

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**SENATE.**

Thursday, January 30, 1913.

Senate called to order by the President.

Prayer by the Rev. Clayton D. Boothby of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

An Act to prohibit the use of automobiles on the public roads of the town of Islesboro, with accompanying petition and statement of facts, came from the House by that Branch referred to the committee on Judiciary.

On motion by Mr. Hersey of Aroostook, the bill with accompanying petition was tabled pending reference in concurrence; the bill ordered printed.

An Act to incorporate the Madison Water Company, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Colby of Somerset, was tabled for printing pending reference.

An Act to regulate the practice of professional public accounting, came from the House by that Branch referred to the committee on judiciary, and upon motion by Mr. Bailey of Penobscot, was tabled for printing pending reference in concurrence.

Petition for an Act to incorporate the Madison Water District, came from the House by that Branch referred to the committee on judiciary, and upon motion by Mr. Colby of Somerset, was tabled pending reference in concurrence.

An Act to increase certain fees of sheriffs and their deputies, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Stearns of Oxford, was tabled pending reference in concurrence.

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Resolve providing for an amendment

to the Constitution by striking out in Article 4, Section 11, the words "Post-officers excepted," came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Cole of York, was tabled pending reference in concurrence.

An Act to amend Section 75 of Chapter 10 of the Revised Statutes, relating to the sale of land for taxes in incorporated places, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Hastings of Androscoggin, was tabled for printing pending reference in concurrence.

Resolve in favor of the purchase of "Directions and Forms for Criminal Procedure in Maine," came from the House by that Branch referred to the committee on appropriations and financial affairs, and on motion by Mr. Richardson of Penobscot, was tabled for printing pending reference in concurrence.

Resolve in favor of the Bath Military and Naval Orphan Asylum of Bath, Maine, accompanied by statement of facts, came from the House by that Branch referred to the committee on appropriations and financial affairs, and upon motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

Resolve in favor of the Springfield Normal school, came from the House by that Branch referred to the committee on education, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to amend Section 30 and Section 31 of Chapter 52 of the Revised Statutes, relative to provisions for safety in the management and operation of steam railroads, came from the House by that Branch referred to the committee on railroads and expresses, and upon motion by Mr. Packard of Knox, was tabled for printing pending reference in concurrence.

Resolve in favor of the Maine Wesleyan Seminary and Woman's College, with statement of facts, came from the

House by that Branch referred to the committee on agriculture, and on motion by Mr. Walker of Somerset, was tabled for printing pending reference in concurrence.

Resolve authorizing the land agent to convey Lower Mark island in Sheepscoot bay, came from the House by that Branch referred to the committee on State lands and forest preservation, and on motion by Mr. Hastings of Androscoggin, was tabled for printing pending reference in concurrence.

Petition of J. C. Green and 87 others of Rome, praying Crooked island, so-called, situated in Great pond, Rome, county of Kennebec, State of Maine, be dedicated to the use of the registered guides, and that the person now occupying said island be excluded therefrom, came from the House by that Branch referred to the committee on State land and forest preservation, and on motion by Mr. Hastings of Androscoggin, was tabled pending reference in concurrence.

An Act to regulate the taking of smelts in Saint Georges river, Knox county, came from the House by that Branch referred to the committee on sea and shore fisheries, and on motion by Mr. Packard of Knox, was tabled for printing pending reference in concurrence.

An Act to set off the town of Isle au Haut from the county of Hancock and annex the same to the county of Knox, came from the House by that Branch referred to the committee on counties, and on motion by Mr. Packard of Knox, was tabled for printing pending reference in concurrence.

An Act to appropriate money to defray the expenses of the Governor and his staff in attending the ceremonies of the inauguration of the President of the United States.

In the Senate this bill was read twice and passed to be engrossed. It came from the House, by that Branch indefinitely postponed, in non-concurrence.

Mr. BOYNTON of LINCOLN: Mr. President, my appreciation and respect for the genial senator from Aroostook, Senator Milliken, leads me

to move that we recede and concur with the action of the House.

The motion was agreed to and the bill was indefinitely postponed.

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

#### Judiciary.

By Mr. Stearns of Oxford: An Act to amend Chapter 292 of the Private and Special Laws of 1909, relating to the Mexico Water Company. (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

By Mr. Emery of York: An Act to amend the charter and rights of the Goodall Worsted Company.

#### Education.

By Mr. Conant of Waldo: Resolve in favor of Freedom Academy Association. (With statement of facts.) (On motion by Mr. Conant of Waldo, tabled for printing pending reference.)

By Mr. Richardson of Penobscot: Resolve in favor of George H. Wilbur and Son, contractors of Bangor, Maine.

#### Railroads and Expresses.

By Mr. Packard of Knox: An Act to extend the charter of the Waldo Street Railroad Company.

By the same senator: An Act to extend the charter and rights of the Penobscot Bay Railroad Company.

By Mr. Flaherty of Cumberland: An Act to provide adequate punishment for any person who shall engage in the capacity of a locomotive engineer or a train conductor upon any railroad in the State of Maine, as hereafter provided in this act. (On motion by Mr. Flaherty of Cumberland, tabled for printing pending reference.)

#### Interior Waters.

By Mr. Chase of Piscataquis: Resolve in favor of navigation on Sebec Lake.

#### Inland Fisheries and Game.

By Mr. Dutton of Kennebec. An Act relating to the powers and duties of the Commissioners of Inland Fisheries and Game.

By Mr. Stearns of Oxford: An Act to repeal Chapter 142 of the Private

and Special Laws of 1907, entitled "An Act to regulate fishing in Sunday River and tributaries in the County of Oxford."

