

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

### SENATE.

Friday, January 31, 1913.

Senate called to order by the President.

Prayer by Rev. Robert S. Pinkham of Gardiner.

Journal of previous session read and approved.

On motion by Mr. Stearns of Oxford, unanimous consent was given, and he introduced the following order out of order and moved its passage:

Ordered: The House concurring, that when the Senate and House adjourn, it be to meet Monday afternoon, February 3, at 4.30 o'clock.

Passed and sent down for concurrence.

Subsequently the order was returned from the House, that Branch having concurred in its passage.

Papers from the House disposed of in concurrence.

An Act to create the Oakland Water Company, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Hersey of Aroostook, was tabled for printing pending reference, in concurrence.

An Act relating to Squirrel Island Village Corporation, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Boynton of Lincoln, was tabled for printing pending reference in concurrence.

An Act to prevent evasion of payment of telephone charges, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Hersey of Aroostook was tabled for printing pending reference in concurrence.

An Act to extend the charter of the Lubec, East Machias and Machias Railway Company, 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 set off Capitol Island and Squirrel Island from the town of

Southport, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Hersey of Aroostook, was tabled pending reference in concurrence.

An Act to authorize the Calais Street Railway to sell electricity, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Bailey of Penobscot, was tabled for printing pending reference in concurrence.

Resolve for an amendment to the Constitution providing for the proposal of amendment by initiative petition, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Hersey of Aroostook, was tabled for printing pending reference in concurrence.

An Act amending Section 7 of Chapter 15 of the Public Laws of 1907, defining the limits within which a municipality shall destroy dangerous insects, came from the House by that Branch referred to the committee on agriculture, and on motion by Mr. Bailey of Penobscot, was tabled for printing pending reference in concurrence.

The following joint resolution came from the House, passed by that Branch and sent up for concurrence.

#### STATE OF MAINE.

January 30th, 1913.

Whereas, there has been introduced into Congress a bill known as the McLean Bill, Senate Document No. 6497, to afford federal protection to migratory game and insectivorous birds, and whereas, there is a general sentiment in favor of such protection, and an urgent request for the enactment of such a law has been made, now, therefore,

Resolved, that Congress be and is hereby requested to enact a law, giving ample protection to migratory game and insectivorous birds.

Resolved, that the Legislatures of all other states of the United States, now in session or when next convened, be and they hereby are respectfully requested, to join in this request by the adoption of this, or any equivalent resolution.

Resolved, further, that the secretary of State be and hereby is directed to transmit copies of this resolution to the Senate and House of Representatives of the United States, and to the several members of said body representing this State therein, also to transmit copies hereof to the Legislature of all other states of the United States."

On motion by Mr. Stearns of Oxford, the resolution was tabled pending its passage in concurrence.

The report of the Portland Delegation, "ought not to pass" on An Act to amend the charter of the Portland Gas Light Company, came from the House, accepted by that Branch. (On motion by Mr. Stearns of Oxford, tabled pending acceptance in concurrence.)

#### House Bills in the First Reading.

An Act relating to the Home of Aged Women in Portland.

An Act to amend section one of chapter one hundred and twenty-five of the Public Laws of nineteen hundred and nine relating to the State superintendent of public schools.

An Act to amend section fifty-two of chapter fifteen of the Revised Statutes relating to compulsory school attendance.

An Act to amend section thirty-eight of chapter fifteen of the Revised Statutes relating to the duties of the superintendent of schools.

Resolve, that the sums of \$150 in 1913 and \$50 in 1914 be appropriated for placing of buoys in Lewis Long and Big Lakes in Washington county.

The following resolves, on motion by Mr. Burleigh of Aroostook, were tabled pending first reading:

Resolve in favor of the Eastport bridge.

Resolve in favor of the Gardiner and Randolph bridge.

Resolve in favor of aiding in building road in New Canada Plantation.

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

#### Judiciary.

By Mr. Boynton of Lincoln: An Act granting to Hollis M. Shaw pole rights in the streets and highways of the towns of Union and Warren in the county of Knox, State of Maine. (On motion by Mr. Boynton of Lincoln, tabled for printing pending reference.)

By Mr. Dutton of Kennebec: An Act to amend Section 8 of Chapter 116 of the revised statutes, relating to transcripts in the Superior Court for Kennebec county.

By Mr. Smith of Penobscot: Petition of Carrie Tolman and 27 others of Springfield and Carroll in favor of Woman's Suffrage.

