

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Friday, March 10, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Boothby of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

An Act requiring street railway companies to equip cars with fenders, came from the House, by that Branch referred to the committee on Railroads and Expresses. Tabled for printing pending reference, on motion by Mr. Kellogg of Penobscot.

An Act to provide for the erection of the Portland Bridge. Tabled for printing pending reference, on motion by Mr. Boynton of Lincoln.

An Act to provide for a Department of Labor and Industry; to prescribe its powers and duties; to provide for factory inspection and to prescribe penalties for the violation of this Act, came from the House with Amendment A adopted by that Branch.

Tabled on motion by Mr. Noyes of Kennebec.

Senate Document No. 99, An Act to amend Chapter 247 of the Public Laws of 1909, providing for the uniform grading, packing and branding of apples, came from the House, that Branch having non-concurred with the action of the Senate, and asking for a committee of conference. The President joined on the part of the Senate as such committee Messrs. Hill, Stearns and Boynton.

House Document No. 222, An Act relating to the compensation of the trustees of the University of Maine and the trustees of the State Normal Schools, came from the House. That Branch insisted upon its former action and asked for a committee of conference.

The President joined on the part of the Senate as such committee, Messrs. Chandler, Fulton and Milliken.

House Document No. 168, An Act relating to lumber operations, came from the House, that Branch having non-concurred with the action of the

Senate in indefinitely postponing the bill, and asking for a committee of conference. The President joined as such committee on the part of the Senate, Messrs. Kellogg, Mullen and Blanchard.

House Bills on the First Reading.

Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purpose of taxation.

An Act to amend Section 89 of Chapter 94 of the Public Laws of 1909, relating to the compensation of selectmen.

The following Bills, Petitions, etc., were presented and referred:

Judiciary.

By Mr. Gowell of York—Bill, An Act to amend Section 4 of Chapter 57 of the Revised Statutes, relating to the organization of libraries and charitable societies.

By Mr. Leach of Hancock—Petition of George P. Leach and 24 others to abolish the office of recorder of Western Hancock Municipal Court.

Appropriations and Financial Affairs.

By Mr. Leach of Hancock—Resolve in favor of Hortense K. Hopkins.

By Mr. Boynton of Lincoln—Resolve providing for the payment of certain deficiencies accrued prior to January 1, 1911.

Taxation

By Mr. Osborn of Somerset—Bill, An Act to amend Sections 24 and 36 of Chapter 8 of the Revised Statutes, relating to taxation of Railroad Companies and of Telegraph and Telephone Companies.

Orders.

On motion by Mr. Fulton of Androscoggin, it was,

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Tuesday, March fourteen, at half-past ten o'clock in the forenoon.

Sent down for concurrence.

Read and Assigned.

An Act to incorporate the Northern Penobscot Water Company.

Resolve in favor of John R. McDonald.

An Act to limit the number of fish which may be taken in one day in certain tributaries to Wilson lake, which lake is situated in the town of Wilton, also in Alder Brook, a tributary to Weld pond, which pond is situated in the town of Weld, down as far as Hildreth's Mill Dam, so called, all in the county of Franklin.

An Act to render valid the doings of Little Madawaska Improvement Company.

An Act to amend Chapter 138 of the Public Laws of 1909, relating to marking historical sites.

Resolve in favor of a highway bridge over the St. John river between Van Buren, Maine, and St. Leonard's, New Brunswick.

Resolve for the preservation of the regimental rolls in the office of Adjutant General.

Resolve in favor of the Maine School for Feeble Minded.

Reports of Committees.

Mr. Gowell, for Committee on Judiciary, on Bill, An Act to amend Section 78 of Chapter 9 of the Revised Statutes, relating to appeal to county commissioners for abatement of taxes, reported that the same "ought not to pass."

Report accepted and sent down for concurrence.

Mr. Stearns, for the Committee on Judiciary, on Bill, An Act to incorporate the Bayville Village Corporation, reported that the same "ought to pass."

The same Senator, for the same committee, on Bill, An Act to incorporate the Westfield Light and Power Company, reported that the same "ought to pass."

Mr. Moulton, for the Committee on Agriculture, on Bill, "An Act to regulate the fees for sealing milk bottles, reported a new draft under the same title and that it "ought to pass."

Mr. Hill, for the same committee, on Bill, An Act to amend Section 2 of Chapter 242 of the Public Laws of 1909, relating to sealing of measure, reported a new draft under the same title and that it "ought to pass."

The same senator, for the same committee, on Bill, An Act to render more wholesome the milk supply of cities and towns, reported that the same "ought to pass."

Mr. Winslow, for the Committee on Inland Fisheries and Game, on Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds, reported that the same "ought to pass."

The same Senator, for the committee on State School for Boys and Industrial School for Girls, on Resolve in favor of the State School for Boys, reported a new draft under the same title, and that it "ought to pass."

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

Passed to be Engrossed.

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

Resolve in favor of town of Wiscasset.

Resolve in favor of St. Elizabeth's Roman Catholic Asylum of Portland.

