

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE

Thursday, February 11, 1915.

Senate called to order by the President.

Prayer by Rev. Hobert J. Pinkham of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Petition of H. G. Emery and 36 others in favor of investigation of institutions by County Commissioners or Grand Jurors.

In the House this petition was referred to the committee on legal affairs. (On motion by Mr. Colby of Somerset referred to the committee on judiciary, in non-concurrence and sent down for concurrence.)

From the House: An Act to extend the charter of the Androscoggin Valley Railroad Company.

In the House this bill was referred to the Committee on railroads and expresses. (Tabled on motion by Mr. Hastings of Androscoggin.)

From the House: An Act to extend the charter of the Waldo Street Railway Company.

An Act to amend the charters of the Thomaston Street Railway Company, the Rockland Street Railway Company, and the Camden and Rockport Street Railway Company.

An Act to amend Chapter 51 of the Laws of 1891 relating to the Limerock Railroad Company.

On motion by Mr. Eutler of Knox the vote whereby these three bills were referred to the committee on railroads and expresses, in concurrence, was reconsidered, and on further motion by the same Senator the bills were tabled.

House Bills in First Reading

House 54. An Act to extend the charter of the Monson Water Company.

Messages and Documents From the Heads of Departments.**STATE OF MAINE.**

Department of State,

Office of the Secretary,

Augusta, Maine, February 11, 1915.

To the President of the Senate and Speaker of the House:

I have the honor to herewith transmit the report of the State Historian for the years 1913 and 1914.

Very respectfully,

Your obedient servant,

L. M. McGouldrick,

Deputy Secretary of State.

Report received and referred to the committee on state library.

The following bills, petitions, etc., were presented, and on recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture

By Mr. Burleigh of Aroostook: Petitions of members of Prestile Grange, Westfield and members of Pomona Grange, Easton in favor of appropriating moneys for the State Farm.

By Mr. Allen of Kennebec: An Act to amend Section 2 of Chapter 51 of the Private and Special Laws of 1849 relating to Franklin County Agricultural Society.

Appropriations and Financial Affairs

By Mr. Flaherty of Cumberland: Resolve in favor of State Pension Clerk.

By Mr. Allen of Kennebec: Resolve in favor of the Maine Industrial School for Girls at Hallowell to provide for the payment of interest on trust funds deposited in the State Treasury.

Claims

By Mr. Durgin of Piscataquis: Resolve reimbursing the town of Sangerville for money expended for the support of certain State paupers.

Education

By Mr. Walker of Somerset: Resolve in favor of Anson Academy.

Placed on File

By Mr. Scammon of Hancock: Petitions of Marion Leach and twenty-three others, of Ann R. Collar and fifteen others, in favor of the Act for the relief of the blind residents of Maine.

Judiciary

By Mr. Swift of Kennebec: An Act

to amend the purposes and grant additional powers to the Atlantic Maritime Company.

By Mr. Durgin of Piscataquis: Petition of Lillian A. Rowe and 52 others of Milo for a Constitutional Amendment giving the right of suffrage to women.

By Mr. Weld of Penobscot: Petition of Nellie A. Lamb and 10 others of Enfield and Mrs. Bertha Babcock and 47 others of Howland for woman suffrage.

By Mr. Conant of Waldo: Petitions of Maude Cooper and 40 others of W. R. Bailey and 21 others of Knox and vicinity in favor of Woman's suffrage.

By Mr. Flaherty of Cumberland: Petitions of Mrs. Byron Stevens and 122 others and of Mrs. Clarence A. Leighton and eight others against suffrage for women.

Labor.

By Mr. Peacock of Washington: Petition of W. B. Dodge and twenty-seven others against mercantile establishments in House Bill No. 2.

(On motion by Mr. Emery of York that senator under suspension of the rules, presented several remonstrances against including mercantile establishments in "An Act relative to the hours of employment of women and minors.")

By Mr. Murphy of Cumberland: Remonstrances of Frank H. Sherry and 16 others, of Irving L. Carver and eight others, of G. O. Waterhouse and 17 others, of Pillebrown Brothers of Gorham, of Henry F. Miller Sons Piano Co. and 21 others, of D. E. Vinal and 17 others, of David T. Percy Sons and 12 others, of F. O. Palmer and 13 others, of McDowell & Black Shoe Co. and 15 others, of Fessenden News Co. and 16 others, and of Foster-Avery Co. and 13 others, against including mercantile establishments in "An Act relative to the hours of employment of women and minors."

Legal Affairs.

