

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**ERRATA:**

**The following errata are  
inserted because one or more pages  
in this session day have errors  
noticed and corrected here.**

### ERRATA.

- Page 39, for Long Monson Pond read Long Mousam Pond.  
94, after the words "Probation Officers" omit the words "relating to State Detectives."  
105, 302, 316 and 333, for State Prison read State pension.  
118, 146, 165 and 170, for supplementary associations read supplementary assessments.  
168, for Coolidge River read Cambridge River.  
174, for \$50 read \$50,000.  
182, for Oakland read Oakfield.  
185, for Rines road read Kineo road.  
219, for Mineral Spring Co. read Merrill Springer Co.  
226, for investigation of vital statistics read registration of vital statistics.  
243, for town of South Portland read town of Southport.  
309, for town of Wales read town of Wells.  
325, for foreigners read coroners.  
343, for Bed Cambridge River read Dead Cambridge River.  
360, for boys read buoys.  
377, for Corners Knob read Conary's Nub.  
377, 462, 496, for Prescott read Trescott.  
379, for Pittsburg read Phippsburg.  
462, 496, for Chronological read Pomological.  
494, for Township E read Township 2.  
510, 538, for Central Railroad Co. read Jonesport Central Railroad Co.  
520, for Penobscot Electric Co. read Penobscot Bay Electric Co.  
525, for Colcord read Concord.  
544, 556, for town of Brewer read town of Bremen.  
551, 587, for Monmouth Ridge Sanitary Association read Monmouth Ridge Cemetery Association.  
646, for Androscoggin Valley Company read Androscoggin Valley Railroad Company.  
648, for Central Fire Insurance Co. read Central Maine Fire Insurance Co.  
654, 670, for Jimmy pond read Jimmy brook.  
655, 671, for Straw's Island read Swan's Island.  
667, for transmitted in Maine read transacted in Maine.  
677, 698, for municipal court in town of Portland read municipal court in town of Farmington.  
687, for Trusett read trustee.  
700, for pension members of Building Commission read pension members of Fire Department.  
788, for Howard read Howland.  
835, for Chapter 138 of the Public Laws of 1905 read Chapter 138 of the Public Laws of 1895.  
844, for bridges of municipal officers read duties of municipal officers.  
928, for identifying animals read identifying criminals.  
974, for Herbert A. Bradford read Herbert A. Lombard.  
1022, for Stonington Trust Company read Stonington Water Company.  
1064, for Biddeford read Portland.  
1244, for Daniel's Pond read Donnell's Pond.  
1275, for Acatus Lake read Nicaulous Lake.  
1313, for establish read abolish.

**HOUSE.**

Tuesday, Jan. 19, 1909.

Prayer by Rev. Mr. Mosher of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

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

**Judiciary.**

By Mr. Patterson of Solon: Petition of the selectmen of Athens and 134 others for regulation of automobiles and motor vehicles.

By Mr. Davies of Yarmouth: Resolve in favor of a constitutional amendment conferring the right of suffrage on women.

By Mr. Montgomery of Camden: An Act to incorporate the St. George Water Co.

By Mr. Davies of Yarmouth: An Act to create the office of medical examiner.

By Mr. Miller of Lincolnville: An Act relating to the jurisdiction of agents for the prevention of cruelty to animals.

By Mr. Patterson of Solon: Petition of the selectmen of Solon and 136 others for regulation of automobiles and motor vehicles.

By Mr. Fortier of Waterville: An Act to amend An Act establishing the municipal court of Waterville with petitions accompanying signed by the ex-mayors of the city of Waterville, and by the mayor, aldermen and certain other officials of the city of Waterville.

By Mr. Bisbee of Rumford: An Act authorizing the Rumford Land Co. to hold stock and bonds of other corporations.

Also An Act authorizing the Union Construction Co. to hold stock and bonds of other corporations.

By Mr. Montgomery of Camden: An Act amending Section 38 of Chapter 61 of the Revised Statutes relating to the registration of vital statistics.

