

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

HOUSE.

Thursday, Jan. 7, 1909.

Prayer by Rev. Mr. Hope of Augusta. Journal read and approved.

The SPEAKER: At the request of the gentleman from Portland (Mr. Rounds) the Senate has returned, without acting upon, the order in reference to the joint rules, which was amended on motion of the gentleman from Portland so as to include a committee on electric light, power and gas companies. What action does the gentleman from Portland propose to take?

Mr. ROUNDS of Portland: Mr. Speaker, I want to state here my position in introducing that order. I come from Portland, and as you all know from the papers throughout the State we have met with a loss there by fire, the roof of a million-dollar building destroyed and the building otherwise damaged, and our records ruined or injured. Not only that, but inside of three days afterwards we met with another loss of almost a million dollars, and on the occasion of that loss we asked to have help from outside cities all the way from Kennebec to Boston. We went up in the night and we found five streams of water playing on the walls of that building not one of them doing any execution in the way of good in putting out the fire. I wish it to be understood, however, that I do not consider the head of the department of fire or of the police to blame for anything that occurred there. Now two years ago a committee of the city committee of Portland appeared before the judiciary committee of the Legislature and tried to stop this evil that was attempted to be enacted into law that the firemen of the city of Portland should be put in for life or during good behavior. But the Legislature saw fit at that time to put them on that basis, while the officers should be put in every year and look to political inspiration to get them in. But when we came to Augusta for a hearing we found they would only give us a few minutes—there were a number of electric light, power and gas company charters to be considered and we could not get a proper hearing. Now I

told my colleagues on the city committee that if I ever went to Augusta I would try to get a chance for the city of Portland, with its millions of dollars of valuation, to have a hearing that should not be limited to only 15 minutes on such an important matter because some corporation has some little gas company or electric light company that they want to get through or their attorneys want to go home. So I put this order in. Now the police department, as you know, is under the same conditions, and our people want to be well protected, both as to fire and police protection, and at least want a proper hearing given them before a committee of this Legislature.

Now to expedite business I have been told that our honorable upper branch of the Legislature proposes to non-concur in my amendment, so that the various committees may be announced today. Therefore I wish to withdraw my amendment for the present and introduce it later.

The SPEAKER: The gentleman wishes to withdraw House Amendment A, which was adopted yesterday. It will first be necessary to reconsider the vote whereby the amendment was adopted.

Mr. ROUNDS: I move that the vote be reconsidered.

The SPEAKER: The gentleman now wishes to withdraw House Amendment A, and if there is no objection it may be so ordered. The Chair hears no objection, and it is so ordered.

Papers from the Senate disposed of in concurrence.

The Speaker joined to the Senate committee to wait upon the Hon. Bert M. Fernald and inform him that he had been duly elected Governor of the State of Maine for the current political years of 1909 and 1910, Messrs. Hall of Caribou, White of Columbia, Morse of Belfast, Hovey of Sullivan, Higgins of Starks, Trafton of Westbrook and Hines of Lewiston.

Mr. Hall subsequently reported that the committee had discharged the duty assigned it, and that Governor-elect Fernald was pleased to say that he accepted the office to which he had been

elected, and would attend at such place and time as it might please the Legislature to designate for the purpose of taking the oaths required by the Constitution to enable him to enter upon the discharge of his official duties.

A communication was received from the Senate through its secretary, proposing a joint convention of the two branches of the Legislature forthwith in the hall of the House of Representatives for the purpose of administering to the Hon. Bert M. Fernald, Governor-elect, the oaths required by the constitution to enable him to enter upon the discharge of his official duties.

On motion of Mr. Davies of Yarmouth the clerk was charged with and conveyed a message to the Senate signifying the concurrence of the House in the proposition for a convention.

Thereupon the Senate came in and a convention was formed.

In Convention.

On motion of Senator Milliken, Messrs. Milliken of Aroostook, Smith of York, Bigelow of Portland, Thurlough of Cutler, Millett of Minot, Merrill of Durham and Quinn of Millinocket were appointed a committee to wait upon the Hon. Bert M. Fernald, Governor-elect, and inform him that the two branches of the Legislature were in convention assembled in Representatives' hall, ready to administer to him the oaths required by the constitution to qualify him to enter upon the discharge of his official duties, and receive from him such communication as he might be pleased to make.

