

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**SENATE.**

Friday, February 28, 1913.

Senate called to order by the President.

Prayer by Rev. Melville C. Miner of Gardiner.

Journal of previous session read and approved.

Mr. STEARNS of Oxford: Mr. President, I desire to introduce at this time, out of order, under suspension of the rules, an order in relation to adjournment, as follows, and move its passage:

Ordered, the House concurring, that when the Senate and House adjourn, it be to meet Monday afternoon, March 3rd, at half past four o'clock.

Mr. MURPHY of Cumberland: Mr. President, will not that interfere with the elections held Monday?

Mr. STEARNS: Mr. President, while I suppose that Monday is election day in some cities, it seems it would be desirable in order to advance the business of the Legislature that at least the session open and work off such routine matters as come before us. And any matters in which senators are interested can be laid over until the next session.

Mr. MURPHY: Mr. President, that is entirely satisfactory to me.

The order was given a passage and sent down for concurrence. Subsequently the order was returned from the House concurred in by that Branch.

Papers from the House disposed of in concurrence.

An Act to amend Section 9 of Chapter 83 of the Revised Statutes, relating to the place for bringing actions.

This bill came from the House by that Branch referred to the committee on legal affairs. On motion by Mr. Morey of Androscoggin, the bill was tabled for printing pending reference in concurrence.

Majority and minority reports of the committee on labor on an Act to amend Chapter 40 of the Revised Statutes as amended by Chapter 46 of the Laws of 1907 and Chapter 76 of the Laws of 1909,

relative to the employment of women and children. Majority report "ought not to pass"; minority report "ought to pass in new draft."

In the House the majority report was accepted, the bill given its several readings and passed to be engrossed. In the Senate the minority report was accepted in non-concurrence. It now came from the House, that Branch insisting and asking for a committee of conference.

Mr. SMITH of Penobscot: Mr. President, I move that the Senate insist and grant a committee of conference.

The motion was agreed to.

The PRESIDENT: The House has appointed as its members of the committee of conference on the disagreeing action of the two branches, Representatives Descoteaux, Kelleher of Portland and Tryon. The Chair appoints as Senate members, Messrs. Smith of Penobscot, Wing of Franklin and Maxwell of Sagadahoc.

Majority and minority reports of the committee on judiciary on an Act to repeal Chapter 149 of the Resolves of 1911, and to provide for a State paper, majority report "ought to pass in a new draft"; minority report "ought not to pass."

In the Senate the majority report "ought to pass in new draft" was accepted, the bill read twice and passed to be engrossed. In the House the minority report, "ought not to pass" was accepted in non-concurrence.

Mr. HERSEY of Aroostook: Mr. President, pending any further action, I move that the bill and reports lie on the table.

The motion was agreed to.

**House Bills in First Reading.**

Resolve, in favor of aid in repairing highway in town of Readfield.

Resolve, in favor of reconstructing bridge at Forest City, Washington county, Maine.

Resolve, in aid of building a bridge across the Mattawamkeag river in Moro Plantation.

Resolve, in favor of the Madawaska Training School at Fort Kent.

Resolve, in favor of Wilton Academy.

Resolve, to reimburse Cumberland county for expenses of law court held in Portland in 1910.

Resolve, proposing an amendment to the Constitution of Maine, conferring the right of suffrage on women.

An Act to grant Bion M. Pike authority to maintain a ferry between Lubec, North Lubec, Eastport and Campobello.

An Act to amend section 23 of chapter 18 of the Revised Statutes, relating to the State Laboratory of Hygiene.

An Act to amend chapter 188 of the Public Laws of 1911 providing for the encouragement of industrial education.

An Act to amend sections 41 and 42 of chapter 49 of the Revised Statutes relative to the organization of insurance companies.

An Act to amend section five of chapter 21 of the Revised Statutes of Maine, relating to liens upon sewers.

A communication was received from the office of secretary of State transmitting a list of public Acts which have been approved by the Governor and the date of such approval.

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

#### Judiciary.

By Mr. Morey of Androscoggin: An Act to repeal chapter 169 of the Public Laws of 1911, relating to the supervision of plumbing. (On motion by Mr. Boynton of Lincoln, tabled for printing pending reference.)

By Mr. Morey of Androscoggin: Petition of Lawrence E. Daley and 150 others of Lewiston in favor of Senate Bill No. 165 providing for workmen's compensation.

#### Legal Affairs.

By Mr. Cole of York: An Act to prevent the use of the name of the State by private or semi-public corporations or associations. (On motion by Mr. Cole, tabled for printing pending reference.)

#### Railroads and Expresses.

By Mr. Packard of Knox: An Act to amend section 67 of chapter 52 of the

Revised Statutes, relating to accidents of railroads. (On motion by Mr. Maxwell of Sagadahoc, tabled for printing pending reference.)