By Mr. Hersey of Houlton: An Act to enlarge the powers and duties of the railroad commissioners and to regulate the fares and tolls of common carriers.

By Mr. Marshall of Portland: An Act to increase the number of justices of the supreme judicial court and to provide for sessions of the law court.

**Legal Affairs.**

By Mr. Hall of Caribou: An Act to make the anniversary of Lincoln's birthday a school and bank holiday.

By Mr. Bowley of Swan's Island: An Act to incorporate the Universal Electric Light & Power Co.

By Mr. Lane of Paris: Petition of Mrs. Alice E. Maxim and 368 others asking that the penalty for the crime of rape be made the same as the penalty for willful murder.

By Mr. Libby of Amity: An Act for the better observance of Sunday.

By Mr. Morse of Belfast: An Act to amend Chapter 198 of the Private and Special Laws of 1907 relating to records of real estate in the county of Waldo.

**Appropriations and Financial Affairs.**

By Mr. Hamlin of Orneville: Petition of Charles Berry and 43 others in favor of aid for Katahdin Iron Works Road; also Resolve in favor of road from Brownville to Katahdin Iron Works.

By Mr. Hersey of Houlton: Petition of Albert W. Madigan of Houlton and 22 others for resolve in favor of Maine State Sanatorium Association.

By Mr. Morse of Belfast: Petition of W. S. Swan and 725 others in favor of Waldo County General hospital.

Also petition of L. H. Wing and 86 others in favor of same; of T. N. Pierson and 34 others; of A. M. Small and 28 others; of Charles S. Adams and 65 others; of F. A. Tasker and 128 others; of Amanda Rackliff and 36 others; of W. S. Pendleton and 79 others; of Charles B. Hoyt and 50 others; of Charles H. Woods and 100 others; of Haywood Pierce and 102 others; of Frank Cushman and 52 others, for same.

By Mr. Edwards of Lewiston: Resolve in favor of the Healey Asylum, with statement of facts.

By Mr. Burleigh of Augusta: Petition of Frederick W. Plaisted of Augusta and 89 others for resolve in favor of Maine State Sanatorium Association.

By Mr. Millett of Minot: Petition of E. A. Gammon and 116 others for same.

By Mr. Drake of Frankfort: Petition of Dr. D. J. Webber of Frankfort and 150 others for same.

By Mr. Morse of Belfast: Resolve in favor of Children's Aid Society of Maine, with petition and statement of facts.

By Mr. Bartlett of Stoneham: Petition of George W. Gray of Denmark and nine others in favor of Maine State Sanatorium Association.

#### Agriculture.

By Mr. Hersey of Houlton: An Act regulating the duties of the commissioner of agriculture in relation to the manufacture, transportation and sale of dairy products and their imitations.

#### Interior Waters.

By Mr. Chase of Sebec: Resolve in favor of navigation on Sebec lake.

By Mr. Paul of Naples: An Act to enable the Sebago Lake, Songo River & Bay of Naples Steamboat Co. to construct and maintain a wharf at the east shore of Sebago lake.

#### Ways and Bridges.

By Mr. Allen of Jonesboro: Petition of Lee S. Lowell of Whitneyville and 46 others for a bridge bill similar to the Donigan bridge bill of 1907.

#### Inland Fisheries and Game.

By Mr. Harris of Salem: Petition of L. E. Bowley and 13 others that plug fishing be prohibited in that part of Rangeley Lake known as South Bog; Petition of L. E. Bowley and 12 others for change in law on fishing in Rangeley Lake.

By Mr. Colby of Bingham: Petition of Arthur Durgin and 21 others of Somerset county praying that Dead Stream Pond, Lower Cold Pond, Horse-shoe Pond, in the county of Somerset, be opened to ice fishing; Petition of Perley L. Brown and 15 others of Somerset county asking for a close time on fishing in Rift Pond and South Branch of Austin Stream, and tributaries to said South Branch, Somerset county; Petition of Clyde L. Whitney and 8 others praying that not more than 10 fish shall be caught in one day by one person in Pleasant Pond.