By Mr. Colby of Somerset: Petition of Annie G. Richards and 10 others of Athens, for same; also, petition of Eva M. Allen and 30 others of Pittsfield, for same.

By Mr. Wing of Franklin: An Act to enlarge the purposes of the Huse Spool and Bobbin Company.

By the same Senator: An Act to amend Chapter 120 of the Private and Special Laws of 1899, relating to the establishment of a municipal court in the town of East Livermore.

#### Legal Affairs.

By Mr. Wing of Franklin: An Act to incorporate the Kingfield Chamber of Commerce.

#### Education.

By Mr. Boynton of Lincoln: Petition of Henry K. White and 15 others of Newcastle and Damariscotta, in favor of the Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions.

By Mr. Richardson of Penobscot: Petition of Mrs. Mildred V. Harris and 13 others of Penobscot county, for same.

#### Mercantile Affairs and Insurance.

By Mr. Murphy of Cumberland: An Act to extend the charter of the World's Standard Insurance Company.

#### Agriculture.

By Mr. Moulton of Cumberland: An

Act to improve the cattle industry and increase the number of cattle in the State. (On motion by Mr. Cole of York, tabled for printing pending reference.)

By Mr. Stearns of Oxford: An Act to amend section 3 of chapter 60 of the revised statutes, relating to the Department of Agriculture.

By the same Senator: Remonstrance of C. W. Shaw and 21 others of Buckfield against passage of bill to regulate the packing, branding and shipping of apples.

#### Interior Waters.

By Mr. Burleigh of Aroostook: An Act to authorize the construction and maintenance of a dam and other structures in the river St. Francis.

By the same Senator: An Act to incorporate the Fish River Log Driving Company.

#### Ways and Bridges.

By Mr. Packard of Knox: Resolve in favor of the Rockland-Rockport trunk line.

By the same Senator: Petition of Thomas A. Hunt and 72 others for appropriation for repairs on trunk line highway between Rockland and Rockport.

#### Inland Fisheries and Game.

By Mr. Patten of Hancock: Petition of Arthur Saunders and 21 others for an annual close time on lobsters in the waters of Hancock county. (On motion by Mr. Cole of York, tabled for printing pending reference.)

#### Pensions.

By Mr. Allen of Kennebec: Resolve in favor of Perlie A. Haskell of Sidney.

#### Taxation.

By Mr. Wing of Franklin: An Act to establish a uniform Poll Tax. (On motion by Mr. Wing of Franklin, tabled for printing pending reference.)

#### Salaries and Fees.

By Mr. Morey of Androscoggin: An Act fixing the compensation of the clerk of the municipal court for the city of Lewiston.

By Mr. Burleigh of Aroostook: An Act to amend chapter 151 of the Public Laws of 1905, relating to the compensation of Registers of Probate.

#### York County Delegation.

By Mr. Emery of York: An Act to authorize and empower the county commissioners of the county of York to raise and expend a certain sum of money on the court house and county offices connected therewith. (On motion by Mr. Emery of York, tabled for printing pending reference.)

#### Senate Bills in First Reading.

Resolve in favor of Betsey Storer.

Resolve in favor of Maella L. Gordon.

An Act to increase the capital stock of the Maine Telephone & Telegraph Company, and to ratify, confirm and make valid certain doings of said company.

An Act to incorporate the Lewiston Chamber of Commerce.

Resolve for extra pay to the Maine Volunteers in the war with Spain.

#### Reports of Committees.

Mr. Cole from the committee on legal affairs, on An Act in relation to the Lincoln County Jail, reported same "ought to pass."

Mr. Wing, from the committee on inland fisheries and game, on Resolve in favor of preserving the life of the fish in several hatcheries and for the temporary operation of the hatcheries and feeding stations for fish in this State and for the protection of fish, game and birds, reported same "ought to pass."

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

Mr. Chase, from the committee on banks and banking, on a communication from the president of the Southern Commercial Congress, reported legislation thereon inexpedient.

The report was accepted.

#### Orders of the Day.

On motion by Mr. Hersey of Aroostook, Senate Document 117, An Act to

amend Sections 5 and 17 of Chapter 23 of the Special Laws of 1899, as amended by Chapter 488 of the Special Laws of 1901, relating to the Municipal Court in the town of Newport, was taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary in concurrence.

On motion by the same senator, Senate Document 127, An Act to prohibit the use of automobiles on public roads in the town of Islesboro, was taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary in concurrence.