Senator Milliken subsequently reported that the committee had discharged the duty assigned it and that the Governor-elect was pleased to say that he was ready to take the necessary oaths of office and would forthwith attend upon the convention.

Thereupon the Governor-elect came in, attended by the Council and heads of departments, and took and subscribed the oaths necessary to qualify him to enter upon the discharge of his official duties.

The Governor then communicated with the convention by address.

(The Governor's message will be found in full on Page 11.)

The Governor and suite then retired.

The purpose for which the convention was called having been accomplished, it was dissolved and the Senate retired.

In the House.

The Speaker joined on the part of the House to the Senate committee to consider the Governor's message and report a reference of its several subjects to appropriate committees, Messrs. Hodgkins of Temple, Harrington of South Thomaston, Jones of Bucksport, Jordan of Cape Elizabeth, Quinn of Millinocket, Richardson of Presque Isle and Trickey of Corinna.

The Speaker joined on the part of the House to the Senate committee to receive proposals from the publishers of the Maine State Year Book for furnishing the State with a sufficient number of copies for the years 1909 and 1910, Messrs. Pike of Eastport, Bigelow of Portland, Campbell of Kingman, Smith of Berwick, Bogue of East Machias, Bradford of Livermore and Frost of Lewiston.

A communication was received from the Senate proposing a joint convention of the two branches of the Legislature forthwith in Representatives' hall for the purpose of electing a secretary of State, State treasurer, attorney general, State assessor, commissioner of agriculture, and seven executive councillors.

On motion of Mr. Havey of Sullivan the House concurred in the proposition and the clerk was charged with and conveyed a message to the Senate to that effect.

Thereupon the Senate came in and a convention was formed.

In Convention.

On motion of Senator Knowlton, Messrs. Knowlton of Piscataquis, Lowe of Androscoggin, Holt of Clinton, Hamlin of Orneville, McLain of Bremen, Nelson of Hebron and White of Columbia were appointed a committee to receive, sort and count votes for secretary of State.

Having attended to the duty assign-

ed it. Senator Knowlton from the committee reported as follows:

Whole number of votes,	157
Necessary for a choice,	79
A. I. Brown had	108
Matthew Laughlin had	48
Scattering	1

The report was accepted and Hon. A. I. Brown was declared duly elected secretary of State for the current political years of 1909 and 1910.

On motion of Senator Therriault, Messrs. Therriault of Aroostook, Walker of Hancock, Wing of Kingfield, Kavanaugh of Portland, Hill of Littleton, Drake of Frankfort and Doble of Legrange were appointed a committee to receive, sort and count votes for State treasurer.

Senator Macomber of Kennebec raised the point that it had not been the custom to elect a State treasurer until after his accounts had been audited.

The chairman ruled that the matter would be held in abeyance for the present.

On motion of Senator Macomber, Messrs. Macomber of Augusta, Staples of York, Wing of Auburn, Stackpole of Bridgewater, Bisbee of Rumford, Kelley of Boothbay and Harris of Salem were appointed a committee to receive, sort and count votes for attorney general.

Having attended to the duty assigned it, Senator Macomber from the committee reported as follows:

Whole number of votes,	149
Necessary for a choice,	75
Warren C. Philbrook had	99
F. A. Morey had	49
Scattering,	1

The report was accepted, and Hon. Warren C. Philbrook was declared duly elected attorney general for the current political years of 1909 and 1910.

On motion of Senator Shaw, Messrs. Shaw of Kennebec, Boynton of Lincoln, Dunn of Brewer, Harriman of Meddybemps, Hanson of Lynn, Harmon of Stonington and Emery of Sanford were appointed a committee to receive, sort and count votes for State assessor.

Having attended to the duty assigned it, Senator Shaw from the committee reported as follows:

Whole number of votes,	148
Necessary for a choice,	75
A. J. Skidmore had	1
William C. Vinal had	45
Edwin M. Johnston had	102

The report was accepted and Hon. Edwin M. Johnston was declared duly elected State assessor for the current political years of 1909 and 1910.

