

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Monday, March 17, 1913.

Senate called to order by the President.

Prayer by Rev. Henry E. Dunnack of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: House Document 118, An Act relative to the venue of actions by or against the inhabitants of Stonington, Deer Isle, Isle au Haut, Swan's Island, Long Island and all islands belonging thereto.

In the House the report of the committee on legal affairs "ought not to pass" was accepted.

In the Senate, pending acceptance of the report, on motion by Mr. Packard of Knox, the bill was tabled.

From the House: House Document 246, An Act creating a State Board of Charities and Corrections.

In the House, pending acceptance of the report of the judiciary committee "ought not to pass," the bill was recommitted to the committee.

In the Senate the bill was recommitted to the committee in concurrence.

From the House: An Act to amend An Act entitled "An Act to incorporate the city of Brewer."

In the House, pending acceptance of the report of the committee on legal affairs, "ought not to pass," the bill was recommitted to the committee.

In the Senate the bill was recommitted to the committee on legal affairs in concurrence.

From the House: An Act to provide for the abolishment of grade crossings of railroads.

In the House pending acceptance of the report of the committee on railroads and expresses, "legislation thereon inexpedient" the bill was recommitted to the committee.

In the Senate, on motion by Mr. Burleigh of Aroostook, pending action in concurrence, the bill was tabled and specially assigned for tomorrow.

From the House: Resolve in aid of a road around Chick Hill in the towns of Amherst and Clinton.

In the House, pending acceptance of the report of the committee on ways and bridges, "ought to pass," the bill was recommitted to the committee.

In the Senate, the bill was recommitted to the committee on ways and bridges in concurrence.

From the House: An Act to incorporate the Kennebec Realty Company.

In the House the report of the committee on legal affairs "ought to pass," was accepted, and House Amendment A was adopted.

On motion by Mr. Allen of Kennebec, pending action on the amendment in concurrence, the bill was tabled.

House Bills in First Reading.

An Act relating to the transportation of fish taken in waters in Davis Town, Stetson Town, Seven Ponds Town and Massachusetts Gore, so-called, in Franklin county.

An Act additional to Chapter 94 of the Private and Special Laws of 1903, entitled "An Act to Prevent the Pollution of the Waters of Sebago Lake."

Senate Bills in First Reading.

An Act to amend the primary election law.

An Act to amend Chapter 122 of the Public Laws of 1911, relating to corrupt practices at elections.

An Act to amend Section 124 of Chapter 6 of the Revised Statutes, relative to the canvass of votes by the Governor and Council.

An Act relating to the organization of corporations under private and special laws.

Resolve for retracing and defining the lines around the reserved or school lands of plantations and townships.

An Act in relation to the islands belonging to the State. (On motion by Mr. Hastings of Androscoggin, tabled pending commitment to the committee on bills in second reading).

An Act to amend Section 4 of Chapter 54 of the Revised Statutes, relating to the inspection of power boats and vessels engaged in transporting passengers for hire.

Resolve in favor of the Maine Insane Hospital.

An Act to amend Sections 109 and 113 of Chapter 15 of the Revised Statutes, as amended, relating to the State Normal School and their management.

An Act relating to fire inspectors and removal of fire hazards.

An Act relating to standard provisions for accident and health policies.

An Act to establish a State Highway Commission and to provide for an issue of State Highway bonds.

Resolve to establish a State Nursery to encourage the reforesting of the waste lands of the State of Maine.

Reports of Committees.

Mr. Dutton from the committee on judiciary, on bill, An Act to amend Section 51 of Chapter 79 of the Revised Statutes relating to terms of the supreme judicial court in the county of Sagadahoc, reported same "ought not to pass" because the subject matter is covered by general court bill.

Mr. Stearns from the same committee, on bill An Act granting 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, reported same "ought not to pass." (On motion by Mr. Packard of Knox tabled pending acceptance of the report.)

Mr. Bailey from the committee on legal affairs, on bill An Act relating to the charter of the Hancock County Railway Company, reported same "ought not to pass."

Mr. Bailey from the same committee, on resolve granting the T. M. Chapman Son's Company permission to sue the State of Maine, reported same "ought not to pass." (On motion by Mr. Bailey, re-committed to committee on legal affairs, pending acceptance of the report.)

Mr. Bailey from the same committee, on bill An Act to limit the hours of employment of conductors and motormen on electric railways, reported same "ought not to pass."

Mr. Bailey from the same committee, on bill An Act to amend Section 14 of Chapter 30 of the Revised Statutes and subsequent amendment thereof, relating to the Pharmacy law, reported same "ought not to pass." (On motion

by Mr. Murphy of Cumberland, tabled pending acceptance of report.)