On motion by Mr. Packard of Knox, Senate Document 129, An Act regulating the taking of smelts in St. Georges River in Hancock county, with petition therefor, was taken from the table, and upon further motion by the same senator, was referred to the committee on sea and shore fisheries.

On motion by the same senator, Senate Document 130, 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, was taken from the table, and upon further motion by the same senator, was referred to the committee on counties.

On motion by the same senator, Senate Document 132, An Act to amend Section 80 and Section 81 of Chapter 52 of the Revised Statutes, relating to provisions for safety in the management and operation of steam railroads, was taken from the table, and upon further motion by the same senator, was referred to the committee on railroads and expresses in concurrence.

On motion by Mr. Hersey of Aroostook, Petition of Lewis Herbert and 40 others relative to a bill prohibiting the use of automobiles in the town of Islesboro, was taken from the table, and on further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Stearns of Oxford, Senate Document 118, An Act relating to the jurisdiction of the Superior Court in the county of Kennebec, and to fix the salary of the judge thereof, was taken from the table, and upon

further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Richardson of Penobscot, Senate Document 123, Resolve in favor of the purchase of "Directions and Forms for Criminal Procedure in Maine," was taken from the table, and upon further motion by the same senator, was referred to the committee on appropriations and financial affairs in concurrence.

Mr. STEARNS of Oxford: Mr. President, there are several bills lying upon the table for printing. They have been printed, and were tabled by the several senators strictly for that purpose. For the reason that those senators are now absent and desire to have the bills take their regular course, and with the further understanding that should they desire to have them recalled we will reconsider our action, I would move to take them from the table the several bills.

On motion by Mr. Stearns, Senate Document 119, An Act relative to telephone, telegraph, electric light and electric power companies, tabled by Senator Patten, was taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary in concurrence.

On motion by the same senator, Senate Document 134, Resolve in favor of Maine Wesleyan Seminary and Woman's College, tabled by Senator Walker was taken from the table, and on further motion by the same senator was referred to the committee on agriculture in concurrence.

On motion by the same senator, Senate Document 119, An Act to regulate the sale of stocks, bonds and other securities, tabled by Senator Morey, was taken from the table, and on further motion by the same senator, was referred to the committee on legal affairs.

On motion by the same senator, Senate Document 133, An Act to amend Section 6 of Chapter 18 of the Revised Statutes, relating to the State board of health, tabled by Senator Patten, was taken from the table, and on further motion by the same senator, was refer-

red to the committee on public health.

On motion by the same senator, Senate Document 135, Resolve in favor of Freedom Academy Association, tabled by Senator Conant, was taken from the table, and on further motion by the same senator, was referred to the committee on education.

On motion by the same senator, Senate Document 125, An Act to amend Section 75 of Chapter 10 of the Revised Statutes, relating to the sale of land for taxes in incorporated places, tabled by Senator Hastings, was taken from the table, and upon further motion by the same senator, was referred to the committee on legal affairs in concurrence.

On motion by the same senator, Senate Document 131, Resolve authorizing the land agent to convey Lower Mark Island in Sheepscot Bay, tabled by Senator Hastings, was taken from the table, and upon further motion by the same senator, was referred to the committee on State lands and forest preservation in concurrence.

On motion by Mr. Hersey of Aroostook, Senate Document 120, 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.

Mr. COLBY of Somerset: Mr. President, I move to take from the table an Act to incorporate the Madison Water District, tabled by me yesterday.

The PRESIDENT: The Chair will state for the information of the senator that this bill, with several others, have not been returned from the printer.

On motion by Mr. Jillson of Cumberland, Senate Document 121, Report of the special joint committee of the 75th Legislature to investigate the present and proposed methods of distribution of school funds, tabled by Senator Murphy, was taken from the table, and on further motion by the same senator, was referred to the committee on education.

On motion by the same senator, Senate Document 124, Resolve in favor of Springfield Normal School, tabled by Senator Murphy, was taken from the table, and upon further motion by the same senator, was referred to the committee on education in concurrence.

On motion by Mr. Stearns of Oxford, Petition of J. C. Greene and 87 others of Rome, praying that Crooked Island, so-called, in Great Pond, Rome, County of Kennebec, be dedicated to the use of the registered guides, and that the person now occupying said island be excluded therefrom, tabled by Senator Hastings, was taken from the table, and on further motion by the same senator, was referred to the committee on State lands and forest preservation in concurrence.

On motion by Mr. Burleigh of Aroostook, adjourned until Monday afternoon, February 3, at 4.30 o'clock.