWARDS of Androscoggin—Mr. President: Will the Senator assign an early day?

Mr. STEARNS—Mr. President, I will say that on account of the absence of the clerk of the committee yesterday, and also on account of a very strenuous day, the minority report did not accompany the majority report. It will undoubtedly be ready to submit to the Senate this week; it will probably be ready tomorrow. I simply table the report until the minority report is prepared.

Upon motion by Mr. Staples of Knox, the resolve was assigned for consideration next Tuesday, the twenty-eighth.

Mr. Boynton, for the committee on Appropriations and Financial Affairs, on Resolve in favor of Fred A. Chandler, reported that the same "ought to pass."

Mr. Foss, for the same committee, on Resolve in favor of Frank W. Burnham, reported the same "ought to pass."

Mr. Allan, for the same committee, on Resolve in favor of Charles ... Rolfe, reported that the same "ought to pass."

Mr. Hill, for the committee on Agriculture, on Resolve to accept the James J. H. Gregory gift for the promotion of scientific orchardry, reported that the same "ought to pass."

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

Passed to be Engrossed.

An Act to improve certain State lands.

An Act to extend charter of the Fairfield and Skowhegan Railway Company.

An Act to abolish Rines Hill grade crossing in Augusta.

An Act to incorporate the Maine Power Company.

An Act to prohibit the use of automobiles and motor vehicles on one of the town ways of Waterford.

An Act to authorize the Virginia

Spring Water Company to take land for its use.

An Act to incorporate the Penobscot Bay Water Company.

An Act relating to the powers of the board of Prison and Jail Inspectors.

An Act relating to the appointment and fees of masters in chancery.

An Act to provide a charter for city of Gardiner.

An Act relating to registration of physicians and surgeons.

An Act to incorporate the New Sharon Water Company.

An Act to incorporate the General Conference of Free Baptists.

An Act to abolish Dover and Milo Municipal Courts.

Resolve in favor of Stockholm Plantation.

Resolve in favor of Town of Castine.

An Act to incorporate the Clark Power Company.

Pending second reading Mr. Milliken of Aroostook offered Senate Amendment A to Senate Document 103: "Amend Section 1 of Senate Document No. 103 by inserting after the word 'to' in the fifth line thereof the words 'and to all the provisions of Chapter 244 of the Public Laws of 1909.'"

The amendment was adopted, the bill given its second reading and was passed to be engrossed.

An Act to grant additional powers to the Lubec Sardine Company.

Pending second reading, Mr. Milliken offered Senate Amendment A to House Document No. 145: "Amend Section 1 by adding at the end of said Section the following: 'Subject to all the provisions of Chapter 244 of the Public Laws of 1909.'"

The amendment was adopted, the bill given its second reading and was passed to be engrossed.

An Act to abolish the office of the assistant attorney general.

Passed to Be Enacted.

An Act to regulate ice fishing in Lake Wassokeag, so called, in the town of Dexter, county of Penobscot.

An Act to incorporate the town of Stockholm.

An Act to regulate fishing in the

town of Durham, county of Androscoggin.

An Act to prohibit trout fishing in Alder brook, so called, in the towns of Island Falls and Hersey, and in Dyer brook, so called, in the towns of Island Falls and Dyer brook and in Merrill Plantation, in Aroostook county.

An Act ratifying and confirming the sale of the railroad and franchises of the Atlantic Shore Line Railway and the incorporation of the Atlantic Shore Railway.

Orders of the Day.

Mr. STAPLES of Knox: Mr. President: I move to recall from the Governor the resolve in favor of the Penobscot Tribe of Indians, or Lola Coly.

The motion was agreed to.

On further motions by the same senator, the votes whereby this resolve was passed to be enacted, passed to be engrossed and read a second time, were re-considered.

Senator STAPLES: Mr. President: I will say to the Senate that this resolve was sent for simply to correct an error that appears in it.

