

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

HOUSE.

Thursday, Jan. 21, 1909.

Prayer by Rev. Mr. Clifford of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the St. Marie's General Hospital, with statement of facts, came from the Senate referred in that branch to the committee on appropriations and financial affairs.

Mr. Bradford of Livermore moved that the resolve be tabled for printing, pending reference in concurrence.

Mr. EDWARDS of Lewiston: Mr. Speaker, in regard to this resolve I cannot see why it should take that course, why it should not take the usual course and pass along. The St. Marie's General Hospital is one of the best hospitals we have in the State, and they ask nothing more than other hospitals, and I see no reason why this resolve should not take the course that other resolves of a similar nature have taken. I would object to its being laid on the table.

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

The motion was agreed to.

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

Judiciary.

By Mr. Havey of Sullivan: Petition of O. P. Bragdon and 32 others for the prohibition of the use of automobiles in Sullivan.

By Mr. Emery of Sanford: An Act to extend the charter of the Cumberland County Power & Light Co. (Tabled for printing, pending reference on motion of Mr. Beyer of Portland.)

By Mr. Bussell of Gardiner: An Act to provide antitoxin by the local boards of health for diphtheria and other contagious diseases; also an act in relation to supplies furnished any person or family while placed in quarantine by the board of health.

By Mr. Burrell of Augusta: An Act to amend chapter 140 of the Revised Statutes relating to the powers and duties of coroners, and to create in each county the office of medical examiner.

By Mr. Hersey of Houlton: An Act amending and additions to chapter 61 of the Revised Statutes relating to marriage and the registration of vital statistics.

Br. Mr. Marshall of Portland: An Act to provide for the restoration of the records of the court of probate for the county of Cumberland.

By Mr. Hall of Caribou: An Act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof.

Legal Affairs.

By Mr. Hall of Caribou: An Act to amend the charter of the Livermore Falls Light and Power Company.

By Mr. Harmon of Stonington: An Act authorizing William W. Conary to construct and maintain weirs in Mill Cove in the waters of Jerico Bay.

By Mr. Marshall of Portland: An Act to amend section eleven of chapter 39 of the Revised Statutes relating to the sale of milk. (Tabled for printing, pending reference on motion of Mr. Marshall.)

By Mr. Smith of Berwick: An Act to amend section 55 of chapter 88, paragraph VI, of the Revised Statutes, relating to trustee process.

By Mr. Pattangall of Waterville: An Act abolishing the office of assistant attorney general; also An Act to repeal chapter 7 of the Public Laws of 1907, relating to lumbering operations.

Appropriations and Financial Affairs.

By Mr. Edwards of Lewiston: Petition for appropriation for Lewiston and Auburn Children's Home.

By Mr. Thurlow of Cutler: Petition of G. F. Mansfield of Jonesport and 36 others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Higgins of Starks: Petition of Hon. H. B. Merry of North Anson and 24 others for same.

By Mr. Day of New Gloucester: Petition of J. I. Sturgis of New Gloucester and 27 others for same.

By Mr. Thurlow of Cutler: Petition of E. B. Sawyer of Jonesport and 45 others for same.

By Mr. Additon of Leeds: Petition of

C. S. Stetson of Greene and 79 others for same.

By Mr. Duncan of Rockland: Petition of C. A. Walker of Rockland and 91 others for same.

By Mr. Sawyer of Dexter: Petition of W. E. Fish of Dexter and 80 others for same.

By Mr. Lambert of Orono: An Act making an appropriation to defray the expenses of the collection, examination, inspection and analysis of agricultural seeds, concentrated commercial feeding stuffs, commercial fertilizer, and foods and drugs; to amend section 19 of chapter 39 of the Revised Statutes, section 2 of chapter 66 of the Laws of 1906 and section 11 of chapter 124 of the Laws of 1907.

By Mr. Ross of Bangor: Resolve in favor of the Good Samaritan Home in Bangor.

By Mr. Robbins of Fort Kent: Resolve in favor of the Northern Maine General Hospital of Eagle Lake.

By Mr. Hanson of Lyman: Resolve to reimburse the town of Lyman for money expended for State pauper.

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Education.

By Mr. Hyde of Bath: An Act relative to the appointment of school physicians.

Railroads and Expresses.

By Mr. Hodgkins of Damariscotta: An Act to extend the charter of the Lincoln Electric Railway Company.

Telegraphs and Telephones.

By Mr. Weld of Old Town: An Act to incorporate the Bangor and Old Town Telephone Company.

Insurance.

By Mr. Emery of Sanford: An Act to incorporate the Sagamore Insurance Company.

Banks and Banking.

By Mr. Emery of Sanford: An Act to amend and extend the charter of the Sanford Trust Company.

Agriculture.

By Mr. Additon of Leeds: Resolve

relating to the dairying interests of the State of Maine.

Military Affairs.

