

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

SENATE.

Thursday, January 10, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Mosher, of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

The following order came from the House:

Ordered, The Senate concurring that a special joint committee on salaries and fees be appointed, to consist of seven members on the part of the House with such as the Senate may join. And was passed by the Senate in concurrence and the President appointed as such committee on the part of the Senate Messrs. Sewall of Sagadahoc, Staples of Knox, and Page of Somerset.

In compliance with the order relating thereto the following business of the last Legislature referred to this Legislature was taken from the files and referred to the several committees.

Judiciary.

Bill, An Act amending Chapter 468 of the private and special laws approved March 18, 1897, relating to the retirement of the members of the Portland fire department on half pay.

Order relating to the expediency of enacting a general law classifying the municipal and police courts of the State, and providing for uniformity in respect to jurisdiction, rules of pleading and practice, removal of cases to higher courts of appeal or otherwise, salaries, fees, costs and other matters for courts of the same class.

Order relating to the expediency of regulating by general law the location and use of wires transmitting high tension electric currents.

Petition of citizens of Lisbon, Durham and Webster for a legislative investigation of alleged abuses at Shiloh.

Petition of Women's Reform League of Androscoggin county for the enactment of certain laws in reference to Shiloh.

Legal Affairs.

Bill, "An Act to amend Section 19 of Chapter 6 of the Revised Statutes of Maine relating to elections."

Bill, "An Act to regulate the practitioners of optometry in the State of Maine."

Bill, "An Act to incorporate the Shore Acres Water Company."

Bill, "An Act entitled 'An Act to limit the tenure of office.' "

Financial Affairs.

Bill, "An Act to establish a board for the improvement of the condition of adult blind in Maine."

Bill, "An Act to provide for the care and education of feeble minded children."

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Resolve, In favor of the Webber Hospital Association.

Resolve, In favor of a monument marker on the battle ground of Cedar Mountain, Virginia.

Resolve, In favor of the Maine Industrial School and shop for the blind.

Resolve, In aid of the Maine Home and School for Feeble Minded Children.

Education.

Resolve in favor of the establishment of a normal school in the city of Calais.

Resolve in favor of the Central Maine State Normal School.

Resolve in favor of the establishment of a normal school at Machias to be known as Washington County Normal School.

Bill, "An Act to amend Section 41 of Chapter 15 of the Revised Statutes relating to superintendents of schools."

Bill, "An Act to provide for giving instruction in music in the common schools of the State."

Military Affairs.

Bill, "An Act in relation to desertion from the military service of the United States and from the militia of this State."

Resolve in favor of a Maine soldier's

monument at the National cemetery at Salisbury, North Carolina.

Shore Fisheries.

Petition of Paul B. Conkling and 106 others of Boothbay and vicinity that a law may be enacted prohibiting the use of seines or nets for the purpose of taking smelts or other fish in what is known as "Back River" or "Oven's Mouth River."

Interior Waters.

Bill, "An Act to incorporate the Penobscot River Power Co."

State Lands and State Roads.

Bill, "An Act to promote the settlement of wild lands adapted to agricultural purposes."

Ways and Bridges.

Resolve to aid building a steel bridge across the Penobscot River between the towns of Lincoln and Chester.

Resolve to aid in the building of a highway bridge across the Kennebec river between the towns of Clinton and Fairfield at or near Pishon's Ferry, so-called, to connect the counties of Kennebec and Somerset.

Resolve in aid of the building of a bridge across the St. John river at Van Buren.

Bill, "An Act to provide for the improvement of public highways."

Towns.

Bill, "An Act to repeal Chapter 58 of the Private and Special Laws of 1831, entitled, 'An Act to set off Jonathar. Moody with his family and estate from the town of Whitefield and to annex them to the town of Gerry.' "

Bill, "An Act to repeal Chapter 228 of the Private and Special Laws of 1824, entitled 'An Act to annex certain lands belonging to Enoch A. Glidden to the town of Alna.' "

Bill, "An Act to repeal an act incorporating the town of Mattamiscotis, approved March 8, 1839."

Petition of Irving W. Hutchinson and eight others of Carthage, of D. W. Berry and 46 others of Carthage, asking that a part of the town of Weld be annexed by the town of Carthage.

Bill, "An Act relative to moving buildings through the streets."

Bill, "An Act to secure a correct census of the deaf, dumb, blind, feeble minded, idiotic and insane in this State."

Claims.

Resolve in favor of Michael Burns.

Labor.

Bill, "An Act to amend Section 50 of Chapter 40 of the Revised Statutes relative to the employment of minors."

Bill, "An Act to provide for the preservation of health of workmen in foundries."

Taxation.

Bill, "An Act to amend Sections 13 and 124 of Chapter 15 of the Revised Statutes relating to the mill fund and school tax."