By Mr. Allen of Jonesboro: An Act to provide a bounty on bears in Washington county.

By Mr. Sleeper of Berwick: Bill An Act creating an open time on gray and black squirrels.

By Mr. Weld of Old Town: Petition of J. L. S. Hincks of Old Town and 70 others for appropriation for hatchery at Cold Stream Pond.

By Mr. Ferguson of Shapleigh: Petition of A. S. Moulton and 18 others to prohibit winter fishing in Long Monsoon Pond in Shapleigh and Acton.

By Mr. Harris of Salem: Petition of Wm. P. Frye and 5 others asking for change in law on fishing in Kennebec Stream.

#### Shore Fisheries.

By Mr. Harmon of Stonington: Petition of Ellsworth Thomas and 38 others of Isle-au-Haut, Me., for the repeal of Chapter 352 of the Private and Special Laws of 1907, relating to a close time on lobsters in Hancock county; Petition of James F. Bracy and 26 others of Cranberry Isle for same; Petition of Edward H. Johnson and 144 others of Stonington for same; Petition of A. W. Fitch and 42 others of Stonington for same.

#### Claims.

By Mr. Lane of Paris: Resolve in favor of the town of Paris in Oxford county, for money paid out in support of a State pauper.

#### Taxation.

By Mr. Coolidge of Lisbon: An Act for the better enforcement of collection of the collateral inheritance tax.

#### Forestry and Water Supply.

By Mr. Colby of Bingham: An Act to authorize the Governor to issue his proclamation to prevent the use of firearms in the forests during a dangerously dry time.

#### Orders.

On motion of Mr. Havey of Sullivan. Ordered, That the committee on forestry be directed to inquire into the advisability of a law regulating the taking of firearms into the woods in close season and of making a uniform open season on big game and birds, and report by bill or otherwise.

Mr. Burleigh of Augusta presented the following order:

Ordered, The Senate concurring, that Section 7 of the joint rules and orders be and the same is hereby amended by striking therefrom the words "Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows," and inserting instead thereof the words "Be it enacted by the People of the State of Maine, as follows;" the change being necessary by reason of the adoption of the Constitutional amendment with reference to the Initiative and Referendum.

The SPEAKER: Under the rules this order will lie on the table for consideration tomorrow.

On motion of Mr. Burleigh of Augusta,

Ordered, The Senate concurring, that the committee on Judiciary be directed to inquire into the matter of providing a suitable State seal conforming to the requirements of the Resolve of June 9, 1820, and report by resolve or otherwise.

Mr. Burleigh of Augusta presented the following order:

Ordered, The Senate concurring, that the committee on appropriations and financial affairs is hereby directed to cause to be printed and furnished each week to the several members of the Senate and House a revised list or schedule, in pamphlet or other convenient form, of all messages, documents, reports, petitions, bills, resolves, or other papers in the possession of the Legislature from the commencement of the session recommending or calling for the appropriation or expenditure of money by the State, omitting therefrom all matters on which final action has been taken by the two branches wholly denying the proposed expenditure. Said schedule shall classify the expenditures as "State," "county," "municipal," "private," or "miscellaneous," according to the fact and under each heading shall group the expenditures for the same general object under appropriate sub-titles. Said schedule shall show the date to which it is revised and shall exhibit in tabular form the following facts:

Name of recipient of the appropriation; object, concisely stated; nature of document calling for same; number of Senate or House document, if any; committee to whom referred; amount called for in 1909; amount called for in 1910; total amount called for; amount actually appropriated by action of the Legislature for 1909; amount so appropriated for 1910; and total amount actually appropriated. When actual appropriation has been made the item shall be eliminated from the other money columns. Each of the five classes of expenditures shall be footed and a summary showing the grand total shall be added followed by a statement of all matters wherein the amount or estimate is unspecified grouped under the heading "amount not specified." When several petitions or papers call for the same identical appropriation or expenditure, but one of them need be mentioned.

