

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Monday, February 3, 1913.

Senate called to order by the President.

Prayer by Rev. Leroy W. Coons.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

An Act to amend Section 69 of Chapter 66 of the Revised Statutes relating to authority of foreign executors, administrators, guardians and trustees.

An Act to amend Sections 13 and 14 of Chapter 73 of the Revised Statutes, relating to sales of estates of non-resident owners.

An Act to amend Chapter 504 of the Private and Special Laws of 1889, incorporating the Otter Creek Bridge Company.

These bills came from the House by that Branch referred to the committee on judiciary. On motion by Mr Hersey of Aroostook, they were tabled for printing pending reference.

An Act to amend Section 28 of Chapter 65 of the Revised Statutes, relating to appeals from orders, sentences, decrees or denials of judges of probate, 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.

An Act to amend Section 50 of Chapter 93 of the Revised Statutes, relating to liens on pulp wood, 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.

An Act to incorporate the Corinna Water Company, 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.

An Act to amend Section 54 of Chapter 8 of the Revised Statutes, re-

lating to taxation of savings banks, came from the House, by that Branch referred to the committee on banks and banking, and on motion by Mr. Allen of Kennebec was tabled for printing pending reference in concurrence.

An Act to amend Section 25 of Chapter 48 of the Revised Statutes, relating to investment of deposits in savings banks and institutions of savings, came from the House, by that Branch referred to the committee on banks and banking, and on motion by Mr. Allen of Kennebec, was tabled for printing pending reference in concurrence.

Resolve in favor of the Stock Breeding Association, came from the House, by that Branch referred to the committee on agriculture, and on motion by Mr. Cole of York, was tabled for printing pending reference.

Petition of Harry Quimby of Rangeley and 36 others, residents of Rangeley and vicinity, asking that a law be enacted prohibiting all the fishing in Rangeley Lake, Cupsuptic and Moose-lucmeguntic Lakes except by trolling or by artificial flies cast in the usual manner, came from the House by that Branch referred to the committee on inland fisheries and game, and on motion by Mr. Stearns of Oxford, was tabled.

An Act relating to the taxation of telegraph companies, came from the House by that Branch referred to the committee on taxation, and on motion by Mr. Allen of Kennebec, was tabled for correction of title pending reference in concurrence.

An Act to change the shire town of Alfred in York county to the city of Saco, came from the House, by that Branch referred to the York county delegation, and on motion by Mr. Cole of York, was tabled for printing pending reference in concurrence.

An Act to amend Chapter 118 of the Laws of 1905, relative to the clerk hire of the clerk of courts in York county, came from the House, by that Branch referred to the York county delegation, and on motion by Mr. Stearns of Oxford, was tabled for

printing pending reference in concurrence.

The report of the committee on Inland Fisheries and Game, "legislation inexpedient," on petition of E. E. Richards and 56 others for the enactment of a law permitting fishing for pickerel through the ice two days in the week in Drury pond, in the town of Temple, Franklin county, came from the House, accepted by that branch.

Mr. RICHARDSON of Penobscot: Mr. President, I move we non-concur with the action of the House on this petition, and I make the motion by request of the committee who say there is new information bearing on the subject and they wish the bill recommitted to them.

The motion to non-concur with the action of the House was agreed to, and on further motion by the same senator, the petition was recommitted to the committee on inland fisheries and game, and sent down for concurrence.

House Bills in the First Reading.

An Act relating to the Eastport Water Company.

An Act to complete the records in Piscataquis county registry of deeds.

Resolve in favor of E. L. Manhire.

Resolve in favor of the New England Fruit Show.

Resolve in favor of the Maine Pomological Society.

A communication was received from the office of secretary of State, transmitting Senate Joint Resolution No. 2, adopted by the Senate of the state of Oregon, January 15, 1913, relating to polygamy; also Senate Joint Memorial No. 2, adopted by the Senate of the state of Oregon, January 16, 1913, relating to protection of migratory game birds.

Placed on file, and sent down for concurrence.

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

Judiciary.

By Mr. Stearns of Oxford: An Act in relation to practice in the supreme judicial court.

By Mr. Hersey of Aroostook: Petition of R. R. Higgins and 14 others of Mapleton in favor of Woman's Suffrage; also petition of Woman's Christian Temperance Union of Houlton for same; also

petition of Mrs. A. L. Gerry and 15 others of Sangerville and Dexter for same; also petition of Sarah H. Hayden and 21 others of Silver Mills and Dexter for same; also petition of Mrs. Adeline M. Jackson and 14 others of Silver Mills and Dexter for same.