#### Senate Bills in First Reading.

Resolve relating to the publication of the "Beginnings of Colonial Maine."

An Act to further enable the Sebago Lake, Songo River & Bay of Naples Steamboat Company to construct and maintain wharves along its route in the county of Cumberland. (On motion by Mr. Murphy of Cumberland, tabled pending second reading.)

An Act to extend the charter of the Mattagamon Tow Boat Company.

An Act to amend section 3 of chapter 60 of the Revised Statutes, relating to the department of agriculture.

An Act to repeal section 1 of chapter 158 of the Public Laws of 1911, relating to annual examinations of savings banks and trust companies.

An Act repealing section 3 of chapter 300 of the Private and Special Laws of 1911, entitled, An Act granting H. L. Gooch the right to maintain a dam on the East Machias river.

An Act to extend the charter of the Mutual Fire Insurance Company, Saco.

An Act to make valid the organization of the Pepperell Association of Kittery, Maine, under chapter 57 of the Revised Statutes of 1897.

An Act to punish the making or use of false statements to obtain property or credit.

An Act to incorporate the Sandy Stream Log Driving Company.

An Act to extend the charter of the Eastern Maine Railroad and amend the same.

An Act to incorporate the York & Oxford Railroad. (On motion by Mr. Stearns of Oxford, tabled pending commitment to the committee on bills in second reading.)

#### Committee Reports.

Mr. Dutton from the committee on judiciary, on bill, An Act to regulate and provide for the use of automobiles in the town of Eden, Hancock county, reported same "ought not to pass" as the subject matter is covered by a new draft of House Document No. 82. The report was accepted.

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

Mr. Cole from the committee on legal affairs, on bill, An Act to amend section 17, chapter 64 of the Revised Statutes, relating to administering oaths, reported same "ought to pass."

Mr. Murphy from the committee on education, on bill, An Act to amend section 63 of chapter 15 of the Revised Statutes, as amended, relating to the payment of tuition in secondary schools, reported same "ought to pass."

(This being a printed bill was given its first reading.)

Mr. Walker from the same committee, on Resolve in favor of the Farmington State Normal School for furnishings and equipment for a dormitory, reported same "ought to pass."

Mr. Murphy from the committee on mercantile affairs and insurance, on bill, An Act to incorporate the State of Maine Fire Insurance Company, reported same "ought to pass." (This bill having been printed, was given its first reading.)

Mr. Conant from the committee on ways and bridges, on communication regarding national aid for improvement of roads, reported "Resolve in favor of national aid for the improvement of postal roads," and that it "ought to pass."

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

#### Passed to Be Engrossed.

Resolve providing for additional equipment and method of lighting the dormitory of the Eastern State Normal School.

Resolve providing a State pension for Rosa Prentiss.

Resolve providing State pension for Henrietta S. Hodgdon.

Resolve providing a State pension for Bridget Kelley.

Resolve providing a State pension for Susan J. Tarr.

Resolve providing a State pension for Vinnie E. Saunders.

Resolve providing a State pension for James Lombard.

Resolve providing a State pension for Callie Mains.

Resolve providing a State pension for Helen B. Hobart.

Resolve for reimbursing the town of Talmage for certain money expended for a State pauper.

An Act to amend section 25 of chapter 30 of the Revised Statutes, as amended by section 9 of chapter 59 of the Laws of 1907, relating to investment deposits in savings banks and institutions of savings.

An Act to amend section 116 of chapter 15 of the Revised Statutes, relating to instruction for the blind.

An Act to regulate the packing, shipping and sale of apples. (On motion by Mr. Conant of Waldo, tabled pending second reading.)

An Act to incorporate the Capitol Island Village Corporation. (On motion by Mr. Dutton of Kennebec, tabled pending second reading.)

An Act to extend the charter of the World's Standard Insurance Company.

An Act for the better regulation of the practice of dentistry in the State of Maine, and to reorganize the Board of Dental Examiners.

An Act relating to the taking of smelts in the St. George's river and its tributaries.

An Act authorizing the town of St. George to restrict the taking of clams within the limits of said town to the inhabitants of said town.

#### Passed to Be Enacted.

An Act to authorize the Valley Cemetery Company located at Greene in the county of Androscoggin, to take land by right of eminent domain for burial purposes.

An Act to amend section 71 of chapter 83 of the Revised Statutes in regard to release or discharge of attachments.

An Act relative to untrue or misleading advertisements.

An Act to repeal chapter 577 of the Special Laws of 1874 entitled "An Act to prevent the destruction of smelts in the Piscataqua River and its tributaries."

An Act to amend section 14 of chapter 89 of the Revised Statutes, as

amended by section one of chapter 186 of the Public Laws of 1907, relating to limitation of actions against executors and administrators.

