

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

**SENATE.**

Monday, March 27, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Mosher of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Report of the committee on legal affairs on An Act to consolidate the management of the State Juvenile Institution, came from the House, that Branch having accepted the report of of the committee "ought to pass," and the bill then passed to be engrossed. Subsequently the action whereby the bill was passed to be engrossed was reconsidered, and House Amendment A was adopted.

The report of the committee was accepted in the Senate, House Amendment A adopted and under suspension of the rules, the bill was given its two readings and was passed to be engrossed.

An Act confirming and making valid the proceedings of the Franklin Power Company, came from the House, read and passed to be negrossed under suspension of the rules.

Tabled on motion of Mr. Milliken of Aroostook, pending second reading.

An Act to extend the rights, powers and privileges of the Barrows Falls Light and Power Company, came from the House, passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Senate Amendment A, striking out Section 2, "This Act shall take effect when approved," was adopted. The rules were suspended, the bill was given its two readings and was passed to be engrossed.

An Act to establish a close time on lobsters in the waters of Winter Harbor in Hancock county, came from the House, passed to be engrossed, the House having adopted House Amendment A.

Mr. MAYO of Hancock: Mr. President, I will say in regard to this law that 39 out of 42 lobster fishermen of Winter Harbor, petitioned for this law. At first it was considered not best to have it, and then they reconsidered and

held another meeting and voted that such a law should be passed. I feel in harmony with them and as it does not touch anybody out of Winter Harbor, it may be the best thing for them to have it.

The Senate adopted House Amendment A and under suspension of the rules the bill received its two readings and was passed to be engrossed.

Majority and minority reports of the committee on legal affairs on An Act to create a public utilities commission of Maine and defining its duties, came from the House.

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

**Passed to Be Engrossed.**

(The following bills and resolves, under suspension of the rules, were given their two readings and were passed to be engrossed.)

An Act to incorporate the Maine Institute of Music and Liberal Fine Arts.

An Act amendatory to Chapter 3 of the Private and Special Laws of 1887, entitled "An Act to supply the people of Presque Isle with pure water."

Resolve in favor of Wilton Academy.

An Act for the encouragement of industrial education. (Tabled on motion by Mr. Milliken of Aroostook, pending second reading and the action of the conference committee.)

Resolve in favor of the Eastern State Normal School.

An Act to regulate ice fishing in certain waters in Androscoggin county.

An Act to prohibit the use of garg hooks, so-called, when fishing in the inland waters of this State.

An Act to regulate the hunting and killing of grey squirrels.

An Act to amend Section 1 of Chapter 412 of the Private and Special Laws of 1907, as amended by Section 1 of Chapter 121 of the Private and Special Laws of 1909, regulating fishing in Swift river and its tributaries in the county of Oxford and the county of Franklin.

An Act to amend Section 4 of Chapter 102 of the Public Laws of 1905, relating to the Penobscot Tribe of Indians.

An Act amendatory of and additional

to Chapter 48 of the Revised Statutes, relating to annual examination of savings banks and trust companies.

Resolve authorizing the Governor to appoint a commission to investigate investments for savings banks.

Resolve in favor of John Bradbury.

An Act to amend An Act relating to the police of the city of Rockland.

An Act relating to the compensation of the clerk, deputy and assistant clerk of Cumberland county.

An Act to amend Chapter 80 of the Revised Statutes of 1903, as amended by Chapter 117 of the Private and Special Laws of 1905, relating to the expenses of the county commissioners of Cumberland county.

An Act to amend Section 1 of Chapter 244 of the Public Laws of 1909, relating to the transmission of power beyond the confines of the State. (Subsequently tabled by Mr. Milliken.)

An Act to incorporate the Island Light & Water Company.

An Act to incorporate the Casco Bay Water Company. (Tabled on motion by Mr. Winslow of Cumberland, pending passage to be engrossed.)

An Act to incorporate the Farmington and Augusta Railway Company.

An Act to establish the Yorkshire municipal court.

An Act to amend Section 1 of Chapter 84 of the Revised Statutes relating to order of notice by the supreme judicial court.

An Act authorizing the city of Portland to build public buildings upon public grounds. (Tabled on motion by Mr. Winslow of Cumberland, pending first reading.)

An Act to incorporate the Hartland Water Company.

An Act to incorporate the David Improvement Company.

This bill, House Document 426, came from the House amended by House Amendment A, printed as House Document 701.

The amendment was adopted in concurrence, and the bill was then tabled until tomorrow morning on motion by Mr. Staples of Knox.

An Act to incorporate Swan's Island Water Company.

An Act to close Square pond to sewage.

An Act to amend Chapter 247 of the Public Laws of 1909, relating to the packing and branding of apples. (Tabled on motion by Mr. Stearns of Oxford.)