By Mr. Packard of Knox: Petition of H. H. Nash and 40 others of Rockland for same; also petition of Mary A. Nash and 60 others of Camden for same; also petition of Geo. E. Nash and 20 others of Camden and Rockland for same.

By Mr. Stearns of Oxford: An Act relative to compensation to employes for personal injuries received in the course of their employment and to the prevention of such injuries. (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

Appropriations and Financial Affairs.

By Mr. Emery of York: Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purposes of taxation. (On motion by Mr. Bailey of Penobscot, tabled for printing pending reference.)

Railroads and Expresses.

By Mr. Burleigh of Aroostook: Petition of Michael M. Clark and 120 others that a charter be granted for an electric street railroad in the town of Houlton.

Inland Fisheries and Game.

By Mr. Wing of Franklin: An Act to prevent the pollution of the waters of the State. (On motion by Mr. Bailey of Penobscot, tabled for printing pending reference.)

By Mr. Burleigh of Aroostook: Petition of A. A. Stitham for change in close time on deer and partridges.

Sea and Shore Fisheries.

By Mr. Cole of York: An Act to repeal Chapter 337 of the Private and Special Laws of 1825, entitled, "An Act for the preservation of fish in Piscataqua river."

Pensions.

By Mr. Cole of York: Resolve in favor of Lizzie A. Bean and children.

Salaries and Fees.

By Mr. Packard of Knox: An Act to amend an act relating to the police court of the city of Rockland.

Senate Bills in First Reading.

An Act in relation to the Lincoln county jail.

Resolve in favor of preserving the life of the fish in the several fish 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 bird.

Reports of Committees.

Mr. Morey from the committee on taxation, on An Act to permit local option in taxation, reported same "ought not to pass."

The report was accepted and sent down for concurrence.

Mr. Stearns from the committee on judiciary, on Resolve in favor of De Forest Keyes, reported same be referred to committee on claims.

The report was accepted, the resolve so referred and sent down for concurrence.

Mr. Stearns from the committee on judiciary, on Resolve in favor of Herbert L. Kimball, reported same be referred to committee on claims.

The report was accepted, the resolve so referred and sent down for concurrence.

Mr. Colby from the committee on interior waters, on An Act to amend and extend the charter of the Baker and Spencer Brook Dam and Improvement Co., reported same "ought to pass."

The report was accepted, and the bill tabled for printing under the joint rules.

Passed to be Engrossed.

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

An Act to amend Section 1 of Chapter 125 of the Public Laws of 1909, relating to the State superintendent of public schools.

Mr. DUTTON of Kennebec: Mr. President, I move that this bill, relating to the State superintendent of public schools, lie on the table pending second reading.

Mr. WALKER of Somerset: Mr. President, I would ask through the Chair that the senator assign some date for the consideration of this matter.

Mr. DUTTON: Mr. President, I hope the senator from Somerset will not ask me at this time to assign a time.

I am slightly at disadvantage with the senator from Somerset as to the arguments in favor of this bill, and before I assign it, would like to inform myself of some of the reasons why it should become a law, and I ask the Senate to allow the bill to lie on the table at this time, as there does not seem to be any hurry about the matter.

Mr. WALKER: Mr. President, I have personal knowledge that there are several positions in other states at a much larger salary which are open to our very efficient State superintendent of public schools, and in justice to him as well as those parties who desires to obtain for themselves his services, I would ask the senator not to have this matter lie upon the table for any length of time.

The PRESIDENT: The Chair desires to call the attention of the Senate to the fact that this motion to lay on the table is not debatable, except on the question of date of assignment.

Mr. DUTTON: Mr. President, I will assure the senator from Somerset that I will not cause any extended delay.

(The bill was tabled pending second reading.)

An Act to amend Section 52 of Chapter 15 of the Revised Statutes relating to compulsory school attendance.

An Act to amend Section 38 of Chapter 15 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.—(On motion by Mr. Mansfield of Washington, tabled pending second 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.

Orders of the Day.