Resolve in favor of Children's Heart Work Society of Maine.

Resolve in favor of Webber Hospital Association of Biddeford.

Resolve in favor of Holy Innocents Home for Infants in the city of Portland.

Resolve in favor of Central Maine General Hospital of Lewiston.

Resolve in favor of Old Town Hospital.

Resolve in favor of Eastern General Hospital.

Resolve in favor of Maine General Hospital.

Resolve in favor of Roy Morrison.

Resolve in favor of Maine Institution for the Blind.

Resolves in favor of Maine Eye and Ear Infirmary.

Resolve in favor of Maine School for the Deaf.

Resolve in favor of Bath City Hospital.

Resolve in favor of Trull Hospital Aid Association.

Resolve in favor of York Hospital.

Resolve in favor of Central Maine

Association for relief and control of tuberculosis.

Resolve in favor of Women's Christian Temperance Union Temporary Home for Children.

Resolve in favor of Augusta General Hospital.

Resolve in favor of Knox County General Hospital.

Resolve in favor of Children's Aid Society of Maine, located at Belfast.

Resolve in favor of Children's Protection Society of Portland.

Resolve in favor of Healy Asylum located at Lewiston.

Resolve in favor of Bath Military and Naval Orphan Asylum.

Resolve in favor of Temporary Home for Women at Portland.

Resolve in favor of Good Samaritan Home Association of Bangor.

Resolve in favor of Maine Mission for the Deaf.

Resolve in favor of Bangor Children's Home.

Resolve in favor of Androscoggin Anti-Tuberculosis Association.

Resolve in favor of Bar Harbor Medical and Surgical Hospital, located at Bar Harbor.

Resolve constituting the State treasurer the trustee of the Isaac Sanford legacy for the deaf, dumb and blind, and providing for the expenditure of the interest thereon.

Resolve in favor of the town of Peru.

An Act to incorporate Mopang Dam and Improvement Company.

Resolve in favor of Maine State Sanatorium Association. (Tabled pending second reading, on motion by Mr. Milliken of Aroostook.)

Passed to be Enacted.

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

An Act to amend Chapter 233 of the Private and Special Laws of 1909, entitled "An Act for the protection of deer in York county."

An Act to amend Sections eleven, twelve, fourteen, fifteen, sixteen and seventeen of Chapter 17 of the Revised Statutes, relating to registration of physicians and surgeons.

The following order came from the House:

Ordered, the Senate concurring, that all joint standing committees be and are hereby ordered to make final report on or before March 20, 1911.

The order was given a passage in concurrence.

Orders of the Day.

On motion by Mr. Osborn of Somerset, House Document, No. 267, Resolve in favor of the Central Maine Fair Company, and repealing resolve in favor of the Central Maine Fair Association, was taken from the table.

The PRESIDENT: I call the senator's attention to the fact that this Resolve was tabled by Senator Donigan.

Mr. OSBORN: Mr. President: I make this motion in the absence of the senator, feeling that under the circumstances he will be perfectly satisfied.

The motion was agreed to.

On further motion by the same senator, the Senate non-concurred with the action of the House in the indefinite postponement of the resolve, and the report of the committee on agriculture upon this Resolve was accepted.

On motion by Mr. Irving of Aroostook, House Document, No. 181, An Act to amend Section 20 of Chapter 36 of the Public Laws of 1909, relating to the regulation and sale of fertilizers, was taken from the table.

Mr. IRVING: Mr. President: This bill was introduced in the House and it was found after its introduction that it was illegal. As it was followed by another bill, I now move that this bill be indefinitely postponed, in non-concurrence with the action of the House.

The motion was agreed to Sent down for concurrence.

On motion by Mr. Irving of Aroostook, House Document, No. 269, An Act to remove the Northern District Registry of Deeds from Madawaska to Van Buren, in the county of Aroostook, and to authorize and empower the county commissioners of Aroostook county to erect and construct a

building for said registry of deeds at said Van Buren, was taken from the table.

Mr. IRVING: Mr. President: This bill was amended in the House, and I tabled it here for the purpose of offering an amendment to the amendment. The House amendment has not been printed and we cannot intelligently act upon it this morning. I therefore move that the bill be retabled and assigned for next Wednesday, and that the amendment be printed.

The motion was agreed to.

On motion by Mr. Stearns of Oxford, Senate Report on the Resolve in relation to the early York deeds, was taken from the table.

Mr. STEARNS: Mr. President: I will say that I tabled this Resolve simply for the purpose of getting the attitude of the committee to which it was referred. I find on talking with them that the committee makes the adverse report upon this matter, not because they did not recognize the merit of the work, but because they felt the State could not do it at this time. I regret that this is the condition, for I believe that this work ought to be continued. Having great respect for the opinion of the committee, I now move that the report be accepted.

The motion was agreed to and the report of the committee "ought not to pass," was accepted. Sent down for concurrence.