Aroostook Delegation.

Bill, "An Act to amend Section 7 of Chapter 11 of the Revised Statutes relating to the transfer of the office of the registry of deeds for the northern district of Aroostook from Madawaska to Fort Kent, and provide a suitable building in which to keep such office."

Bill, "An Act to amend Section 7 of Chapter 11 of the Revised Statutes and to transfer the office of the register of deeds for the northern district of Aroostook county from Madawaska to Van Buren, and to provide a suitable building in which to keep said office."

Portland Delegation.

Bill, "An Act to amend Chapter 375 of the Special Laws of 1863 entitled, 'An Act to confer certain powers on the city of Portland.' "

On motion of Mr. Sewall of Sagadahoc:

Resolve "Providing for the acquisition by the State of denuded or deforested lands and for reforesting the same, and to protect and preserve the water supply of the great rivers and lakes of the State," was tabled pending reference.

On motion by the same senator the following bill:

"An Act to encourage the cultivation and preservation of forests and woodlots," was tabled pending reference.

The following bills, petitions, resolves were presented and referred.

Judiciary.

By Mr. Simpson of York: Bill, An Act to authorize the Twin State Gas

and Electric Company to exercise certain power in this State.

Legal Affairs.

By Mr. Putnam of Aroostook: Petition of 100 citizens of Houlton asking for State to assume the expense of caring for pauper insane.

By Mr. Mills of Hancock: Bill An Act to amend Section 9 of Chapter 139 of the Revised Statutes.

Appropriation and Financial Affairs.

By Mr. Putnam of Aroostook: Petition of twenty citizens of Houlton in favor of home for women and children in Portland.

Mercantile Affairs and Insurance.

By Mr. Merrill of Cumberland: Bill An Act to incorporate the Maine Insurance Company.

Banks and Banking.

By Mr. Deasy of Hancock: Bill An Act to incorporate the Hancock Trust Company.

Pensions.

By Mr. Mills of Hancock: Resolve in favor of Lottie A. Robinson.

On motion by Mr. Merrill of Cumberland it was: Ordered, That the draft of An Act to make uniform the law of sales endorsed and recommended by the Commissioners on Uniform State Laws in National conference be received and referred to the Committee on Judiciary with instructions to consider the same and report by bill or otherwise;

It was thereupon voted that the draft referred in the foregoing order should be referred in accordance with said order.

Also ordered, That the draft of An Act to make uniform the law of warehouse receipts endorsed and recommended by the Commissioners on uniform State Laws in National conference be received and referred to the Committee on Judiciary with instructions to consider the same and report by bill or otherwise.

It was thereupon voted that the draft referred in the foregoing order should be referred in accordance with said order.

Also Ordered, That the report of the Commissioners on uniform law relating to annulment of marriage and divorce

adopted by the national Congress on uniform divorce laws be received and referred to the Committee on Judiciary with instructions to consider the same and report by bill or otherwise.

It was thereupon voted that the draft referred in the foregoing order should be referred in accordance with said order.

Mr. Sewall of Sagadahoc: presented, and moved the passage of the following:

Ordered, That the State Treasurer be directed to pay the amounts of money due the members of the Legislature for mileage at the end of the present session, to the representatives of the railroads of the State, said sum to be apportioned by them, and to be paid in consideration of the transportation for members already provided.

Mr. PUTNAM of Aroostook: Mr. President this is an important matter and it seems to me to do it justice it should be tabled.

Mr. SEWALL of Sagadahoc: Would the senator object to referring it to a committee? It is a matter which needs immediate action.

Mr. PUTNAM: I have no objection to its reference to a committee.

Mr. SEWALL: This was not introduced without consultation and I would like to have it discussed at the present time.

Mr. PUTNAM: It is a new matter and I think it would better lie upon the table or be referred to a committee and instead of discussing it at the present time I should prefer have it referred to a proper committee.

Mr. SEWALL: I would ask the senator from Aroostook to what committee he would desire its reference.

Mr. PUTNAM: The finance committee.

Mr. SEWALL: It affects what is included in the salary provisions generally; it is a matter of mileage.

The situation is just this; I do not desire to hasten the Senate at all but I think if we act at all we ought to act now.

Your committee appointed by both houses of the Legislature at the close of the last session considered the subject

of railroad passes and has made its report. The consideration of that report will be bound up very much with the increase of salary to the members of Legislature. At all events the action taken on that report will not affect the members of the present Legislature; but the situation in which we find ourselves now is this: That in accordance with a custom which dates back very far we have been provided with passes on the railroads of the State.

I am the last man in the Legislature to want to relieve the Railroad of any particular burden or to impose upon the State the cost of transportation. At the same time I am very eager to see that what transportation from the railroad companies is accepted, not as a matter of favor but in accordance with some form of contract or understanding, and as a matter of right.