An Act relating to the taxation of telegraph companies.

An Act to incorporate the Monhegan Water Company.

An Act for the better protection of alewives in Patten's Bay in the town of Surry, in Hancock county.

An Act to confirm the charter of the York Harbor Reading Room, and authorize it to provide for certificates of membership.

An Act to amend section one of chapter 455 of the Private and Special Laws of 1897, authorizing the Good Will Home Association to increase the amount of its real and personal estate.

An Act to amend sections 13 and 14 of chapter 73 of the Revised Statutes, as amended by chapter 37 of the Public Laws of 1907, relating to sales of estates of non-resident owners.

An Act to amend chapter 39 of the Public Laws of 1911, providing for weekly payment of wages.

#### Orders of the Day.

Mr. STEARNS of Oxford: Mr. President, I would like to inquire if House Bill 313, An Act authorizing the town of St. George to restrict the taking of clams within the limits of said town to the inhabitants of said town, received its second reading this morning.

The PRESIDENT: The Chair will state that the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Stearns, the vote whereby this bill was passed to be engrossed was reconsidered.

On further motion by the same senator, the bill was tabled pending its passage to be engrossed.

On motion by Mr. Richardson of Penobscot, Senate Document 399, An Act relating to the fire departments of the several cities and towns, 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 400, An Act to amend

Section 6 of Chapter 92 of the Revised Statutes, relating to mortgages of real estate, 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 402, An Act to amend Paragraph 19 of Section 5 of Chapter 117 of the Revised Statutes, relating to the regulation of costs and fees, 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, 405, An Act to amend Section 67 of Chapter 10 of the Revised Statutes, relating to sales of real estate for taxes, 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 404, An Act to amend Chapter 46 of the Revised Statutes, relating to interest, 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 401, An Act to provide for fire protection in theatres, concert halls and places of amusement in the State of Maine, 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. Packard of Knox, Senate Document 403, An Act to repeal chapter 30 of the Revised Statutes, as amended by chapter 74 of the Public Laws of 1907, and chapter 201 of the Public Laws of 1909, relating to apothecaries and the sale of poisons, 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. Stearns of Oxford, report of the committee on judiciary, on An Act in relation to boards of registration of voters, accompanied by bill in new draft, was taken from the table.

The pending question being on the acceptance of the report of the committee, the same was accepted and the bill was tabled for printing under the joint rules.

On motion by Mr. Murphy of Cumberland, the vote whereby An Act to amend section 1 of chapter 455 of the Private and Special Laws of 1897, authorizing the Good Will Home Association to increase the amount of its real and personal estate, was passed to be enacted, was reconsidered.

Mr. MURPHY: Mr. President, may that bill be read? I think it was reported from the committee on legal affairs.

The bill was read by the Secretary: "An Act to amend chapter 455 of the Private and Special Laws of the year 1897, relating to the increase of the capital of Good Will Home Association, a charitable corporation.

Be it enacted, etc.

Section 1. Section 1 of chapter 455 of the Private and Special Laws of the year 1897 is hereby amended by striking out the words 'hundred thousand' between the words 'five' and 'dollars,' so that said section shall read as follows:

Section 1. The Good Will Home Association, a charitable corporation formed under the provisions of chapter 55 of the Revised Statutes, for the purpose of aiding needy boys, and located at Fairfield in Somerset county, is hereby authorized to take and hold by purchase, gift, devise or bequest, personal or real estate in all not exceeding five million dollars owned at any one time.

Section 2. All acts and proceedings of said association and its officers heretofore taken in receiving funds and holding, managing and expending the same in the interests of needy boys and girls, in pursuance of

said organization, so far as any technical errors or informalities, if any, are concerned, are hereby legalized."

Mr. MURPHY: Mr. President, I have no objection to the bill. I simply wanted to table it for a certain reason. I move the bill be tabled pending its passage to be enacted.

The motion was agreed to, the bill was tabled and upon request of Mr. Walker of Somerset specially assigned for consideration next Tuesday.

Mr. MURPHY: Mr. President, I can assure the gentleman from Somerset that it will require very few words from him to induce me to take this bill from the table, as I formerly lived at Fairfield and know something about the institution. I tabled it for certain reasons.

On motion by Mr. Murphy of Cumberland, Senate Document 37, Resolve in favor of the town of Carthage, was taken from the table.

The pending question being on the second reading of the resolve, it was given its second reading and was passed to be engrossed.

On motion by the same senator, House Document 224, An Act to provide for the distribution of State school funds, 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 the same senator, House Document 157, An Act to amend chapter 177 of the Public Laws of 1909, relating to common school funds, 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. Richardson of Penobscot,

Adjourned until Monday afternoon, March 3, at half past four o'clock.