

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

**SENATE.**

Monday, March 20, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Clifford of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, An Act to amend Section 26 of Chapter 15 of the Revised Statutes to provide for school privileges for scholars living at fog warning stations and life saving stations.

This bill came from the House, by that body referred to the committee on education. The Senate non-concurred with the action of the House and the bill was placed on file.

Resolve in favor of J. P. Tucker, secretary of the School for Feeble Minded.

This resolve came from the House, by that branch received and given its readings and passed to be engrossed under suspension of the rules, without reference to a committee.

On motion by Mr. Milliken of Aroostook, the Senate non-concurred with the action of the House and referred the resolve to the committee on appropriations and financial affairs. Sent down for concurrence.

Bill, An Act authorizing the Rumford Falls Village Corporation to raise money for the purpose of cleaning its streets and keeping same in sanitary condition.

In the House this bill was received and under suspension of the rules was given its three readings and was passed to be engrossed. Under suspension of the rules, the bill was given its two readings and was passed to be engrossed.

Bill, An Act to amend Section 55 of Chapter 15 of the Revised Statutes, relating to free High schools.

On motion by Mr. Milliken of Aroostook, tabled for printing.

Bill, An Act to legalize the proceedings of the Universalist Society of Orland, Me.

This bill was introduced in the House under the suspension of the rules, was given its three readings

without reference to a committee, and was passed to be engrossed.

The rules were suspended and the bill was given its two readings in the Senate and passed to be engrossed.

House Document No. 306, An Act to amend Chapters 8 and 9 of the Revised Statutes, relating to the duties of State and local assessors.

This bill was indefinitely postponed in the Senate in non-concurrence and sent to the House for concurrence. The House insisted upon its former action and called for a committee of conference.

The President stated that he would announce the committee of conference later.

Majority and minority report of the committee on judiciary, on An Act to amend Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections came from the House, the report of the Committee on Judiciary "ought not to pass," accepted.

On motion by Mr. Boynton, both reports were tabled pending acceptance of either.

Resolve in favor of C. M. Weston of Patten, came from the House by that branch referred to the next Legislature.

Tabled on motion by Mr. Kellogg of Penobscot.

Resolve in favor of the town of Moscow, came from the House, by that branch referred to the next Legislature.

Tabled on motion by Mr. Donigan of Somerset.

Resolve in favor of the town of Solon, came from the House, by that branch referred to the next Legislature.

Tabled on motion by Mr. Donigan of Somerset.

Resolve in favor of Michael Burns, came from the House, that branch having accepted the report of the committee on claims "ought not to pass."

Tabled on motion by Mr. Noyes of Kennebec.

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**Passed to Be Engrossed.**

(By unanimous consent, the following bills and resolves were given their two readings and were passed to be engrossed.)

An Act relating to the solemnization of marriage.

Resolve in favor of George H. Wilbur & Son, contractors of Old Town, Maine.

Resolve appropriating money for the insurance of State Normal school buildings.

Resolve in favor of Mattanawcook Academy. (Tabled on motion by Mr. Fulton of Sagadahoc.)

Resolve in favor of Hannah E. Hodsdon for pension, widow of Aaron Hodsdon, late of 17th Maine Regiment, Company E.

Resolve in favor of Frank W. Colby.

Resolve in favor of the Madawaska Training School for a lighting system.

Resolve in favor of Fort William Henry in the town of Bristol.

Resolve making an appropriation for the Passamaquoddy tribe of Indians.

An Act to amend the charter of the Spencer Dam Company.

An Act to amend Section 20 of Chapter 6 of the Revised Statutes, relating to polling places.

An Act to extend the charter of the Lincolnville Water Power Company.

An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to recording personal property, mortgages and sales.

An Act additional to Chapter 17 of the Revised Statutes.

An Act relating to the criminally insane.

An Act to change the eastern boundary of the town of Anthony.

An Act to authorize the Aroostook Valley Railroad Company to extend its line from Woodland to Caribou.

An Act to annex Fryeburg Academy grant, in the county of Oxford, to the town of Mason in said county.

Resolve in favor of the Maine Industrial School for Girls for permanent improvement and general repairs.

Mr. STAPLES of Knox: Mr. President, does that resolve state how much is appropriated for that purpose?

The PRESIDENT: Twenty-three hundred dollars for the year 1911, to be expended under the direction of the trustees.

Resolve in favor of the Maine Industrial School for Girls for water supply. (On motion by Mr. Staples, tabled pending second reading.)

Resolve in favor of the Maine Industrial School for Girls for maintenance and deficiencies. (On motion by Mr. Staples of Knox, tabled pending acceptance of the report of the committee.)

An Act in relation to employment agencies.

The following order came from the House:

March 20, 1911.

Ordered, the Senate concurring, that the time that the committee on legal affairs shall make its final report is extended to March twenty-first, 4.30 o'clock P. M.

On motion by Mr. Kellogg of Penobscot, the foregoing order was amended by inserting after the word "affairs" "and all other joint standing committees."

On motion by Mr. Boynton, the order was further amended by excepting the committee on appropriations and financial affairs from the provisions of the order.