On motion by Mr. Noyes of Kennebec, An Act to provide for a department of labor and industry; to prescribe its powers and duties; to regulate the employment of labor; to provide for factory inspection and to prescribe penalties for the violation of this Act, was taken from the table.

On further motion by the same senator, the action whereby this bill was passed to be engrossed was reconsidered.

House Amendment A was then adopted, and the bill as amended by House Amendment A was passed to be engrossed.

On motion by Mr. Milliken of Aroos-

took, House Document No. 255, An Act to establish the Houlton municipal court, was taken from the table.

Mr. MILLIKEN: Mr. President: By arrangement with the chairman of the committee before which this was heard, and who is not here this morning, I move that this bill be tabled and assigned for Thursday of next week.

The motion was agreed to.

By unanimous consent, the rules were suspended and Mr. Milliken of Aroostook presented the following petitions out of order, and the same were referred to the committee on education:

Petition of Remi A. Daigle and 11 others of Madawaska; T. C. Bell and 29 others of Westfield; C. L. Tracy and 26 others of Gouldsboro; Alpheus Dodge and 29 others of Boothbay; E. L. White and 25 others of Bowdoinham; S. Reed Allen and 6 others of Richmond; F. H. Badger, M. D. and 13 others of Winthrop; Fred Tracy and 39 others of Amity; all for distribution of State school funds on the basis of average attendance in schools.

On motion by Mr. Boynton of Lincoln, House Document No. 429, An Act relating to licensing dogs, was taken from the table.

The same senator then moved that the report of the committee on agriculture, "ought to pass," be accepted.

Mr. FULTON of Sagadahoc: Mr. President: In regard to this matter of licensing dogs, it is a law that has been tinkered with by the Legislature for the last 20 years, perhaps. I find that the special change in the law now is that any domestic animal that is killed or damaged by wild animals, the State must come in and pay.

It seems to me that the law as it exists today is sufficient for all practical purposes. Under the law as it is at the present time, a fund is provided by the licenses from the owners of dogs, and if any man suffers damage by dogs he is reimbursed from this fund, and after these damages are all paid, the balance of the fund reverts back to the different towns.

I can see that the law as amended will cause a great amount of trouble to town officials. I understand, as this

law is amended, if a hawk swoops down and kills a chicken, the man can go to the selectmen and can be paid for it. And the same if a fox kills a chicken. The law as it now is seems to be sufficient for all practical purposes.

Mr. BLANCHARD of Franklin: Mr. President: I would like to inquire of the senator, through the Chair, if he understands there is any way for a man who has sheep killed by a bear to get paid for the same under the present law?

Mr. FULTON: I do not think there is.

Mr. BLANCHARD: Mr. President, that is the trouble in our county, and I think it is pretty serious. Bears destroy our sheep somewhat, and I did want this bill to pass in its present form. As the State owns the wild animals, when they destroy domestic animals it seems to me as though the State ought to pay for them. That is the situation in a portion of our county, and I think it is also the condition in a portion of Somerset and Oxford counties.

The report of the committee on agriculture "ought to pass," was accepted and the bill was given its first reading.

On motion by Mr. Boynton of Lincoln, Senate Document No. 105, Resolve in favor of the publication of the Documentary History of Maine, was taken from the table.

Mr. BOYNTON: Mr. President, this resolve comes from the House indefinitely postponed. I move that we non-concur in the action of the House.

Mr. MILLIKEN of Aroostook: Mr. President, it seems to me this is a matter that is on precisely the same footing with the York deeds proposition, just referred to by the senator from Oxford.

I had occasion at the last session to look very carefully into both matters for certain reasons. And while they are both proper, and while I believe it is proper the State should pay money for both publications, I do not see why there is any more reason at this session, where economy is necessary, to spend \$5000 for the Documentary History referred to in this resolve

than it is for the publication of the York deeds.

I move that the Senate recede and concur with the House.

Mr. BOYNTON: Mr. President, I will withdraw my motion to non-concur, and will accept the motion of the senator from Aroostook.

The motion to indefinitely postpone in concurrence was agreed to.

On motion by Mr. Boynton of Lincoln, Senate Document, No. 106, Resolve concerning the preservation of the archives of the State of Maine, was taken from the table.

On further motion by the same senator, the Senate non-concurred with the action of the House in indefinitely postponing this resolve.

The report of the committee was then accepted, sent down for concurrence.

On motion by Mr. Milliken of Aroostook,

Adjourned.

HOUSE.

Friday, March 10, 1911.

Prayer by Rev. Mr. Allen of Jonesboro.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to incorporate the Moxie Dam Company.

An Act to amend Section 1 of Chapter 231 of the Private and Special Laws of 1909.

An Act to abolish the Dover municipal court and the Milo municipal court and to establish the Piscataquis municipal court. (Recommitted in concurrence to the committee on the judiciary.)

Resolve in favor of Plantation No. 35, in Hancock county.

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

Legal Affairs.

By Mr. Shea of Bar Harbor: Memorial by town of Eden.

By Mr. Woodside of Webster: An