On motion of Senator Wyman, Messrs. Wyman of Washington, Kellogg of Penobscot, Porter of Mapleton, Paul of Naples, Hannaford of Newfield, Nickerson of Swanville and Orff of Cushing were appointed a committee to receive, sort and count votes for commissioner of agriculture.

Having attended to the duty assigned it, Senator Wyman from the committee reported as follows:

Whole number of votes,	136
Necessary for a choice,	69
A. W. Gilman had	99
A. J. Skidmore had	37
Scattering,	2

The report was accepted and Hon. A. W. Gilman was declared duly elected commissioner of agriculture for the current political years of 1909 and 1910.

On motion of Senator Gowell, Messrs. Gowell of York, Mullen of Penobscot, Lombard of Bridgton, Smith of Berwick, Tibbetts of Orrington, Bragdon of Perham and Thompson of Skowhegan were appointed a committee to receive, sort and count votes for seven Executive Councillors.

Having attended to the duty assigned it, Senator Gowell from the committee reported as follows:

Whole number of votes,	149
Necessary for a choice,	75
Leroy F. Pike had	107
James Cunningham had	107
Fred W. Bunker had	107
F. G. Kinsman had	107
C. C. Morrison had	107
H. F. Ross had	107
C. F. Daggett had	107
Cornelius Horrigan had	42
John C. Scates had	42
S. W. Gould had	42
Reuel J. Noyes had	42
H. F. Maddocks had	42
Charles F. Snow had	42
P. C. Keegan had	42

The report was accepted and Leroy F. Pike, James Cunningham, Fred W. Bunker, F. C. Kinsman, C. C. Morrison, H. F. Ross and C. F. Daggett were declared elected Executive Councillors for the current political years of 1909 and 1910.

Senator MACOMBER of Kennebec: Mr. Chairman, I move that the election of the State treasurer be for the time being postponed. The reason for this is that for all time the election of a State treasurer, when it was a re-election, has been postponed until his accounts could be examined and reported back to the Legislature. Two years ago this was not done because Mr. Gilmore, the present incumbent, was a new treasurer and consequently there was no occasion for any examination of his accounts; but it has always been the custom, and I understand it is entirely satisfactory to Mr. Gilmore that this course should be taken, and I move that for today at least the election of a State treasurer be postponed.

The motion was agreed to.

On motion of Senator Irving of Aroostook the secretary of the convention was directed to inform Hon. A. I. Brown of his election as secretary of State, Hon. Warren C. Philbrook of his election as attorney general, Hon. Edwin M. Johnstone of his election as State assessor, Hon. A. W. Gilman of his election as commissioner of agriculture, and the Hons. Leroy F. Pike, James Cunningham, Fred W. Bunker, F. G. Kinsman, C. C. Morrison, H. F. Ross and C. F. Daggett of their election as executive councillors.

The secretary subsequently reported that he had discharged the duty assigned him.

On motion of Senator Walker of Hancock the rules were suspended that gentleman was directed to inform the councillors-elect that the two branches of the Legislature were assembled in Representatives' hall ready to administer to them the oaths required by the constitution to qualify them to enter upon the discharge of their official duties.

Senator Walker subsequently reported that he had performed the duty

assigned him, and that the councillors-elect were pleased to say that they would attend upon the convention for the purpose indicated.

Thereupon the councillors-elect came in and took and subscribed the oaths necessary to qualify them to enter upon the discharge of their official duties.

On motion of Senator Baxter of Cumberland the secretary of the convention was charged with and conveyed a message to the Governor informing him of the election of the various State officers.

The purposes for which the convention was formed having been accomplished, it was dissolved and the Senate retired.

In the House.

The Speaker announced the joint standing committees of the Legislature as follows:

JUDICIARY.

Hastings of Oxford,
Looney of Cumberland,
Baxter of Cumberland. —of the Senate.
Davies of Yarmouth,
Peters of Ellsworth.
Hersey of Houlton,
Montgomery of Camden,
Andrews of Augusta,
Burleigh of Augusta,
Wing of Auburn. —of the House.

LEGAL AFFAIRS.

Hamilton of York,
Gowell of York,
Staples of Knox. —of the Senate.
Hall of Caribou,
Marshall of Portland,
Morse of Belfast,
Coolidge of Lisbon,
Snow of Scarboro,
Smith of Berwick,
Pike of Eastport. —of the House.

