

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Wednesday, February 5, 1913.

Senate called to order by the President.

Prayer by Rev. Robert Lawton of Gardiner.

Journal of previous sessions read and approved.

Papers from the House disposed of in concurrence.

An Act to incorporate the Rockland Public Utilities District, 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 amend the Act which constitutes the police court for the city of Rockland, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Packard of Knox, was tabled for printing pending reference in concurrence.

An Act to regulate the rates to be charged to consumers of gas by the Municipal Light & Power Co., came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to incorporate the Interurban Ferry Co., came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to incorporate the Great Moose Lake Power Co., came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Smith of Penobscot, was tabled for printing pending reference in concurrence.

An Act to amend Chapter 100 of the Private and Special Laws of 1891 as amended by Chapter 506 of the Private and Special Laws of 1903, relating to drains and common sewers in the city of Rockland, came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Packard of Knox, was tabled for

printing pending reference in concurrence.

An Act to repeal Chapter 199 of the Public Laws of 1911, entitled, "An Act to provide for the nomination of party candidates by direct primary," came from the House by that Branch referred to the committee on judiciary, and on motion by Mr. Bailey of Penobscot, was tabled pending reference in concurrence.

An Act relating to the election of assessors for the city of Portland, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Flaherty of Cumberland, was tabled for printing pending reference in concurrence.

An Act to extend the powers of the Limerick Water & Electric Co., came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Emery of York, was tabled for printing pending reference in concurrence.

An Act to amend Section 73 of Chapter 9 of the Revised Statutes, as amended by Section 3 of Chapter 174 of the Public Laws of 1911; also to amend Section 75 of Chapter 9 of the Revised Statutes, for the purpose of compelling the complete assessment of all taxable property, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to incorporate the Brownfield Electric Co., came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Smith of Penobscot, was tabled for printing pending reference in concurrence.

An Act to ratify the organization and amend the charter of the Hiram Water, Light & Power Co., came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Smith of Penobscot, was tabled for printing pending reference in concurrence.

An Act relating to Saint Joseph's Convent and Hospital, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Murphy of Cumberland,

was tabled for printing pending reference in concurrence.

An Act to incorporate the Kennebec Realty Co., came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Walker of Somerset, was tabled for printing pending reference in concurrence.

An Act to amend Chapter 188 of the Public Laws of 1907, came from the House by that Branch referred to the committee on legal affairs, and on motion by Mr. Cole of York, was tabled pending reference in concurrence.

An Act in relation to the Skowhegan & Athens Railway, came from the House by that Branch referred to the committee on railroads and expresses, and on motion by Mr. Packard of Knox, was tabled for printing pending reference.

An Act to prohibit lobster pot fishing in York river, came from the House by that Branch referred to the committee on sea and shore fisheries, and on motion by Mr. Cole of York, was tabled for printing pending reference in concurrence.

An Act for the better protection of shell fish within the town of York in the county of York, came from the House by that Branch referred to the committee on sea and shore fisheries, and on motion by Mr. Cole of York, was tabled for printing pending reference in concurrence.

An Act providing for free treatment of juvenile dependents by institutions receiving State aid, came from the House by that Branch referred to the committee on State school for boys and industrial school for girls, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to exempt the Cyrus Woodman reservation in the Buxton and the Pleasant Mountain reservation in the town of Denmark, from taxation, came from the House by that Branch referred to the committee on taxation, and on motion by Mr. Wing of Franklin, was tabled for printing pending reference in concurrence.

An Act to amend Section 1 of Chapter 117 of the Public Laws of 1905, came

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

An Act to fix the salary of the county attorney and assistant attorney of Cumberland county, came from the House by that Branch referred to the committee on salaries and fees, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

An Act to amend Section 5 of Chapter 117 of the Revised Statutes, relating to salary of an officer to attend the superior court of Cumberland county, came from the House by that Branch referred to the committee on salaries and fees, and on motion by Mr. Murphy of Cumberland, was tabled for printing pending reference in concurrence.

The following order came from the House, passed by that Branch and sent up for concurrence:

Ordered, the Senate concurring, that the committee on inland fisheries and game be directed to inquire into the expediency of amending the law on deer in the counties of Androscoggin, Kennebec, Waldo, Knox, York, Lincoln, Cumberland and Sagadahoc, and on the island of Mount Desert, and on the islands within the limits of the town of Isle au Haut, and in the town of Swan's Island, and on Cross and Scoten Island, with a view of making a uniform close time in those places, and to report by bill or otherwise.