By Mr. Murphy of Cumberland: An Act to incorporate the trustees of St. Joseph's Academy and College for women.

By Mr. Cole of York: Resolve in favor of an appropriation to restore the early records in the office of the clerk of courts for York county. (Ordered printed and referred.)

Pensions.

By Mr. Leary of Penobscot: Resolve in favor of George N. Holland of Hampden.

By Mr. Swift of Kennebec: Resolve in favor of Harry J. Bean of Augusta, Kennebec county, Maine.

By the same Senator: Petition of Foster A. Raught and 24 others in favor of a pension for Harry J. Bean.

Revision of Statutes

By Mr. Durgin of Piscataquis: An Act to amend Section 52 of Chapter 6 of the Revised Statutes to provide for filling vacancies in the representation of the State in the United States Senate.

By the same Senator: An Act to amend Section 7 of Chapter 221 of the Public Laws of 1913, relating to the nomination of United States senators.

By the same Senator: An Act to amend Section 73 of Chapter 4 of the Revised Statutes relating to the investment of sinking funds by any city or town.

By Mr. Cole of York: An Act to amend Section 1 of Chapter 145 of the Public Laws of the year 1911, entitled, "An Act to insure publicity with respect to the demands upon the State and to facilitate the legislative committees in dealing with questions of appropriation."

By the same Senator: An Act to amend Section Fifteen of Chapter Sixty-five of the Revised Statutes as amended by Chapter Thirty-eight of the Public laws of Nineteen Hundred and Seven, relating to jurisdiction of the Probate Courts.

By the same Senator: An Act to amend Section Four of Chapter Sixty-five of the Revised Statutes relating to proceedings of Judges of Probate in vacation.

By Mr. Butler of Knox: An Act to amend Section Seventeen of Chapter Seventy-seven of the Revised Statutes, relating to proceedings if husband or

wife refuses to release interest in real estate.

By the same Senator: An Act to provide for the resolution in the Penal Sum of Probate Bonds.

By the same Senator: An Act to amend Section Seventy-one of Chapter Four of the Revised Statutes, relating to the authority of towns to raise money.

Salaries and Fees

By Mr. Flaherty of Cumberland: An Act providing temporary clerk hire for the Register of Probate in Cumberland County.

Sea and Shore Fisheries

By Mr. Peacock of Washington: An Act to authorize the construction of Weir in the tide waters of the Cobscook river in the town of Lubec.

State School for Boys and Industrial School for Girls.

By Mr. Ames of Washington: Petitions of John W. Nash and thirty-three others, of Effie W. Talbot and eighty-six others, of J. P. Hutchinson and forty-eight others, of W. M. Nash and nineteen others, and resolutions of Machias W. C. T. U. of Ursula Peniman Club of Machias of Alpha Lyra Club of Cherryfield, of Shakespeare Club of Cherryfield, of Woman's Club of Eastport in favor of reformatory for women.

By Mr. Boynton of Lincoln: Petition of Damariscotta W. C. T. U. in favor of Reformatory for Women.

By Mr. Burleigh of Aroostook: Petitions of Della H. Stevens and seventeen others, of C. W. Perry and seven others, of Child's Study Club of Presque Isle, of Philomathian Club of Fort Fairfield, in favor of the Reformatory for Women.

By Mr. Chatto of Hancock: Petitions of Harriet E. Jordan and thirty-three others of M. C. Morrison and nineteen others in favor of a Reformatory for Women.

By Mr. Clark of York: Petitions of H. G. Batteson and twenty-three others, and of Old Orchard Club in favor of a State Reformatory for Women.

By Mr. Cole of York: Petitions of

Riverside Reading Club and of James Merry and thirty-two others of Kittery in favor of a Reformatory for Women.

By Mr. Colby of Somerset: Petition of Ivanela Palmer and twenty-two others in favor of a State Reformatory for Women.

By Mr. Scammon of Hancock: Petitions of the officers of the Friday Club of Southwest Harbor and of Caroline R. Lawler and nineteen others in favor of a Reformatory for Women.

By Mr. Swift of Kennebec: Resolution of the Augusta W. C. T. U. in favor of a Reformatory for Women.

By Mr. Walker of Somerset: Petition of Skowhegan W. C. T. U. in favor of a State Reformatory for Women.

State Lands and Forest Preservation

By Mr. Emery of York: Resolve authorizing the land agent to sell and convey whatever interest the State has in and to a certain island, known as Mink Island, situated in East Bluehill Bay, in the County of Hancock. (On motion by Mr. Chatto of Hancock, tabled.)