APPROPRIATIONS AND FINANCIAL AFFAIRS.

Eaton of Washington,
Irving of Aroostook,
Osgood of Androscoggin. —of the Senate.
Joy of Eden,
Bisbee of Rumford,
Bussell of Gardiner,
Hyde of Bath,

Emery of Sanford,
Kavanaugh of Portland,
Strickland of Bangor. —of the House.

FEDERAL RELATIONS.

Gowell of York,
Warren of Cumberland,
Lowe of Androscoggin. —of the Senate.
Porter of Mapleton,
Weld of Old Town,
Bigelow of Portland,
Harmon of Stonington,
Sanborn of Dover,
Cousins of Standish,
Hussey of Windsor. —of the House.

EDUCATION.

Knowlton of Piscataquis,
Milliken of Aroostook,
Walker of Hancock. —of the Senate.
Ludgate of Sherman,
Bradford of Livermore,
Havey of Sullivan,
Stanley of Porter,
Trafton of Westbrook,
Higgins of Starks,
White of Columbia. —of the House.

RAILROADS AND EXPRESSES.

Emery of Franklin,
Colcord of Waldo,
Mullen of Penobscot. —of the Senate.
Spear of So. Portland,
Trimble of Calais,
Jones of Bucksport,
Bragdon of Perham,
Hodgkins of Temple,
Bartlett of Elliot,
Thompson of Skowhegan.
—of the House.

TELEGRAPHS AND TELEPHONES.

Reynolds of Kennebec,
Smith of York,
Kellogg of Penobscot. —of the Senate.
Burse of Pittsfield,
Buswell of Stetson,
Rounds of Portland,
Merrill of Bluehill,
Pinkham of Lincoln,
Smith of Biddeford,
Hodgkins of Damariscotta.
—of the House.

COMMERCE.

Osgood of Androscoggin,
Minott of Sagadahoc,
Hill of Penobscot. —of the Senate.

Cummings of Manchester,
Kelley of Boothbay,
Smith of Andover,
Miller of Lincolnville,
Merrifield of Rockland,
Hannaford of Newfield,
Day of New Gloucester. —of the House.

MERCANTILE AFFAIRS AND INSURANCE.

Colcord of Waldo,
Emery of Franklin,
Boynton of Lincoln. —of the Senate.
Perry of Fort Fairfield,
Grant of Freeport,
Bogue of East Machias,
Lord of Vassalboro,
Beyer of Portland,
Campbell of Cherryfield,
McLain of Bremen. —of the House.

BANKS AND BANKING.

Macomber of Kennebec,
Emery of Franklin,
Warren of Cumberland. —of the Senate.
Moore of Saco,
Coolidge of Lisbon,
Stover of Brunswick,
Hanson of Lyman,
Allen of Richmond,
Moulton of Cumberland,
Bussell of Gardiner. —of the House.

MANUFACTURES.

Warren of Cumberland,
Wyman of Washington,
Reynolds of Kennebec. —of the Senate.
Burse of Pittsfield,
Bartlett of Elliot,
Ludgate of Sherman,
Spear of Warren,
Pelletier of Van Buren,
Ross of Bangor,
Quinn of Millinocket. —of the House.

AGRICULTURE.

Howes of Somerset,
Irving of Aroostook,
Hill of Penobscot. —of the Senate.
Cousins of Standish,
Blanchard of Wilton,
Millett of Minot,
Stackpole of Bridgewater,
Bemis of Harmony,
Stetson of Hartford,
Snow of Brunswick. —of the House.

MILITARY AFFAIRS.

Baxter of Cumberland,
Walker of Hancock,
Mullen of Penobscot. —of the Senate.
Hall of Caribou,
Nickerson of Swanville,
Smith of Berwick,
Grant of Freeport,
Chase of York,
Connors of Bangor,
Couture of Lewiston. —of the House.

INTERIOR WATERS.

Milliken of Aroostook,
Warren of Cumberland,
Smith of York. —of the Senate.
Clark of Hollis,
Colby of Bingham,
Bigney of Greenville,
Connors of Bangor,
Mercler of Princeton,
Bartlett of Stoneham,
Hines of Lewiston. —of the House.

STATE LANDS AND STATE ROADS.