Resolve repealing Chapter 338 of the Resolves for 1909 in favor of the town of Old Orchard. (Tabled on motion by Mr. Gowell of York, pending second reading.)

Resolve in favor of the clerk to the committee on education.

Resolve in favor of the clerk and stenographer to the committee on inland fisheries and game.

An Act to amend Chapter 131 of the Private and Special Laws of 1858, as amended by Chapter 53 of the Private and Special Laws of 1887, relating to the Preachers' Aid Society of the Methodist Episcopal church.

Resolve in favor of acceptance of gifts from Ex-Governor Frederick Robie.

Resolve in favor of Susan E. Dumphe, widow of Charles Dumphe, late of Company G, Sixth Regiment of Infantry, Maine Volunteers, Civil War.

An Act to regulate the sale and purchase of trout, land-locked salmon togue, white perch and black bass.

Mr. MILLIKEN of Aroostook: Mr. President: Before these bills and resolves are passed to be engrossed, I move that House Document 700 lie on the table. I wish to call the attention of the members to that document. This is an Act to repeal the famous Chapter 244 of the Public Laws of 1909, relating to the transmission of power beyond the confines of the State. Section 1 of Chapter 244 of the Public Laws of 1909 is amended by striking out from said Section all after the word 'purposes' in the eighth line thereof. In the original law the paragraph after the word 'purposes' is the exemption of railroad corporations and is as follows: "Nothing in this Act, however, shall prevent any railroad corporation doing business in this State from transmitting electric currents, however generated, beyond the confines of the State for the purpose of operating its road between some point in this State and any point or points beyond its confines."

Now this bill purports to be to amend Chapter 244 by striking out that ex-

emption It does amend it by striking that out and putting in the following: "The provisions of this Act shall not apply to any street railway now doing an interstate business" The amendment as stated does not agree with the section as stated, and the effect of it is, it seems to me, to make the exemption broader.

I move it lie on the table until I can find out what is intended by the amendment.

The motion was agreed to.

Majority and minority reports of the committee on judiciary, on Resolve providing for an amendment to the Constitution of Maine conferring the rights of suffrage on women, came from the House.

Tabled on motion by Mr. Staples, pending acceptance of either report, and assigned for tomorrow.

Majority and minority reports of the committee on legal affairs, on An Act relating to the removal of county attorneys by the Governor, came from the House, that branch having adopted the majority report "ought not to pass."

Tabled on motion by Mr. Stearns of Oxford, pending acceptance of either report.

The following communications were received and ordered placed on file:

Executive Department,

Augusta, Maine, March 27, 1911.

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

I have the honor to transmit herewith the report of the commission created by act of the Legislature of 1909, entitled "An Act relating to the scaling of logs."

(Signed) FREDERICK W. PLAISTED.

Office of Secretary of State.

Augusta, Maine, March 24, 1911.

To the President of the Senate and Speaker of the House.

I have the honor to transmit herewith a copy of Senate Joint Resolution, No. 43 of the 57th General Assembly of the State of Tennessee.

Very respectfully,

Your obedient servant,

(Signed) CYRUS W. DAVIS,  
Secretary of State.

**Passed to be Engrossed.**

(The following bills and resolves, under suspension of the rules, were given their two readings and were passed to be engrossed.)

Resolve in favor of the clerk of the committee on manufactures. (Tabled on motion by Mr. Milliken of Aroostook, pending passage to be engrossed.)

An Act to amend the charter of the Mexico Water Company.

An Act to permit Plantation, No. 14 to assume maintenance of its roads and bridges.

Resolve in favor of the clerk, stenographer and the messenger to the judiciary committee.

Resolve in favor of the chairman of the committee on Indian affairs.

Resolve in favor of J. M. Lyons, clerk of the committee on labor.

Resolve in favor of F. W. Hill, chairman of the committee on agriculture.

Resolve in favor of clerk and typewriter to committee on interior waters.

Resolve in favor of clerk of the committee on mercantile affairs and insurance.

Resolve in favor of the clerk and messenger to the committee on railroads and expresses.

Resolve in favor of messenger to the committee on taxation.

Resolve in favor of Harry Stetson, secretary of committee on interior waters.

Resolve in favor of E. V. Allan, secretary of the committee on education, with statement of facts.

The following joint standing committees submitted their final reports:

Committee on Federal Relations.

Committee on Commerce.

Committee on Counties.

**Passed to Be Enacted.**

An Act to supply the town of North Haven with pure water.

An Act to incorporate the People's Loan Company.

An Act to incorporate the Porter Kezar Falls Village Corporation in the town of Porter.