Mr. STAPLES of Knox: Mr. President, I will state that the judiciary committee would have made its final report today, but two or three of the members were absent and did not get in time to sign some reports, and that is why we asked for this order. We shall be through tomorrow and make final report.

Mr. KELLOGG: Mr. President, I will say that the insurance committee has a bill that should come up before it tomorrow.

Mr. FARRINGTON of Kennebec: Mr. President, do I understand about that amendment? The committee on legal affairs has assigned for tomorrow two matters on which we will have to have hearings. We have several uncompleted matters to report on. I only want to see that that order does not tie us up.

The PRESIDENT: The time is extended by this order from the House until March twenty-first, 4.30 o'clock in the afternoon.

The order as amended was sent down for concurrence.

The following communications were received from the office of the secretary of State, and were placed on file:

The fifty-second annual report of the railroad commissioners of the state of

Maine for the year ending November thirty, 1910.

Annual report of the inspectors, wardens and subordinate officers of the Maine State prison for the year 1910.

Biennial report of the Military and Naval Orphan Asylum at Bath, Maine, for the years 1909 and 1910.

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

#### Legal Affairs.

By Mr. Fulton of Sagadahoc, Bill, An Act in favor of the law student who is obliged to labor during his term of study.

#### Appropriations and Financial Affairs.

By Mr. Farrington of Kennebec, Bill, An Act to amend Section 6 of Chapter 88 of the Public Laws of 1907, as amended in 1909, relating to the expenditures of the State historian.

By Mr. Foss of Androscoggin, Resolve in favor of Charles W. Hurlley.

By Mr. Donigan of Somerset, Resolve in favor of the joint standing committee on ways and bridges.

By Mr. Noyes of Kennebec, Resolve in favor of the stenographers to the recording officers of the Senate and House.

Also, Resolve in favor of the official reporter of the Senate.

#### Passed to Be Engrossed.

An Act to amend Chapter 257 of the Public Laws of 1909, relating to the employment of minors in manufacturing and mechanical establishments.

An Act to amend Section 37 of Chapter 15 of the Revised Statutes, relating to school census returns.

An Act to amend the charter of the Portland Union Railway Station Company, and enlarge its powers under the name of the Portland Terminal Company.

An Act to regulate the taking of beaver.

An Act to regulate the number, also the number of pounds, of land-locked salmon, trout, togue and white perch which may be taken or had in possession in any one day by one person.

Resolve for the introduction of the Hungarian partridge into the State of Maine.

An Act with reference to the Gardiner Municipal Court.

Resolve in favor of the Sagadahoc Agricultural and Horticultural Societies.

Resolve in favor of the Maine Insane hospital.

Resolve in favor of the Maine Insane hospital.

An Act to amend Chapter 8 of the Revised Statutes, as amended by Chapter 186 of the Public Laws of 1909, Chapter 124 of the Public Laws of 1905 and Chapter 137 of the Public Laws of 1909. (Tabled on motion by Mr. Milliken of Aroostook for correction of title.)

The foregoing bills and resolves by unanimous consent were given their two readings and were passed to be engrossed.)

#### Reports of Committees.

Mr. Staples, for the committee on judiciary, on Resolve providing for an amendment of the constitution empowering the Governor to remove sheriffs, reported that same "ought not to pass."

Mr. Irving, for the committee on mercantile affairs and insurance, on Bill, An Act to amend Section 78 of Chapter 49 of the Revised Statutes of Maine, relating to insurance and insurance companies, reported that same be referred to the next Legislature.

Mr. Hill, for the committee on agriculture, on Bill, An Act to create a stallion registration board, reported that same "ought not to pass."

The same senator for the same committee, on Bill, An Act amendatory of Chapter 69 of the Revised Statutes, as amended by Chapter 95 of the Public Laws of 1909, relating to agricultural societies, reported that same "ought not to pass."

The same senator for the same committee, on Bill, An Act to extirpate contagious diseases among cattle, horses, sheep and swine, reported that same "ought not to pass."

Mr. Foss, for the committee on claims, on Resolve in favor of the town of Dover, reported that same be referred to the Governor and Council.

The same senator for the same committee, on Resolve in favor of the

town of Mexico, reported that same be referred to the next Legislature.

The same senator for the same committee, on Resolve in favor of the town of Dennysville, reported that same be referred to the next Legislature.

Mr. Foss, for the committee on claims, on Resolve in favor of the town of Columbia, reported that same be referred to the next Legislature.

Mr. Noyes for the committee on Insane hospitals, on Resolve in favor of Maine insane hospital 1912, reported same "ought not to pass."

The same senator for the same committee, on Resolve in favor of Maine Insane hospital, 1912, reported same "ought not to pass."

The reports were accepted and sent down for concurrence.

Mr. Irving for the committee on taxation, on Bill, An Act for the taxation of steam railroads according to their actual value, reported that same "ought not to pass." (Tabled on motion by Mr. Staples, pending acceptance of the report.)

Mr. Mayo for the same committee, on 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, reported that same be referred to the next Legislature. (Tabled on motion by Mr. Noyes, pending acceptance of the report.)