On motion by Mr. Cole of York, tabled pending passage.

House Bills in the First Reading.

An Act to extend the charter of the Sebec Power Company.

An Act to authorize the Van Buren Water District to issue bonds.

An Act to amend Section 7, Chapter 128 of the Revised Statutes as amended by Chapter 100, of the Public Laws of 1905, relating to malicious mischief.

An Act additional to Chapter 127 of the Revised Statutes in relation to the fraudulent giving of checks.

An Act to amend Section 65 of Chapter 4, Revised Statutes, relating

to burial of honorably discharged soldiers and sailors.

An Act to change name of the Eastern Maine Insane hospital.

An Act to change name of the Maine Insane hospital.

An Act to amend Section 46 of Chapter 106 of the Revised Statutes as amended by Chapter 9 of the Public Laws of 1909, relating to the appointment of surveyors in real actions.

An Act to amend the Military law.

An Act to save town officers the expense of jurors upon certain returns. (On motion by Mr. Stearns of Oxford, the bill and report of the committee was tabled pending first reading.)

An Act to change the name of the Aroostook Trust and Banking Company to Aroostook Trust Company.

An Act to amend Section 2 of Chapter 52 of the the Revised Statutes as amended by Chapter 148 of the Public Laws of 1907, relating to Divorce Proceedings.

An Act to incorporate the Van Buren Sewerage Company.

Resolve, in favor of the town of Whitneyville.

Resolve, in favor of the town of Rockport.

Resolve, in favor of Philinda A. Brown of Topsfield.

Resolve, in favor of the town of Rouge Bluffs.

Resolve, in favor of the town of Whiting.

Resolve, in aid of navigation on Moosehead Lake.

Resolve, in favor of a road in Elliottsville Plantation.

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

Judiciary.

By Mr. Walker of Somerset: "An Act to regulate the practice of the system, method or science of healing known as Osteopathy, creating a board of examination of registration for those desiring to practice the same, and providing penalties for violation of this act." (On motion by Mr. Hersey of Aroostook, tabled for printing pending reference.)

By Mr. Dutton of Kennebec: "An Act to ratify and confirm the organization of the Augusta Poultry Experi-

ment Station, and to grant additional powers to said corporation."

By Mr. Dutton of Kennebec: "An Act to incorporate the Winthrop Water District."

By Mr. Dutton of Kennebec: "An Act to supply the town of Winthrop with pure water." (On motion by Mr. Dutton, tabled for printing pending reference.)

By Mr. Dutton of Kennebec: "An Act to incorporate the Winthrop Village Water Company." (On motion by Mr. Dutton, tabled for printing pending reference.)

By Mr. Emery of York: "An Act to incorporate the Sanford Investment Company."

By Mr. Cole of York: "An Act to restore the jurisdiction of Trial Justices in criminal offences committed in the town of Kittery within the jurisdiction of the Yorkshire Municipal Court."

By Mr. Dutton of Kennebec: "Resolution to correct certain errors and omissions which appear in Chapter 72 entitled 'An Act to provide a Charter for the City of Gardiner,' of the Private and Special Laws of 1911, as printed in the volume of the Laws of the State of Maine for 1911."

By Mr. Mansfield of Washington: "An Act for the better regulation of the practice of dentistry in the State of Maine, and to re-organize the Board of Dental Examiners." (On motion by Mr. Hersey of Aroostook, tabled for printing pending reference.)

By Mr. Hersey of Aroostook: Petition of I. B. Mower, State secretary of the Maine Baptist Missionary Convention, for legislation permitting Baptist and Free Baptist Churches to unite in the administration of trust funds under the name of the new organization.

By the same senator: Petition of Charles C. Clements and 12 others of Winterport in favor of Woman's Suffrage; of W. C. Ford and 15 others of Whitefield; of Sophia Harvey and 40 others of Old Orchard for same.

Legal Affairs.

By Mr. Hagerthy of Cumberland: An Act relating to the charter of the Hancock Railway Company.

By Mr. Richardson of Penobscot: Resolve authorizing the T. M. Chapman's Sons Company to bring an action at common law against the State of Maine. (On motion by Mr. Bailey of Penobscot, tabled for printing pending reference.)