An Act to amend Chapter 526 of the Private and Special Laws of 1871 entitled "An Act to confirm the doings of the Maine Missionary Society and to incorporate said society."

An Act defining and limiting expenses of supreme judicial and superior court stenographers.

An Act to incorporate the Parsonsfield Kezar Falls Village Corporation in the town of Parsonsfield.

An Act to incorporate the World Standard Insurance Company.

An Act to incorporate the Phillips Electric Light & Power Company.

An Act to amend Chapter 625 of the Private and Special Laws of 1893, relating to a police commission in the city of Biddeford.

An Act to extend the charter and rights of the Penobscot Bay Railroad Company.

An Act relating to the payment of damage to growing crops by deer.

An Act to regulate fishing in Sandy stream, so-called, a tributary to Moxie pond in the county of Somerset.

An Act relating to the taxation of telegraph companies. This act, containing an emergency clause, a rising vote was taken, and 26 senators voting for and none against its enactment, the bill was passed to be enacted.

An Act to change the name of Goose pond in Cumberland county.

An Act to amend Section 6 of Chapter 242 of the Public Laws of 1909, authorizing the commissioner of agriculture to seize milk cans and bottles not properly sealed and cleansed.

An Act to regulate the transportation of trout, togue, landlocked salmon, white perch, black bass and game birds.

An Act to make the proceedings of the department of the Grand Army of the Republic of the State of Maine a part of the public records of the State.

An Act to amend Chapter 173 of the Laws of 1905, relating to the clerk hire of the register of deeds in York county.

An Act to amend Section 28 of Chapter 6 of the Revised Statutes, relating to the time of opening and closing polls.

An Act to amend Section 1 of Chapter 450 of the Private and Special Laws of 1907 entitled "An Act to prohibit the throwing of sawdust and other mill waste into Bog brook and tributaries, in the counties of Oxford and Andros-

coggin. (Tabled on motion by Mr. Stearns of Oxford.)

An Act to amend the charter of the Bangor Boom Company.

An Act to amend the charter of the city of Waterville.

An Act amendatory of Section 52 of Chapter 49 of the Revised Statutes, relative to a change of location of mutual fire insurance companies.

An Act to incorporate the Bangor Chamber of Commerce and unite the same with the Bangor Board of Trade.

An Act to extend the open season for fishing for land-locked salmon, trout and togue in Great pond and in Long pond in Kennebec county.

An Act authorizing the construction of a bridge across the Piscataquis river.

An Act to regulate the taking of smelts in Great brook and Cold brook in the town of Stoneham and in the town of Lovell, in the county of Oxford.

An Act to regulate the taking of black bass in Pennesewasee lake and in the Bog, so-called, in the town of Norway in the county of Oxford.

An Act in relation to accidents and requiring them to be reported to the commissioner of labor; requiring investigation thereof, and providing penalties for the violation of this act.

An Act to repeal Chapter 22 of the Private and Special Laws of 1903, entitled "An Act to establish a street and sewer commission for the city of Bath."

An Act in relation to the election of directors of corporations.

An Act to amend Section 10 of Chapter 12 of the Revised Statutes, as amended by Chapter 40 of the Public Laws of 1907, relative to support of law libraries.

An Act to amend Chapter 42 of the Public Laws of 1907, entitled "An Act to prevent desertion and non-support of families," as amended by Chapter 54 and 178 of the Public Laws of 1909.

An Act relative to the election of the city clerk of the city of Bangor.

An Act fixing the liability of a bank to its depositor for payment of forged or raised checks.

An Act to amend Section 50 of Chapter 18 of the Revised Statutes, relating

to the public health and the prevention of contagious diseases.

An Act to extend the charter of the Ocean and Northern Railroad Company.

An Act to repeal Chapter 317 of the Special Laws of 1901, as amended by Chapter 375 of the Special Laws of 1907, relative to protection of lobsters in the waters adjacent to Lubec and Trescott.

An Act to further amend Chapter 352 of the Private and Special Laws of 1905, relating to the Caribou municipal court.

An Act to amend Section 134 of Chapter 49 of the Revised Statutes, relating to fraternal beneficiary associations.

An Act to amend Chapter 108 of the Private and Special Laws of 1887, entitled "An Act to incorporate the Belfast and Liberty Telegraph Company."

An Act to amend Chapter 54 of the Private and Special Laws of 1895, as amended by Chapter 60 of the Private and Special Laws of 1903, and by enlarging the territory of Rumford Falls Village Corporation.

#### Finally Passed.

Resolve in favor of Frank L. Hodgkins of Lamoine.

Resolve in favor of Harvard C. Jordan of Ellsworth.

Resolve in favor of Harry Stetson.

Resolve in favor of Otis Littlefield and others.

Resolve in favor of Frank W. Colby.