Mr. Bailey from the same committee, on resolve granting permission to William H. Powell and Frederick W. Knowlton to sue the State of Maine, reported same "ought not to pass." (On motion by Mr. Bailey, re-committed to the committee.)

Mr. Murphy from the committee on mercantile affairs and insurance, on bill An Act relating to the inspection of buildings, reported same "ought not to pass."

The reports were accepted.

Mr. Dutton from the committee on judiciary, on bill An Act to supply the town of Winthrop with pure water, which was re-committed to the committee, reported same in a new draft under the same title, and that it "ought to pass."

Mr. Hersey from the same committee, on bill An Act to enlarge the powers of the Sheepscoot Valley Power Company, reported same in a new draft under the same title, and that it "ought to pass."

Mr. Dutton from the same committee, on bill An Act to make the certificate of the official court stenographer sufficient authentication of a report of evidence for the law court, and to prescribe the course of procedure in the court in the event of the death of the official stenographer, reported same "ought to pass."

This bill having been printed was given its first reading.

Mr. Dutton from the same committee, on bill An Act relating to increase of the capital stock of corporations organized under special acts or under general laws for the performance of a public duty, reported same in a new draft under title of "An Act relating to increase of the capital stock of corporations organized under special acts, or under general laws for the performance of a public duty," and that it "ought to pass."

Mr. Bailey from the committee on legal affairs, on bill An Act to incorporate Andresceggin Electric Company, reported same "ought to pass."

This bill having been printed was given its first reading.

Mr. Bailey from the same committee, on bill An Act to incorporate the Penobscot Valley Gas Company, reported same "ought to pass."

This bill having been printed was given its first reading.

Mr. Bailey from the same committee, on bill An Act to amend Section 5 of Chapter 184 of the Private and Special Laws of 1891 relating to drains and sewers in the city of Portland, reported same in a new draft under the same title and that it "ought to pass."

Mr. Bailey from the same committee, on bill An Act to authorize sheriffs and jailers of the several counties in their discretion to furnish money and transportation to prisoners about to be discharged from jail, reported same in a new draft under the same title, and that it "ought to pass."

Mr. Cole from the same committee, on bill An Act to amend Section 19 of Chapter 65 of the Revised Statutes, relating to duties of registers of probate, reported same in a new draft under the same title, and that it "ought to pass."

Mr. Murphy from the Committee on Education, on bill, an Act to amend Section 15 of Chapter 15 of the Revised Statutes as amended relating to the payment of school money and to unexpended balances in common school accounts, reported same in a new draft under the same title, and that it "ought to pass."

Mr. Murphy from the committee on Mercantile Affairs and Insurance, on bill an Act relating to fraternal beneficiary associations doing casualty business only, reported same "ought to pass."

Mr. Murphy from the same Committee, on bill an Act relating to the incorporation and admission of assessment casualty insurance companies, and conditions relating to such companies, reported same in a new draft under the same title, and that it "ought to pass."

This bill having been printed was given its first reading.

Mr. Conant from the Committee on Agriculture, on bill an Act relating to enforcement of law regulating sale of seeds, feeding stuffs, commercial fertilizers, drugs, foods, fungicides and insecticides, reported same in a new draft under title of "An Act relating to the enforcement of the laws regulating the sale and the analysis of agricultural seeds, commercial feeding stuffs, commercial fertilizers, dairy products, drugs, foods, fungicides and insecticides," and that it "ought to pass."

Mr. Conant from the same Committee, on bill an Act to amend Sections 5 and

6 of Chapter 15 of the Public Laws of 1907, as amended by Chapter 34 of the Public Laws of 1909, and Chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases, which was re-committed to the Committee, reported same in a new draft under title of "An Act to amend Section 5 of Chapter 15 of the Public Laws of 1907, also Section 6 of said Chapter as amended by Chapter 34 of the Public Laws of 1909, and Chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases," and that it "ought to pass."

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

The PRESIDENT: The Chair invites Senator Morey of Androscoggin to preside the remainder of the session. (Applause.)

SENATOR MOREY IN THE CHAIR.

Passed to Be Engrossed.

An Act to revise the charter of the city of Eastport.

An Act to provide for a close time on bull moose.

An Act for the better protection of automobile garage keepers and owners.

An Act to provide for the care and treatment of tubercular patients. (On motion by Mr. Allen of Kennebec, pending second reading, the bill was tabled and specially assigned for next Thursday.)

An Act to amend Section 51 of Chapter 79 of the Revised Statutes, as amended by the Public Laws of 1907 and 1911, relating to trial terms of the supreme judicial court.

An Act to incorporate the York and Kittery Railroad.

An Act to amend Sections 18 and 19 of Chapter 29 of the Private and Special Laws of 1885 and amendments thereof and additions thereto, relating to the charter of the city of Ellsworth.