By Mr. Richardson of Penobscot: "Resolve authorizing William H. Powell and Frederick W. Knowlton to bring an action at common law against the State of Maine." (On motion by Mr. Bailey of Penobscot, tabled for printing pending reference.)

By Mr. Richardson of Penobscot: "An Act to incorporate the Penobscot Valley Gas Company." (On motion by Mr. Richardson, tabled for printing pending reference.)

By Mr. Hastings of Oxford: "An Act to incorporate Androscoggin Electric Company." (On motion by Mr. Hastings, tabled for printing pending reference.)

By Mr. Flaherty of Cumberland: "An Act to amend Section 5 of Chapter 184 of the Private and Special Laws of 1891." (On motion by Mr. Flaherty, tabled for printing pending reference.)

By Mr. Cole of York: "An Act to make valid the organization of the Pepperell Association of Kittery, Maine, under Chapter 57 of the Revised Statutes in the year of our Lord eighteen hundred and ninety-seven."

By Mr. Emery of York: "An Act to extend the Charter of the Mutual Fire Insurance Company, Saco."

By Mr. Flaherty of Cumberland: "An Act to regulate the taking of real estate of private owners for rights of way." (On motion by Mr. Bailey of Penobscot, tabled for printing pending reference.)

By Mr. Murphy of Cumberland: "An Act relating to the St. Joseph's Convent and Hospital."

By Mr. Packard of Knox: "An Act to abolish the January term of the Supreme Judicial Court for the County of Knox."

By Mr. Flaherty of Cumberland: "Petition of E. W. Grant and 59 others employees of the Maine Central Railroad; of David Forbes and 165 oth-

ers employees of the Maine Central Railroad; of Charles H. Siteman and 33 others in favor of 'An Act to amend Chapter 29 of the Public Laws of 1911, providing weekly payment of wages.'"

Appropriations and Financial Affairs.

By Mr. Cole of York: "Resolve in favor of Limerick Academy. (On motion by Mr. Walker of Somerset, tabled for printing pending reference)."

By Mr. Richardson of Penobscot: "Resolve in favor of the Old Town-Orono Anti-Tuberculosis Association of Old Town."

By Mr. Boynton of Lincoln: "Resolve in favor of the commission on enlargement of State House."

Education.

By Mr. Walker of Somerset: "An Act to provide for instruction in the elementary principles and practices in road building and improvement in the public schools of the State of Maine." (On motion by Mr. Murphy of Cumberland, tabled for printing pending reference.)

By Mr. Mansfield of Washington: "Petition of S. A. Pickett of Milbridge and 25 others in favor of pensions for school teachers."

Railroads and Expresses.

By Mr. Emery of York: "An Act to incorporate the York and Oxford Railroad."

By Mr. Flaherty of Cumberland: "An Act regulating hours of employment, and relating to conductors and motor men." (On motion by Mr. Flaherty, tabled for printing pending reference.)

Insurance.

By Mr. Murphy of Cumberland: "An Act to incorporate the State of Maine Fire Insurance Company." (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

Agriculture.

By Mr. Conant of Waldo: "An Act to amend Sections 2, 3, 4, 5, 6, and 9 of Chapter 17 of the Public Laws of 1905, regulating the practices of Veterinary Surgery, Medicine and Dentistry." (On motion by Mr. Hersey of Aroostook, tabled for printing pending reference.)

By Mr. Moulton of Cumberland: "An Act to License Stallions for Public Ser-

vice." (On motion by Mr. Moulton, tabled for printing pending reference.)

Military Affairs.

By Mr. Richardson of Penobscot: "Resolve in favor of Robert M. Gustin of Old Town."

Interior Waters.

By Mr. Richardson of Penobscot: "An Act to extend the charter of the Matagamon Towboat Company."

State Lands and Forest Preservation.

By Mr. Colby of Somerset: "An Act to amend Section 61 of Chapter 7 of the Revised Statutes of 1903." (On motion by Mr. Hersey of Aroostook, tabled pending reference.)

By Mr. Colby of Somerset: "An Act to amend Section 62 of Chapter 7 of the Revised Statutes of 1903." (On motion by Mr. Hersey of Aroostook, tabled pending reference.)