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

Resolve in favor of navigation on Sebec lake.

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

Resolve making appropriation for Passamaquaddy tribe of Indians.

This Resolve containing an emergency clause, a rising vote was taken and 26 senators voting for and none against its final passage, the resolve was finally passed.

#### Orders of the Day.

Mr. MILLIKEN of Aroostook: Mr. President, I move that the rules be sus-

pending and I have permission to introduce a resolve out of order. And the question being on the motion to suspend the rules I move that the resolve be laid on the table and assigned for tomorrow morning. The resolve was received and was tabled for printing.

Mr. BOYNTON of Lincoln: Mr. President, I desire to introduce a resolve out of order, by unanimous consent. The resolve is: "Resolve in favor of the Children's hospital at Portland. Resolved, that the sum of \$5000 be and hereby is appropriated for the year 1911, and \$10,000 for the year 1912, for the Children's hospital at Portland for the maintenance of said institution."

Mr. MILLIKEN: Mr. President, the resolve I have just asked to have introduced is in regard to the same matter, and I ask that both be assigned for tomorrow morning and that my resolve be considered as an amendment to this one. The motion was agreed to.

Mr. BOYNTON: Mr. President, I do not see any necessity for printing either of these resolves.

Mr. MILLIKEN: Mr. President, perhaps there is no such necessity, and I suggest that they lie on the table and be assigned the first thing after the morning hour tomorrow morning.

The motion was agreed to.

Mr. WINSLOW of Cumberland: Mr. President, I would like to offer an amendment to Senate Bill 193, "Senate amendment A to Senate Bill 193," the Portland bridge bill.

The PRESIDENT: I will inform the senator that this bill is out of the possession of this body and cannot be acted upon at this time.

On motion by Mr. Staples of Knox, an Act to incorporate the David Improvement Company, was taken from the table.

On further motion by the same senator the rules were suspended, the bill was given its two readings and was passed to be engrossed.

Mr. WINSLOW of Cumberland: Mr. President, I move that we reconsider the vote taken last Friday in regard to the taxation of railroad, telegraph and telephone companies.

Mr. NOYES of Kennebec: Mr. Presi-

dent, I move to lay the motion of the senator on the table.

The motion was agreed to.

On motion by Mr. Boynton of Lincoln, Adjourned until 9 o'clock tomorrow morning.

### HOUSE.

Monday, March 27, 1911.

Prayer by Rev. Mr. Livingston of Hallowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

#### Senate Bills on First Reading.

An Act to abolish the office of the recorder of the Western Hancock municipal court.

Resolve in favor of the official reporter of the Senate.

Resolve in favor of Hortense K. Hopkins.

Resolve in favor of joint standing committee on ways and bridges.

Resolve in favor of the Maine School for Feeble Minded.

Resolve in favor of Charles W. Hurley.

Resolve in favor of the clerk and stenographer to the committee on apportionments.

Resolve in favor of the stenographers to the recording officers of the Senate and House.

Resolve in favor of Charles W. Hurley.

Resolve in favor of Edward W. Wheeler.

An Act to amend Chapter 88 of the Public Laws of 1907, as amended by Chapter 138 of the Public Laws of 1909, relating to compiling and teaching of local history and local geography in public schools.

An Act, in relation to the distribution of the common school fund, came from the Senate, that branch having non-concurred with the action of the House and appointing a committee of conference.

The House concurred in the appointment of a committee of conference and the Speaker appointed as such committee on the part of the House, Messrs. Murphy of Portland, Wilson of

Auburn and Drummond of Winslow.

An Act relating to insurance on public buildings and other State property.

On motion of Mr. Clark of Portland, the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.

An Act to require street railroads to file profiles of their locations.

An Act to repeal Chapter 31 of the Public Laws of 1909, relating to the prevention of tuberculosis among cattle.

An Act to provide for the payment of pensions granted by special resolves of the Legislature.

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

An Act authorizing the secretary of State to prepare and publish a list of corporations delinquent in payment of their franchise taxes.

The House reconsidered the vote whereby this bill was passed to be engrossed, Senate Amendment A was adopted, and the bill was then passed to be engrossed as amended.

Bill relating to contracts for building highways, came from the Senate with Senate Amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate Amendment A. was adopted, and the bill was then passed to be engrossed as amended in concurrence.

An Act to regulate the practice of embalming and transportation of bodies and persons who have died of infectious diseases, came from the Senate with Senate Amendment A.

The House reconsidered the vote whereby this bill was passed to be engrossed, Senate Amendment A. was adopted, and the bill was then passed to be engrossed as amended in concurrence.

Resolve in favor of roads in Indian Township, came from the Senate, amended by Senate Amendment A.

The House reconsidered the vote whereby this resolve was passed to be