An Act providing for the payment of two delegates to the New England Railroad Conference and the payment of their expenses.

An Act to amend Chapter 220 of the Private and Special Laws of 1867, en-

titled "An Act to unite the Maine Baptist Convention and the Maine Baptist Missionary Society."

Resolve in favor of an appropriation to complete the historical record of Maine men serving in the United States navy during the War for the Suppression of the Rebellion, 1861-1865.

Resolve authorizing the land agent to sell the State's interest in Lot Number One, east of Fish river in Wallgrass plantation, Aroostook county.

Resolve in favor of the Freedom Academy Association, in the town of Freedom.

Resolve in favor of the trustees of the Bridgton Academy.

Resolve in favor of the Limerick Academy.

Orders of the Day.

On motion by Mr. Bailey of Penobscot, the rules were suspended, and that senator presented the report of the committee on legal affairs, "ought to pass," on an Act to regulate the sale of stocks, bonds and other securities.

The report was accepted, and on further motion by the same senator, the bill was tabled for printing and 500 extra copies ordered printed.

On motion by Mr. Colby of Somerset, Senate Document 488, an Act to amend Chapter 193 of the Public Laws of 1909, creating the Maine Forestry District and providing for protection against forest fires therein, was taken from the table.

On further motion by the same senator, the bill was recommitted to the committee on State lands and forest preservation.

On motion by the same senator, Senate Document 492, An Act for the preservation, perpetuation and increase of the forests of the State of Maine, was taken from the table, and on further motion by the same senator, the bill was referred to the committee on State lands and forest preservation.

On motion by Mr. Allen of Kennebec, House Document 376, Resolve providing a State pension for Charles Fogg, was Senate Document 490, An Act to amend taken from the table.

On further motion by the same senator, the resolve was passed to be engrossed.

On motion by Mr. Hersey of Aroostook,

Section 69 of the Revised Statutes, as amended by Chapter 41 of the Public Laws of 1905, relating to non-feasance of duty by sheriffs, deputy sheriffs and county attorneys, was taken from the table.

On further motion by the same senator, the bill was referred to the committee on judiciary in concurrence.

On motion by Mr. Cole of York, Senate Document 490, An Act to provide for the safe keeping of indemnity bonds, 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 the same senator, Senate Document 494, An Act to appropriate moneys for the expenditures of government for the year 1913, 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 Mr. Bailey of Penobscot, the report of the special investigating committee on coal, Senate Document 479, was taken from the table.

On further motion by the same senator, the report was accepted.

On further motion by the same senator, Senate Document 464, An Act to protect trade and commerce against unlawful restraints and monopolies, was taken from the table, and was given its first reading, and its second reading was assigned for tomorrow morning.

On motion by Mr. Wing of Franklin, Senate Document 323, an Act to establish a uniform poll tax, was taken from the table.

On further motion by the same senator, the Senate receded and concurred with the action of the House in the indefinite postponement of the bill.

President Milliken in the Chair.

Mr. MOREY of Androscoggin: Mr. President, I have a matter to bring before the Senate upon which I must ask for a suspension of the rules in regard to private legislation, and I must ask to break the rule. But it is a matter of importance and something that was brought to my attention, Friday night, when I returned home. It is this: There

are \$100,000 of bond in the city of Lewiston that will mature on the 1st day of July, 1913. It is absolutely necessary that those bonds be refunded, and that is a matter which I wish to bring before the Senate. There is no way that I know of, unless you put a tax additional of \$100,000,—which would be entirely unwise,—on the property, to meet these bonds. We cannot let them go two years, for the bonds fall due the 1st day of next July. It will not require an emergency clause for the bonds can be printed and ready for distribution ready to take these bonds.

We have now some \$40,000 in excess of our debt limit.

I move that the rules be suspended and we receive this private bill.

The PRESIDENT: This being a private matter cannot be received except under suspension of the rules.

The bill was read by the secretary at the request of Mr. Morey, as follows:

"An Act to authorize the city of Lewiston to issue its bonds to the amount of \$100,000 to pay its bonds now

outstanding and maturing in the year 1913.

Be it enacted, etc.,

Section 1. To meet its bonds now outstanding and maturing in the year 1913, the city of Lewiston is authorized to issue bonds to an amount not exceeding \$100,000 payable at a period or periods, not exceeding 30 years after the date thereof, and bearing interest at the rate not exceeding four per cent. per annum, payable semi-annually. Said bonds shall be issued under the seal of the city and shall be signed by the mayor and treasurer of the city, and the coupons attached to said bonds shall have the printed or lithographed signatures of the city treasurer."

On motion by Mr. Bailey of Penobscot, the bill was tabled and assigned for consideration tomorrow morning, and ordered printed.

On motion by Mr. Patten of Hancock, Adjourned until tomorrow morning at 9.30 o'clock.