By Mr. Allen of Kennebec: "Resolve relating to the Mosquito Islands, or Kendall Islands, so-called, in Long Pond, which pond is situated partly in the town of Mt. Vernon and partly in the town of Rome in Kennebec County."

By Mr. Allen of Kennebec: "Resolve relating to certain islands in Great Pond situated partly in the towns of Rome and Belgrade in Kennebec County, and in the town of Smithfield in Somerset County."

By Mr. Burleigh of Aroostook: "Resolve authorizing the Land Agent to investigate the cuttings of lumber on the Public Lots in the County of Aroostook."

Ways and Bridges.

By Mr. Burleigh of Aroostook: "Resolve in favor of a highway bridge in the Plantation of New Canada."

By Mr. Richardson of Penobscot: "Resolve in favor of William H. Powell and Frederick W. Knowlton."

Inland Fisheries and Game.

By Mr. Moulton of Cumberland: "An Act to prohibit fishing in Forest Lake, so-called, situated in the towns of Grey, Cumberland and Windham in the County of Cumberland."

By Mr. Patten of Hancock: "An Act to protect game birds in the

town of Eden, County of Hancock."

By Mr. Colby of Somerset: "Petition of Fred Henderson and 51 others of Jackman, Somerset County, praying for a suitable fishway in Long Pond Dam on Moose River in Somerset County."

By Mr. Mansfield of Washington: "Resolve for a fishway in Narraguagus River in the town of Cherryfield."

By Mr. Maxwell of Sagadahoc: "An Act to regulate the shooting of ducks in the Kennebec River and Merry-meeting Bay."

By Mr. Mansfield of Washington: "Petition of A. H. Wallace and 80 others in favor of fishway in Narraguagus River."

Sea and Shore Fisheries.

By Mr. Patten of Hancock: "An Act establishing a close time on lobsters in certain waters of Hancock County."

Indian Affairs.

By Mr. Richardson of Penobscot: "Resolve in favor of E. B. Weeks and Isaac F. Tibbetts, both of Old Town." (On motion by Mr. Murphy of Cumberland, tabled for printing pending reference.)

Pensions.

Mr. Allen of Kennebec: "Resolve in favor of the State Pension Clerk."

Salaries and Fees.

By Mr. Colby of Somerset: "An Act to amend Chapter 159 of the Public Laws of 1905 relating to salary of clerk of State Assessor."

By Mr. Murphy of Cumberland: "An Act relating to the compensation of the Register of Probate for Cumberland County." (On motion by Mr. Murphy, tabled for printing pending reference.)

By Mr. Burleigh of Aroostook: "Petitions of James Archibald and 32 others and John B. Roberts and 18 others for increase for clerk hire for clerk of courts of Aroostook County."

Portland Delegation.

By Mr. Murphy of Cumberland: "An Act relating to the Portland Gaslight Company." (On motion by Mr. Murphy, tabled for printing pending reference.)

By Mr. Murphy of Cumberland: "An Act to incorporate the Portland Gas

District." (On motion by Mr. Murphy, tabled for printing pending reference).

Senate Bills on First Reading.

Resolve in favor of repairing the bridge across the Kennebec river between the plantations of West Forks and The Forks.

Resolve in favor of repair of bridge in the town of Norridgewock.

Reports of Committees.

Mr. Coie from the committee on legal affairs on An Act to incorporate the York County Power Company, reported same in a new draft under the same title and that it "ought to pass."

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

Passed to be Engrossed.

An Act to amend and extend the charter of the Baker and Spencer Brook Dam & Improvement Company.

Orders of the Day.

On motion by Mr. Stearns of Oxford, Senate Document 165, 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 taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Hastings of Androscoggin, Senate Document 164, An Act to incorporate the Corinna Water District, 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 Mr. Hersey of Aroostook, Senate Document 154, An Act to amend Section 69 of Chapter 66 of the Revised Statutes, relating to the authority of foreign executors, administrators, guardians and trustees, 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 155, An Act to amend Sections 13 and 14 of Chapter 73 of the Revised Statutes, relating to sales of estates of non-resident owners, was taken from the table, and on further motion by the same senator, was re-

ferred to the committee on judiciary in concurrence.