On motion by Mr. Stearns of Oxford, Senate Document 136, An Act to amend Chapter 292 of the Private and Special Laws of 1909, relating to the Mexico Water Company, was taken from the table, and on further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Dutton of Kennebec, unanimous consent was given, and that senator introduced out of order the following bill:

An Act to change the name of Roach River, First Roach Pond, Second Roach Pond, Third Roach Pond and Fourth Roach Pond, Piscataquis county.

On further motion by the same senator the bill was referred to the committee on interior waters and sent down for concurrence.

On motion by Mr. Conant of Waldo, unanimous consent was given and that senator presented out of order petition of Adams Dry Goods Company of Bangor and 165 others of Bangor, Portland and Augusta for the enactment of Senate bill No. 25, An Act to punish the making or use of false statements to obtain property or credit.

On further motion by the same senator, the bill was referred to the committee on judiciary and sent down for concurrence.

On motion by Mr. Stearns of Oxford, the vote whereby bill, An Act relative to compensation to employes for personal injuries received in the course of their employment and to the prevention of such injuries, was tabled for printing, was reconsidered.

On further motion by the same senator, the bill was tabled for printing and 1000 extra copies ordered printed for the use of the Legislature.

On motion by Mr. Packard of Knox, unanimous consent was given and that senator introduced out of order, An Act to amend Chapter 2 of the Public Laws of 1911, relative to scallops.

On further motion by the same senator, the bill was referred to the committee on sea and shore fisheries and sent down for concurrence.

On motion by Mr. Hersey of Aroostook, Senate Document 143, An Act to prevent the evasion of payment of telephone charges, 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 the same senator, Senate Document 145, Resolve for an amendment of the Constitution providing for the proposal of amendment by initiative petition, was taken from the table, and on further motion by the same senator, was referred to the committee on legal affairs in concurrence.

On motion by the same senator, Senate Document 151, An Act to create the Smyrna Water Company 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 the same senator, Senate Document 151, An Act to create the Oakfield Water Company, 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. Bailey of Penobscot, Senate Document 139, An Act to regulate the practice of professional public accounting, 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 the same senator, Senate Document 144, an Act to authorize Calais Street Railway to sell electricity, was taken from the table, and on further motion by the same senator, was referred to the committee on legal affairs in concurrence.

On motion by the same senator, an Act amending Section 7 of Chapter 15 of the Public Laws of 1907, defining the limits within which municipalities shall destroy dangerous in-

sects, 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 Mr. Colby of Somerset, Senate Document 140, an Act to incorporate the Madison Water District, was taken from the table, and on further motion by the same senator, was referred to committee on judiciary in concurrence.

On motion by the same senator, petition for an act to incorporate the Madison Water District, 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. Cole of York, Senate Document 148, an Act to improve the cattle industry and increase the number of cattle in the State, was taken from the table, and on further motion by the same senator, was referred to the committee on agriculture.

On motion by Mr. Boynton of Lincoln, Senate Document 142, an Act to amend Chapter 55 of the Private and Special Laws of 1903, as amended by Chapter 12 of the Private and Special Laws of 1909, relating to Squirrel Island Village Corporation, 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 the same senator, Senate Document 147, 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, was taken from the table, and on further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Hersey of Aroostook, an Act to set off Capitol Island and Squirrel Island from the town of Southport, was taken from the table, and on further motion by the same

senator, was referred to the committee on judiciary concurrence.

On motion by Mr. Jillson of Cumberland, Senate Document 137, an Act to provide adequate punishment for any person who shall engage or act 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. To punish any person who shall knowingly engage, promote, require, persuade, prevail upon or cause any person to do any act in violation of this Act, was taken from the table, and on further motion by the senator, was referred to the committee on railroads and expresses.

On motion by Mr. Cole of York, Senate Document 149, 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, was taken from the table, and on further motion by the same senator, was referred to the York county delegation.

Mr. MOREY of Androscoggin: Mr. President, I am informed that Senator Wing, who is not present, is willing that an Act establishing a uniform poll tax, be taken from the table, I therefore move that Senate Document 150, be taken from the table.

The motion was agreed to, and on further motion by the same senator, the bill was referred to the committee on taxation.

On motion by Mr. Jillson of Cumberland, Senate Document 138, Resolve in favor of the Bath Military and Naval Orphan Asylum, was taken from the table, and on further motion by the same senator, was referred to the committee on appropriations and financial affairs in concurrence.

On motion by M. Maxwell of Sagadahoc, adjourned until tomorrow morning at 10 o'clock.