By Mr. Thurston of Oxford: Resolve for retracting and defining the lines around the reserved or school lands of plantations and townships.

Taxation

By Mr. Bartlett of Kennebec: Resolve for the appointment of delegates to the conferences of the National Tax Association.

By Mr. Colby of Somerset: Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

Ways and Bridges

By Mr. Peacock of Washington: Resolve in favor of rebuilding bridge in the town of Cutler.

Orders.

On motion by Mr. Walker of Somerset, it was

Ordered: That the use of the Senate Chamber be granted to the committee on education for a public hearing Wednesday, February 24, at 2 o'clock.

First Reading of Printed Bills and Resolves.

Senate 61. An Act for the relief of the blind residents of Maine.

Senate 62. Resolve in favor of the town of Canton to purchase its toll bridge. (On motion by Mr. Murphy of Cumberland, tabled pending second reading.)

Senate 63. Resolve appropriating money to complete the replanking of the bridge at Wiscasset.

Reports of Committees.

The committee on reference of bills to which was recommitted, An Act amendatory to Sections 27 and 28 of Chapter 129 of the Public Laws of 1913, relating to corporations for the operation of telegraphs or telephones, and other public utilities, reported that same be referred to the committee on judiciary.

The report was accepted and the bill was referred to the committee on judiciary.

Set down for concurrence.

Mr. Colby from the committee on State lands and forest preservation, to which was referred An Act to enable the town of Rangeley to make a fill-in and maintain a dam at the outlet of Haley pond, for a park and sanitary purposes, reported same in a new draft under the same title, and that it ought to pass.

Mr. Scammon from the committee on sea and shore fisheries, to which was referred An Act to repeal Chapter 4 of the Private and Special Laws of 1913, relating to the taking of smelts in the waters of Egypt bay, Franklin bay, Taunton bay and river and their tributaries in the towns of Hancock, Franklin and Sullivan, in the county of Hancock, reported same ought to pass.

Mr. Bartlett from the committee on legal affairs, to which was referred An Act to incorporate the Englishmen's Dyke, reported same ought to pass.

Mr. Leary from the committee on pensions, to which was referred Resolve in favor of L. Prescott Currier, reported same ought to pass.

The same senator from the same committee, to which was referred Resolve in favor of Ellison Gilbert, reported same ought to pass.

The same senator from the same committee, to which was referred Resolve in favor of Thomas Clark, reported same ought to pass.

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

Mr. Garcelon from the committee on legal affairs, to which was referred An Act to permit the town of Southport to obtain a supply of pure water, reported same be printed and recommitted.

The same senator from the same committee, to which was referred An Act to authorize the town of Southport to own and maintain an electric lighting and power plant, reported same be printed and recommitted.

The reports were accepted, and the bills were ordered printed and recommitted.

Passed to Be Engrossed.

House 47. An act to extend the charter of the Eastern Maine Railroad.

House 53. Resolve in favor on construction of road in the town of Moscow.

Mr. COLBY of Somerset: Mr. President, I have an amendment to that bill which I wish to offer and in explanation I would say that this amendment relates to the maintenance of such roads, and also to the land damage. This amendment was presented to the committee on ways and bridges by the Highway Commission, and it was suggested by them that each road resolve should have this amendment. The committee unanimously agreed to it. Hence this amendment. I move its adoption.

I will say, further, that after these bills this amendment will be affixed by the committee.

Senate Amendment A to House Document No. 53, entitled "Resolve in favor of construction of road in the town of Moscow."

Amend by adding thereto in the ninth line thereof after the word "department," the following: "and further provided that this resolve shall be void and of no effect unless said town in accepting this appropriation thereby and in consideration thereof shall undertake that all road material, including clay, gravel, sand and rock, necessary for the improvement contemplated by this resolve shall be furnished without expense to the State, and that said town shall assume and pay all damages arising from the

taking of land or from the change of grade, drainage or alignment deemed by the State Highway Commission as necessary for said improvement. Said way when so improved shall be thereafter continually maintained under the direction and control of said commission at the joint expense of the State and said town; the charge against said town for the maintenance of said way shall not exceed 50 per centum of the actual cost of such maintenance nor an average of \$30 per mile per annum, and the payment by said town of its said share of said maintenance shall be enforced in the same manner as provided in Sections 10 and 25 of Chapter 130 of the Public Laws of 1913. The share of the State in said maintenance shall be paid out of the fund for administration and maintenance created by virtue of Section 33 of said Chapter 130," so that said resolve as amended shall read as follows:

"Resolved, that there be and hereby appropriated the sum of one thousand dollars (\$1000) for the year 1915 to aid the town of Moscow in the construction of a road from the residence of Mrs. Delia McLaughlin to the Maine Central Railroad station at Dead Water, all in the town of Moscow, provided said town of Moscow appropriates the like sum of one thousand dollars (\$1000) for the same purpose; both sums to be expended under the direction of the State Highway department, and further provided that this resolve shall be void and of no effect unless said town in accepting this appropriation thereby and in consideration thereof shall undertake that all road material, including clay, gravel, sand and rock, necessary for the improvement contemplated by this resolve shall be furnished without expense to the State, and that said town shall assume and pay all damages arising from the taking of land or from the change of grade, drainage or alignment deemed by the State Highway Commission as necessary for said improvement. Said way when so improved shall be thereafter continually maintained under the direction and control of said commission at the joint expense of the State and

said town; the charge against said town for maintenance of said way shall not exceed 50 per centum of the actual cost of such maintenance nor an average of \$30 per mile per annum, and the payment by said town of its said share of said maintenance shall be enforced in the same manner as provided in Sections 10 and 25 of Chapter 130 of the Public Laws of 1913. The share of the State in said maintenance shall be paid out of the fund for administration and maintenance created by virtue of Section 33 of said Chapter 130."

The amendment was adopted and House 53, as amended was passed to be engrossed. (Sent down for concurrence.)

House 55. Resolve in favor of the repair of highways in Caratunk Plantation.

Senate amendment A, to House document 55 (the same amendment as adopted in House document 53) on motion by Mr. Colby was adopted, and House Document 55, as amended, was passed to be engrossed. (Sent down for concurrence.)

House 56. Resolve in favor of the River Road in Pleasant Ridge Plantation in the County of Somerset.

Senate Amendment A to House Document 56, (the same amendment as adopted in House document 53) on motion by Mr. Colby was adopted, and House Document 56, as amended, was passed to be engrossed. (Sent down for concurrence.)

Senate 54. Resolve in favor of the joint special committee on salaries and fees of the 76th legislature. (On motion by Mr. Murphy of Cumberland tabled pending second reading.)

Senate 56. Resolve providing for co-operatives work with the United States Geological Survey. (On motion by Mr. Murphy of Cumberland, tabled pending second reading.)

Orders of the Day.

On motion by Mr. Bartlett of Kennebec, the rules were suspended, and that Senator presented out of order several petitions in favor of Woman's Suffrage, and the same were referred to the committee on judiciary.

On motion by Mr. Murphy of Cumber-

land, Resolve in favor of St. Joseph's Academy, was taken from the table, and on further motion by the same Senator was referred to the committee on education.

On motion of the same Senator, Resolve in favor of Nasson Institute for maintenance and extension of the work 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, Resolve in favor of Nasson Institute toward the erection and equipment of a dormitory, was taken from the table, and on further motion by the same Senator was referred to the committee on education.

Mr. ALLEN of Kennebec: Mr. President, I move that we take from the table Joint Order regarding the time that Senate and House Post Office be kept open and time for collection of evening mail.

The motion was agreed to.

Mr. ALLEN: Mr. President, As this order was presented by the Senator from York, Senator Cole, I yield the floor to him.

Mr. COLE of York: Mr. President, When this order was signed by me and sent on its way, I had no personal reason for doing so except the usual formality which comes to one. I have since investigated the matter and find that the impetus for this order did not receive its initiation in this branch, and I do not know whether there is any member of

the Senate who is in favor of the order or not. Personally it is immaterial to me whether it is passed or not, because the service I receive now is satisfactory.

I find upon investigation that during the session of the Legislature the mails arrive at 7 and 10.30 in the forenoon and at 2 and 4 P. M. The last mail at night, which is the State House mail, when all ordinary mail goes out, is 5.30.

It seems to me if this order passes that some further compensation should be taken into consideration at this time; if these men who are on duty there were placed on duty with the understanding that the work was to be the same as has ordinarily been done during the session of the Legislature, and that they were to receive the same compensation others had received for like services. If they are to be on duty from seven in the morning until 10 o'clock at night, 76 hours per week, they must forego the opportunity of going home over Sunday which the rest of us have, if we wish. All of these things should be taken into consideration.

I hardly know just what disposition to make of this matter, as I presented the order.

The PRESIDENT: Do you wish to withdraw the order?

Mr. COLE: Unless there is objection I withdraw the order, but I do not wish to withdraw it if any senator here has any reason why it should go on.

There being no objection the order was withdrawn.

On motion by Mr. Swift of Kennebec, Adjourned.