On motion by the same senator, Senate Document 156, An Act relating to inspection of lime casks, 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 169, An Act to amend Section 38 of Chapter 47 of the Revised Statutes, relative to giving notice of the time and place of sale of shares of stock in corporations to pay assessments, was taken from the table, and on further motion by the same senator, was referred to the committee on banks and banking in concurrence.

On motion by Mr. Bailey of Penobscot, Senate Document 157, 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, 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 158, An Act to amend Section 50 of Chapter 93 of the Revised Statutes, relating to liens on pulp wood, 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 163, Resolve making appropriation for the purpose of obtaining information in regard to wild lands for the purpose of taxation, was taken from the table, and on further motion by the same senator, was referred to the committee on appropriations and financial affairs.

On motion by the same senator, Senate Document 162, An Act to prevent the pollution of the waters of the State, was taken from the table, and on further motion by the same senator, was referred to the committee on inland fisheries and game.

On motion by Mr. Murphy of Cumberland, Senate Document 171, An Act to amend Section 13 of Chapter 15 of the Revised Statutes, as amended, re-

lating to the payment of school money as to unexpended balances in common school accounts, 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 170, An Act to amend Section 123 of Chapter 15 of the Revised Statutes, providing for the apportionment of States school funds by the State auditor, 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 172, An Act entitled "An Act to provide for instruction in thrift and economy in the public school," was taken from the table, and on further motion by the same senator, was referred to the committee on education in concurrence.

On motion by Mr. Cole of York, Senate Document 161, An Act to change the shire town of Alfred in York county to the city of Saco, was taken from the table, and on further motion by the same senator, was referred to the York County Delegation in concurrence.

On motion by the same senator, Senate Document 166, Resolve in favor of Stock Breeding Association, 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. Allen of Kennebec, Senate Document 159, An Act to amend Section 54 of Chapter 8 of the Revised Statutes, relating to the taxation of savings banks, was taken from the table.

Mr. ALLEN: Mr. President, I yield to the senator from Franklin, Senator Wing.

Mr. WING: Mr. President, I move that the Senate non-concur with the action of the House in referring this bill to the committee on taxation.

The motion was agreed to. On further motion by the same senator the bill was then referred to the committee on banks and banking and sent down for concurrence.

On motion by Mr. Allen of Kennebec: An Act to amend Section 25 of Chapter 43 of the Revised Statutes, relating to investment deposits in savings banks and institutions of savings, was taken from the table.

Mr. ALLEN: Mr. President, I yield to the senator from Hancock, Senator Wing.

Mr. WING: Mr. President, I move that the bill be referred to the committee on banks and banking in concurrence.

The motion was agreed to, and the bill was so referred.

On motion of Mr. Cole of York, Petition of Arthur Saunders and 21 others for an annual close time on lobsters in the waters of Hancock county, was taken from the table, and on further motion by the same senator, was referred to the committee on sea and shore fisheries.

On motion by Mr. Dutton of Kennebec, House Document 66, An Act to amend Section 1 of Chapter 125 of the Public Laws of 1909, relating to the State superintendent of public schools, was taken from the table.

Mr. DUTTON: Mr. President, as a matter of courtesy to the senator from Somerset, Senator Walker, I move that this bill be tabled and especially assigned for tomorrow morning.

The motion was agreed to.

On motion by Mr. Bailey of Penobscot, unanimous consent was given, and that senator introduced the following resolves:

Resolve in favor of A. W. Benson of Bangor, Penobscot county, Maine.

Resolve in favor of the estate of F. W. Goodwin of Bangor.

On further motion by the same senator, the resolves were referred to the committee on claims.

The PRESIDENT: The Chair desires to announce, in reference to the time limit on private and special legislation, that apparently there has some misunderstanding arisen in the House as to whether the time limit, being February 5th, means that resolves, petitions or bills, involving special legislation, must be actually presented in the Senate or House today, or that such papers may be put in the box this afternoon for presentation tomorrow morning. The Chair is informed that the impression has prevailed in the House that petitions, resolves or bills, placed in the hands of the secretary of the Senate or the clerk of the House this afternoon before 4 o'clock will be within the time limit. For the sake of uniformity and to prevent any embarrassment on the part of the members of the House who have had this understanding, the Chair wishes to rule in harmony with the rule of the House, that private and special legislation placed in the hands of the secretary of the Senate by 4 o'clock this afternoon may be considered within the time limit provided by the rules.

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