The same senator for the same committee, on Bill, An Act to amend Section 48 of Chapter 8 of the Revised Statutes, relating to taxation of insurance companies, reported same "ought not to pass." (Tabled on motion by Mr. Osborn, pending acceptance of the report.)

Mr. Dodge for the committee on legal affairs, on Bill, An Act to incorporate the Clinton Water Company, reported that same "ought to pass."

Mr. Hill for the committee on agriculture, on Bill, An Act to extirpate contagious diseases among cattle, horses, sheep and swine, reported same in a new draft under the same title and that it "ought to pass."

Mr. Irving for the committee on taxation, on Bill, An Act to amend Sec-

tion 42 of Chapter 8 of the Revised Statutes as amended by Chapter 167 of the Public Laws of 1907 and as further amended by Chapter 152 of the Public Laws of 1909, relating to taxation of express companies, reported that same "ought to pass."

The same senator for the same committee, on Bill, An Act to amend Section 37 of Chapter 8 of the Revised Statutes, relating to the taxation of telephone and telegraph companies, reported same in a new draft after recommitment under the same title, and that it "ought to pass."

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

#### Orders of the Day.

Mr. STAPLES of Knox: Mr. President: I wish to say to the senator from Cumberland that a matter came to my attention just before the commencement of this session, An Act to amend Sections 34 and 35 of Chapter 16 of the Revised Statutes, relating to the conveyance of pews in meeting houses, etc. This matter came from the House where they non-concurred with the action of the Senate, and I was asked to have the Senate non-concur with the action of the House, and then have the bill substituted for the report. The gentleman who called the matter to my attention said that the people in Cumberland county did not see the advertisement, and that they are very much interested in the matter. It is not a public matter. They want it assigned for next Wednesday and that will give them time to confer with the senator from Cumberland.

The vote whereby the report of the committee was accepted was reconsidered.

Upon further motion by the same senator, the bill was substituted for the report, tabled and assigned for next Wednesday.

Mr. MILLIKEN of Aroostook: Mr. President: I move to take from the table House Document No. 384, as I wish to offer an amendment.

The motion was agreed to.

Mr. MILLIKEN: Mr. President: I now offer Senate Amendment A to

House Document No. 384: "Amend House Document No. 384 by adding after the word "association" in the sixth line the words "subject to the approval of the Governor and Council." I will state that the amendment is perfectly satisfactory to the trustees of the institution and the committee that reported the bill. I move the adoption of the amendment.

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

Mr. MILLIKEN: Mr. President: I move to take from the table Bill, An Act relating to rebate of taxes on colleges, tabled March 20. I am not sure whether the bill is printed, although I intended to have it printed. It is Senate Document No. 154.

The motion was agreed to.

Mr. MILLIKEN: Mr. President: This bill if passed would cause very serious hardship to the colleges in the State, and as far as I am able to find out there is no sentiment in the Legislature favorable to the bill, and it would be unfair to have it considered at this late time where there is no possibility of appropriate notice and hearing before the committee. I move that the bill be indefinitely postponed.

The motion was agreed to.

On motion by Mr. Kellogg of Penobscot, Resolve authorizing the land agent to sell an unnamed ledge in Muscel Ridge Channel, was taken from the table.

Mr. KELLOGG: Mr. President: It has been the policy of the committee that this resolve was heard by to turn down all such resolves, and I move that the resolve be indefinitely postponed.

The motion was agreed to.

On motion by Mr. Milliken of Aroostook the action was reconsidered where-by Bill, An Act to amend Section 26 of Chapter 15 of the Revised Statutes to provide for school privileges for scholars living at fog warning stations and life saving stations, was placed on file.

Mr. MILLIKEN: Mr. President, I will say that I have just been informed by

the gentleman who introduced the bill in the House something in regard to its merits, and I now move that the matter lie on the table for printing until I can see the members of the committee before whom it would have been referred.

The motion was agreed to.

On motion by Mr. Noyes of Kennebec, Senate Document No. 116, An Act relating to the taxation of telegraph companies, was taken from the table.

On further motion by the same senator, Senate Amendment A to House Document No. 146, consisting of an emergency clause, was adopted.

On further motion the bill as amended (Senate Document No. 116) was given its second reading and was then passed to be engrossed.

On motion by Mr. Kellogg of Penobscot, House Document No. 586, An Act to amend Section 40 of Chapter 15 of the Revised Statutes as amended, relating to the union of two or more towns for the employment of a superintendent of schools, was taken from the table.

On further motion by the same senator the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Bill, An Act to amend Section 55 of Chapter 15 of the Revised Statutes, relating to free High schools, was taken from the table.

On further motion by the same senator the bill was again tabled for printing.

On motion by Mr. Staples of Knox, Adjourned.

## HOUSE.

Monday, March 20, 1911.

Prayer by Rev. Mr. Boothby of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Resolve authorizing the Governor and Council to use any unexpended balance in the treasury for the care and maintenance of bridges, came from the Senate with Senate Amendment A, by adding after the word "any" in line