The members have acted, as regards this matter of passes in various ways. There are those who have felt that their course would be clearly for them to return them. There are others who have felt that such action might be conspicuous and that the railroad have only done this year what they have done in the past and they have retained their passage but have not used them; and have paid their fares. There are others who have felt that they were entirely justified in using passes as they have been using them pending legislation.

It seems to me that there are a great many who are placed in somewhat of a quandary, who would like to act with their fellow members in regard to passes and who would like some immediate action. I think there is a solution which would be just to all; that the mileage which we receive at the end of the year be paid over to the railroad companies and return for that that we accept the transportation; or a contract with the roads of such a kind as imposes upon us no obligation to the roads, at all.

With this statement, all I would like to ask is: That whatever course the senator from Aroostook desires to pursue, it will not be such a course as will involve much delay, to the end that we may have some decision at the earliest possible moment. I would rather it should

not lie upon the table as that does involve delay.

MR. PUTNAM: It would be agreeable to me to have it referred to a proper committee, say the Finance Committee.

MR. SEWALL: If the senator would not think I had any particular motive, I should think that the newly created committee on salaries and fees, which dealt with the whole matter of mileage for the last four years, would be an appropriate committee; but if the senator prefers any other committee it is entirely immaterial to me.

MR. PUTNAM: In the present case I should prefer to have this referred to the Finance Committee.

MR. SEWALL: I should not oppose sending an order or resolve to any committee for the reason that the real committee is the Legislature. The other committee would have been my natural reference, but since the senator from Aroostook prefers its reference to that committee, I will accept his suggestion and move its reference to the committee on Appropriations and Financial Affairs.

The motion prevailed and the order was referred to the committee on Appropriations and Financial Affairs.

REPORTS OF COMMITTEES.

Mr. Parkhurst for the Committee on the Governor's message on that part relative to State Auditor, initiative and referendum, reported that the same be referred to the Committee on Judiciary.

Also on that part relative to balloting for elective officers and fast day, reported that the same be referred to the Committee on Legal Affairs.

Also on that part relative to the school for the blind, colleges and university; reported that the same be referred to the Committee on Education.

Also on that part relative to Highway Commissioner; reported that the same be referred to the Committee on State Lands and Roads.

Also on that part relative to department offices; reported that same be referred to the Committee on Public Buildings and Grounds.

Also on that part relative to child labor that the same be referred to the Committee on Labor.

Mr. Irving of Aroostook: on that part of the Governor's message relating to financial conditions; reported that the same be referred to the Committee on Appropriations and Financial Affairs.

Also, on that part relative to shipbuilding that the same be referred to the Committee on Commerce.

Also, on that part relative to the Sturgis Law and Resubmission; that the same be referred to the Committee on Temperance.

Also, on that part relative to taxation that the same be referred to the Committee on Taxation.

The report was accepted.

The senate order in relation to the matter of postage stamps came back from the House with House amendment A attached as follows:

House Amendment A. Amend by adding after the word "Senate" in the second line the following: "and each member and officer of the House of Representatives.

The Senate thereupon voted to reconsider its action by which the order was referred to the Committee on Financial Affairs and House amendment A was adopted in concurrence and the order as amended was referred to the Committee on Appropriations and Financial Affairs.

On motion by Mr. Hastings of Oxford the senate adjourned.

HOUSE.

Thursday, January 10, 1907

Prayer by Rev. Fr. Doherty of Augusta.

Papers from the Senate disposed of in concurrence.

The following order came from the Senate referred in that body to the committee on appropriations and financial affairs: Ordered, That the secretary of the Senate be authorized to furnish wrappers and postage stamps to each member and officer of the Senate not to exceed ten dollars to each, for the purpose of distributing various reports of departments of State, and such other documents as they may desire to distribute.

Mr. Stubbs of Strong offered House amendment A, by adding after the word "Senate" in the second line the words "and each member and officer of the House of representatives."

The amendment was adopted, and the order than received a passage in concurrence as amended.

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

Judiciary.

By Mr. Stover of Brunswick—Petition of Samuel Knight and others in regard to the support of insane persons.

By Mr. Waldron of Dexter—An enabling act for sheriffs and their deputies.

By Mr. Tolman of Portland—An Act in addition to chapter 144 of the Revised Statutes relating to the commitment of the insane.

By Mr. Spear of South Portland—An Act to authorize the Portland Wharf and Land Company to erect and maintain a wharf into the tide waters of Casco Bay in the city of South Portland.

By Mr. Moore of Saco—An Act additional to and amendatory of chapter 213 of the Special Laws of 1891 entitled "An Act to incorporate the York Light and Heat Company."

By Mr. Thomas of Harpswell—An Act creating certain islands in the town of Harpswell in the county of