And further

Ordered, That the chairman of said appropriations committee is authorized and directed to employ a competent clerk for the sole purpose of preparing and revising said schedule under the supervision of said chairman.

And further

Ordered, That the secretary of the Senate, clerk of the House and chairmen and clerks and secretaries of the several committees shall afford every reasonable facility to said special clerk for the daily examination of papers and discharge of his duty.

Mr. MOORE of Saco: Mr. Speaker, I move that the order be laid on the table for printing so we can get a reasonable idea of what it is.

Mr. BURLEIGH of Augusta: Mr. Speaker, I will endeavor to give the House an idea of what this order is intended to cover. We are receiving a great many hundreds of petitions, resolves, bills, documents, reports and messages, calling for the expenditure of money which will run in the aggregate into millions of dollars. Those papers as they come into the House are referred to some 33 joint committees of the Legislature, not to speak of some special committees which may be created later on for the the considera-

tion of special subjects. Now there is no man and no body of men who know, or who can possibly know, what all these appropriations amount to, stated in dollars and cents, either singly or in the aggregate; and it seems to me, Mr. Speaker and Gentlemen, that that is a most important source of information which should be placed before us. I think we should know not only what we have actually appropriated but also what is to come before us, so that in the distribution and selection of the subjects of distribution of these various appropriations we can exercise an intelligent judgment and use discrimination.

Now in my judgment, Gentlemen, it will be necessary to employ a special clerk to do this work. You will see what there is involved in the proposition. He must make a daily examination of every paper that comes into either branch of this Legislature. That examination must be a thorough one. He must examine every paper. For instance, a bill containing many sections may have in the midst of it some section or paragraph or even a sentence that calls for the expenditure of money. That must not escape his observation. He must be in communication with the secretaries of each of these 33 committees. He must do more than that. When a committee to which a certain matter is referred calling for an appropriation has reported on that matter, he must state in his schedule the amount that the committee has reported. Now I took occasion to consider that matter quite carefully and the method by which it will be carried out by a competent person, with a suitable card index, putting his time into it properly, a person of a proper intelligence, and I think it can be done; and if it can be done it seems to me that it should be done. It looks to me, Gentlemen, as if it is a business proposition; and for that reason I ask that the order have a passage.

Mr. MOORE of Saco: Mr. Speaker, it may be that the order is for a good

purpose, I have no doubt that it is, but it is a new order, and, as the gentleman from Augusta has stated, it creates a new office. Now I know that my people, and I think the constituents of every member here, do not want any new offices created without an opportunity to see in print what those offices are; and my motion, Sir, is to lay the order on the table for printing so that every member of this House may have an opportunity to read it and examine it, and then pass on it with reasonable understanding; and I make that motion.

The question being, shall the order lie on the table for printing.

The motion was agreed to.

#### Orders of the Day.

On motion of Mr. Joy of Eden, Bill, An Act to prohibit the use of automobiles in the towns of Eden, Mount Desert, Tremont and Southwest Harbor, on the island of Mount Desert, was taken from the table and referred to the committee on the judiciary.

On motion of Mr. Davies of Yarmouth, Bill, An Act to amend the charter of the city of Portland, was taken from the table and referred to the Portland delegation.

On motion of Mr. Kavanough of Portland the vote was reconsidered whereby Bill, An Act to increase the salary of the justice of the superior court for the county of Cumberland, was referred to the Cumberland county delegation, and on further motion by the same gentleman it was referred to the committee on salaries and fees.

The Speaker announced the appointment of the following committee: joint select committee on school for feeble-minded, on the part of the House, Messrs. Buswell of Stetson, Campbell of Cherryfield, Tibbetts of Orrington, Wing of Kingfield, Gilbert of Litchfield, Harrington of South Thomaston and Spear of South Portland.

On motion of Mr. Connors of Bangor, adjourned.