Howes of Somerset,
Reynolds of Kennebec,
Milliken of Aroostook. —of the Senate.
Jordan of Cape Elizabeth,
Chase of Sebec,
Harris of Salem,
Blake of Monmouth,
Dufour of St. Agatha,
Frost of Lewiston,
Whitehouse of Dayton. —of the House.

WAYS AND BRIDGES.

Therriault of Aroostook,
Wyman of Washington,
Donegan of Somerset. —of the Senate.
Dorr of Dresden,
Rounds of Portland,
Drake of Frankfort,
Cole of Kenduskeag,
Holt of Clinton,
Robbins of Fort Kent,
Doble of Lagrange. —of the House.

INLAND FISHERIES AND GAME.

Wyman of Washington,
Reynolds of Kennebec,
Knowlton of Piscataquis. —of the Senate.
Harriman of Meddybemps,
Silsby of Aurora,
Campbell of Kingman,
Smith of Andover,
Eigelow of Portland,
Lane of Paris,
Sleeper of So. Berwick. —of the House.

SHORE FISHERIES.

Wyman of Washington,
Walker of Hancock,
Boynton of Lincoln. —of the Senate.
Presley of Trescott,
Bowley of Swan's Island,
Hyde of Bath,
Kelley of Boothbay,
Duncan of Rockland,
Hodgkins of Damariscotta,
Thurlough of Cutler. —of the House.

COUNTIES.

Lowe of Androscoggin,
Eaton of Washington,
Minott of Sagadahoc. —of the Senate.
Hill of Littleton,
Trafton of Westbrook,
Merrill of Bluehill,
Bernis of Harmony,
Cole of Kenduskeag,
Sleeper of So. Berwick,
Couture of Lewiston. —of the House.

TOWNS.

Therriault of Aroostook,
Colcord of Waldo,
Kellogg of Penobscot. —of the Senate.
Patterson of Salem,
Hamlin of Orneville,
Fortier of Waterville,
Donnell of W. Bath,
Varney of Lebanon,
Bearce of Eddington,
Merrill of Durham. —of the House.

INDIAN AFFAIRS.

Hill of Penobscot,
Therriault of Aroostook,
Smith of York. —of the Senate.
Frost of Lewiston,
Bigney of Greenville,
Bartlett of Stoneham,
Lord of Vassalboro,
Hanson of Lyman,
Orff of Cushing,
Lambart of Orono. —of the House.

CLAIMS.

Smith of York,
Colcord of Waldo,
Boynton of Lincoln. —of the Senate.
Cummings of Manchester,
Moore of Saco,
Spear of So. Portland,
Packard of Rockport,
Donnell of W. Bath,
Hannaford of Newfield,
Beals of Auburn. —of the House.

PENSIONS.

Gowell of York,
 Minott of Sagadahoc.
 Donegan of Somerset. —of the Senate.
 Lombard of Bridgton,
 Perry of Fort Fairfield,
 Paul of Naples,
 Holt of Clinton,
 Miller of Lincolnville,
 Patten of Hermon,
 Sawyer of Dexter. —of the House.

INSANE HOSPITALS.

Eaton of Washington,
 Shaw of Kennebec,
 Lowe of Androscoggin. —of the Senate.
 Tibbetts of Orrington,
 Gilbert of Litchfield,
 Morse of Belfast,
 Redlon of Portland,
 Edwards of Lewiston,
 Weld of Old Town,
 Blake of Monmouth. —of the House.

STATE SCHOOL FOR BOYS.

Warren of Cumberland,
 Wyman of Washington,
 Howes of Somerset. —of the Senate
 Jordan of Cape Elizabeth,
 Nelson of Hebron,
 White of Wayne,
 Lane of Paris,
 Porter of Mapleton,
 Cook of Unity,
 Dunn of Brewer. —of the House.

STATE PRISON.

Walker of Hancock,
 Wheeler of Cumberland,
 Staples of Knox. —of the Senate.
 Hill of Littleton,
 Charles of Rome,
 Lombard of Bridgton,
 Hussey of Windsor,
 Packard of Rockport,
 Varney of Lebanon,
 Bourassa of Biddeford. —of the House.