#### Public Health.

By Mr. Patten of Hancock: An Act to amend Section 6 of Chapter 18 of the Revised Statutes, relating to the State Board of Health. (On motion by Mr. Patten of Hancock, tabled for printing, pending reference.)

#### Reports of Committees.

Mr. Stearns from the committee on judiciary, on An Act to increase the capital stock of the Maine Telephone and Telegraph Company, and to ratify, confirm and make valid certain doings of said Company, reported same "ought to pass."

Mr. Hersey from the committee on judiciary, on An Act in relation to Boards of Registration of voters, reported same in new draft under same title and that it "ought to pass."

Mr. Cole from the committee on Legal affairs, on An Act to incorporate the Lewiston Chamber of Commerce, reported same "ought to pass."

Mr. Allan from the committee on military affairs, on Resolve for extra pay to the Maine Volunteers in the war with Spain, reported same "ought to pass."

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

#### PASSED TO BE ENGROSSED.

An Act relating to the relief of poor debtors.

An Act to incorporate the Pine Stream Dam and Improvement Company.

Resolve in favor of the town of Solon.

Resolve in favor of the town of Albion.

Resolve in favor of the city of Biddeford.

Resolve in favor of the clerk, assistant clerk, messenger, assistant messenger, mail carrier, first folder, as-

sistant folder, doorkeeper and pages of the 75th Legislature for attendance at the organization of the 76th Legislature.

An Act to extend the charter of Ithiel C. Blackman for maintenance of ferry across the Penobscot river between Lincoln and Chester in the county of Penobscot.

An Act to incorporate the Sweetsir Orphan Asylum.

An Act to regulate the taking of smelts in the waters of Egypt bay, Franklin bay and Taunton bay and river, in the towns of Hancock, Franklin and Sullivan in Hancock county.

An Act to extend the charter of the South Paris Light, Heat & Power Co.

An Act to amend Chapter 175 of the Private and Special Laws for the year 1912, relative to the Wiscasset Electric Light & Power Co. enlarging its charter.

An Act to incorporate the Maine Security Co. (On motion by Mr. Murphy of Cumberland, tabled pending second reading.)

Resolve in favor of aid in building highway bridge across Moose river in Jackman plantation, county of Somerset. (On motion by Mr. Burleigh of Aroostook, tabled pending second reading.)

Mr. WALKER of Somerset: Mr. President, I would like to ask the senator from Aroostook, Senator Burleigh, to assign a time for the consideration of this resolve.

Mr. BURLEIGH: Mr. President, in regard to that bill, I saw the Governor yesterday, and he thought it had better be held up until we know what the appropriations are to be for roads and bridges. He seemed to think if we passed some of the bills now, that other bills equally meritorious might be cut out near the end of the session. He asked that it be laid on the table until we know about what has to be appropriated. I will in a few days find out and indicate when we can take it up.

Mr. STEARNS of Oxford: Mr. President, pending printing of the bill, An Act

in relation to boards of registration of voters, reported from the committee on judiciary, I move that the vote whereby the report of the committee on judiciary was accepted, be reconsidered. I will say that I have recently received a letter which indicates there are to be other amendments asked for this same law. It occurred to me it might be desirable to have them included in one bill, and for that reason, I desire to have the matter tabled.

The motion was agreed to, and on further motion by the same senator, the bill and report were tabled, pending acceptance.

#### Orders of the Day.

On motion by Mr. Hersey of Aroostook, Senate Document 111, An Act to amend Section 19 of Chapter 55 of the Revised Statutes, as to moving of buildings, was taken from the table, and on further motion by the same senator, was referred to the committee on judiciary.

On motion by the same senator, Senate Document 113, An Act to amend Section 55 of Chapter 49 of the Revised Statutes, relating to the enforcement of a mortgagee's lien for insurance, was taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary.

On motion by the same senator, Senate Document 114, An Act conferring equity jurisdiction upon the Supreme Judicial Court to hear and determine property matters between wife and husband or husband and wife, was taken from the table, and on further motion by the same senator, was referred to the committee on judiciary in concurrence.

On motion by Mr. Murphy of Cumberland, Senate Document 112, Resolve in favor of the Aroostook Central Institute, was taken from the table, and upon further motion by the same senator, was referred to the committee on education in concurrence.

The PRESIDENT: The Chair desires

to call the attention of the Senate to the fact that next Wednesday, February, 5th, is the limitation of the time for the reception of private bills and resolves calling for private and special legislation. That means that bills or resolves should be in the hands of the secretary of the Senate not later than 4 o'clock Tuesday afternoon next. The subject matter constituting a private or special bill or resolve, is no doubt known to all of you. Not only resolves calling for appropriations for private individuals or institutions, but also all matters relating to the organization of corporations. In short, all matters that in the laws are printed under "Private and Special Laws." If any senator has any matter of that sort pending and the material is not available by that time, some bill involving the subject matter should be presented in order to preserve his rights.

Mr. FLAHERTY of Cumberland: Mr. President, does that rule cut out petitions on bills now pending before the Legislature?

The PRESIDENT: This rule does not apply to petitions on matters already before a committee, or to any bill or resolve of a public nature. It is the intention in both branches, the Chair is confident, to maintain that rule and allow no matters introduced after February 30th.

Mr. STEARNS of Oxford: Mr. President, inasmuch as the House has requested that the Senate do not adjourn for 10 or 15 minutes, I move we take a recess for 10 minutes.

The motion was agreed to.

#### After Recess.

Senate called to order by the President.

#### Passed to be Enacted.

An Act to incorporate the Van Buren Bridge Company.

On motion by Mr. Patten of Hancock, adjourned until tomorrow morning at 10 o'clock.