The same senator then offered Amendment A, which was adopted, the bill was then given its second reading and passed to be engrossed. Sent down for concurrence.

On motion by Mr. Edwards of Androscoggin, Senate Document No. 99, an Act to amend Chapter 247 of the Public Laws of 1909, providing for the uniform grading and branding of apples, was taken from the table.

Mr. EDWARDS—Mr. President, There was a bill tabled yesterday for printing by Senator Hill, that is exactly word for word, as I understand it, until you get to Section 9, like this bill. I wish to indefinitely postpone this bill. I object to Sections 10 and 11 in regard to inspection, and this other bill covered everything but those two sections. I move to indefinitely postpone this bill.

The motion was agreed to.

Mr. DONIGAN of Somerset—Mr. President, I move to take from the table Senate Document No. 109, the new draft of the General Bridge Bill.

The motion was agreed to.

Mr. DONIGAN—By agreement with those who signed the majority and minority reports, I move that the bill be re-committed to the committee on Ways and Bridges—that both reports be re-committed.

The motion was agreed to.

On motion by Mr. Noyes of Kennebec, House Document No. 122, An Act relating to the termination of contracts for the sale or transfer of real estate, was taken from the table, and upon further motion by the same Senator, it was referred to the committee on Legal Affairs in concurrence.

On motion by Mr. Kellogg of Penobscot, House Document No. 171, An Act relative to clerk hire in the office of the Register of Deeds in Kennebec county, was taken from the table, and upon further motion by the same senator, the bill was given its second reading and passed to be engrossed.

Mr. BOYNTON of Lincoln—Mr. President, I ask the consent of the Senate to make a statement to the chairmen of the several committees in regard to bills carrying an appropriation. I call their attention to the general order passed some days ago that all such bills should be reported to the committee on financial affairs. No reports have yet come to that committee from the committees, but several reports have come back from the engrossing office to that committee. I wish to call the attention of the Senate to that fact, so that the chairmen may direct the reports to the committee on appropriations and financial affairs.

On motion by Mr. Irving of Aroostook,

Adjourned.

HOUSE.

Thursday, February 23, 1911.

Prayer by Rev. Mr. Slocum of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Report of the Aroostook county delegation on bill, An Act to change the northern district of Aroostook

registry of deeds from Madawaska to Fort Kent, came from the Senate. (Tabled for printing pending acceptance on motion of Mr. Cyr of Fort Kent.)

Report of the Aroostook county delegation on Bill, An Act to empower the county commissioners of Aroostook county to build an office for the registry of deeds in Aroostook county, came from the Senate. (Tabled for printing pending acceptance on motion of Mr. Cyr of Fort Kent.)

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

Judiciary.

By Mr. Fenderson of Limerick—An Act to amend Section 43 of Chapter 106 of the Revised Statutes, relating to real actions.

By Mr. Davies of Yarmouth—An Act to amend Section 37 of Chapter 65 of the Revised Statutes, relating to the compensation of executors, administrators, guardians and trustees.

Legal Affairs.

By Mr. Wilson of Auburn—An Act to amend Chapter 112 of the Public Laws of 1907, as amended by Chapter 69 of the Public Laws of 1909, entitled "An Act to provide for State aid and for the expenditure of other public moneys in the permanent improvement of Maine highways or State roads."

By Mr. Pattangall of Waterville—Petition of H. W. Mitchell of Waterville, for amendment of law relating to registration of dentists.

By Mr. Bann of Smyrna—Petition of W. E. Groff of Mars Hill, for same.

By Mr. Stetson of Lewiston—Petition of H. R. Brown of Lewiston for same.

By Mr. Cronin of Lewiston—Petition of L. R. Lafond of Lewiston, for same.

By Mr. Gamache of Waterville—Petition of L. A. d'Argy of Waterville, for same.

Education.

By Mr. Mower of Vassalboro—Petition of George E. Sparrow and nine others of Pittston for change in dis-