**PUBLIC BUILDINGS AND
 GROUNDS.**

Shaw of Kennebec,
 Hamilton of York,
 Osgood of Androscoggin.
 —of the Senate.

Allen of Richmond,
 Edwards of Lewiston,
 Burse of Pittsfield,
 Beyer of Portland,
 Thompson of Skowhegan,
 Farnham of Bath,
 Burleigh of Augusta. —of the House

LIBRARY.

Howes of Somerset,
 Walker of Hancock,
 Baxter of Cumberland. —of the Senate.
 Ferguson of Shapleigh,
 Dorr of Dresden,
 Chase of York,
 Redlon of Portland,
 Cook of Unity,
 Sawyer of Dexter,
 Nickerson of Swanville. —of the House

MINES AND MINING.

Minott of Sagadahoc,
 Howes of Somerset,
 Donegan of Somerset. —of the Senate.
 Higgins of Starks,
 Stetson of Hartford,
 Bowley of Swan's Island,
 Silsby of Aurora,
 Pike of Eastport,
 Putnam of East Livermore,
 Pelletier of Van Buren. —of the House.

TEMPERANCE.

Irving of Aroostook,
 Howes of Somerset,
 Minott of Sagadahoc. —of the Senate.
 Libby of Amity,
 Allen of Jonesboro,
 Whitney of Gorham,
 Chase of Sebec,
 Nelson of Hebron,
 Snow of Brunswick,
 Putnam of East Livermore.
 —of the House.

LABOR.

Looney of Cumberland,
 Hamilton of York,
 Kellogg of Penobscot. —of the Senate.
 Beals of Auburn,
 Mace of Westbrook,
 Whitehouse of Dayton,
 Trimble of Calais,
 Patterson of Solon,
 Buswell of Stetson,
 Bigelow of Portland, —of the House.

TAXATION.

Wheeler of Cumberland,
 Macomber of Kennebec,
 Mullen of Penobscot. —of the Senate.
 Wing of Kingfield,
 Additon of Leeds,
 Trickey of Corinna,
 Pattangall of Waterville,
 True of Portland,
 Colby of Bingham,
 Richardson of Presque Isle.
 —of the House.

STANDING COMMITTEES OF THE HOUSE.

WAYS AND MEANS.

Hannaford of Newfield,
 White of Wayne,
 Porter of Mapleton,
 Harrington of So. Thomaston,
 Patterson of Solon,
 Paul of Naples,
 Hines of Lewiston.

LEAVE OF ABSENCE.

Nelson of Hebron,
 Charles of Rome,
 Day of New Gloucester,
 Harmon of Stonington,
 Miller of Lincolnville,
 Duncan of Rockland,
 Ross of Bangor.

RULES AND BUSINESS OF THE HOUSE.

The Speaker, ex-officio,
 Davies of Yarmouth,
 Hall of Caribou,
 Moore of Saco.

BILLS IN THE THIRD READING.

Marshall of Portland,
 Hodgkins of Temple,
 Ferguson of Shapleigh,
 Dunn of Orono,
 Allen of Jonesboro,
 Mace of Westbrook,
 McLain of Bremen.

ENGROSSED BILLS.

Snow of Scarborough,
 Merrill of Bluehill,
 Gilbert of Litchfield,
 Merrifield of Rockland,
 Sawyer of Dexter,
 Bogue of East Machias,
 Bearce of Eddington.

ELECTIONS.

Trafton of Westbrook,
 Blanchard of Wilton,
 Jones of Bucksport,
 Smith of Andover,
 Orff of Cushing,
 Patten of Hermon,
 Bourassa of Biddeford.

COUNTY ESTIMATES.

Millett of Minot,
 Stackpole of Bridgewater,
 Kavanaugh of Portland,
 Wing of Kingfield,
 Silsby of Aurora,
 Cummings of Manchester,
 Orff of Cushing,
 Kelley of Boothbay,
 Nelson of Hebron,
 Cole of Kenduskeag,
 Sanborn of Dover,
 Farnham of Bath,
 Bemis of Harmony,
 Nickerson of Swanville,
 Mercler of Princeton,
 Ferguson of Shapleigh.

On motion of Mr. Pattangall of Water-
 ville,
 Adjourned until Wednesday morning,
 Jan. 13, at 10 o'clock.