By Mr. Hall of Caribou: An Act to amend section 9 of chapter 127 of the Revised Statutes relating to cheating by false pretenses.

Interior Waters.

By Mr. Colby of Bingham: An Act to amend the charter of the Dead River Log Driving Company.

By Mr. Bigney of Greenville: Resolve in aid of navigation on Moosehead Lake.

Ways and Bridges.

By Mr. Stanley of Porter: Petition of Albert F. Berry and 44 others for bridge bill, similar to the Donigan bill.

By Mr. Lord of Vassalboro: Petition of C. E. Clark and 73 others of Randolph in favor of the Donigan bridge bill.

By Mr. Doble of Lagrange: Petition of H. A. Hooper and 33 others for Resolve in favor of the town of Howland, Penobscot county.

By Mr. Quinn of Millinocket: Petition of James H. Marsh and 82 others of East Millinocket for Resolve in favor of bridge across East Branch Penobscot River at Medway.

By Mr. Pinkham of Lincoln: Petition of C. A. Lowell and 27 others of Lee for same.

By Mr. Campbell of Kingman: Petition of W. H. Martin and 26 others for same; also petition of L. W. Trask and 30 others for same.

By Mr. Doble of Lagrange: Resolve in favor of the town of Howland, Penobscot county.

Inland Fisheries and Game.

By Mr. Silsby of Aurora: Petition of C. L. Parker and 18 others of Brooklin and vicinity asking for a law to prevent the hunting of deer with horns or bells or otherwise.

By Mr. Lane of Paris: Petition of W. E. Sargent and 37 others of Hebron, Paris and Oxford asking for regulations upon fishing in the tributaries to Marshall Pond, Oxford county; also Petition of F. Maxim and 30 others of Paris and vicinity praying for a law

regulating fishing in Stony brook and tributaries in Paris and Hebron, Oxford county, with accompanying bill, also petition of George Cole and 50 others of Greenwood and vicinity praying for a law regulating fishing in Overset Pond, Oxford county.

By Mr. Stanley of Porter: Petition of Charles P. Gray and 21 others relating to taking fish in Lower Kezar Pond, Fryeburg, with accompanying bill.

By Mr. Burse of Pittsfield: Petition of F. L. Brown and 23 others of Palmyra asking that White's Pond in said Palmyra be closed to ice fishing.

By Mr. Paul of Naples: Petition of H. M. Stone and 112 others of Otisfield and vicinity asking that Moose and Saturday ponds be closed to ice fishing for five years; also petition of S. M. Mitchell and 34 others of Casco and Naples asking that sections 1 and 2 of the Private and Special Laws of 1907, relating to fishing in that part of Sebago Lake known as Songo River, be amended.

By Mr. Burse of Pittsfield: Remonstrance of Perry Furbush and 61 others of Palmyra against any change in the ice fishing law on White's Pond in said Palmyra.

By Mr. Stanley of Porter: An Act to regulate the taking of fish from Lower Kezar Pond in Fryeburg, Oxford county, Maine.

By Mr. Paul of Naples: An Act to regulate fishing in Jordan's River, so called, the outlet of Panther Pond, in Cumberland county; also An Act to amend section 1 and section 2 of chapter 38 of the Private and Special Laws of 1907 entitled "An Act to regulate fishing in that part of Sebago Lake known as Songo River, also in Crooked River, in the county of Cumberland."

By Mr. Lane of Paris: An Act to amend chapter 532 of the Private and Special Laws of 1893 relating to the charter of the Maine Sportsman's Fish and Game Association.

Shore Fisheries.

By Mr. Harmon of Stonington: Petition of J. P. Carter and 34 others for an act to prohibit drag seining in the waters of Benjamin's river in the town of Sedgwick, Hancock county; also petition of Charles J. Pervear and 35

others for an act to prohibit the dumping of sawdust and waste from sawmills and allowed to flow into the Salt Pond in Bluehill, Sedgwick and Brookline in Hancock county whereby injury is done to the smelt fishing.

By Mr. Hodgkins of Damariscotta: An Act for the better protection of lobsters.

By Mr. Hyde of Bath: An Act for the encouragement, etc., of shellfish industry.

By Mr. Duncan of Rockland: An Act to provide a close time on shipment of scallops out of the State.

By Mr. Kelley of Boothbay: An Act to amend section 20 of chapter 41 of the Revised Statutes relating to sea and shore fisheries.

By Mr. Hodgkins of Damariscotta: An Act to amend section 1 of chapter 41 of the Revised Statutes of 1903 relating to sea and shore fisheries.

By Mr. Bowley of Swan's Island: An Act to amend section 17 of chapter 41 of the Revised Statutes as amended by chapter 49 of the Public Laws of 1907 relating to sea and shore fisheries.

By Mr. Davies of Yarmouth: An Act to further amend chapter 120 of the Public Laws of 1905 relating to the office of commissioner of sea and shore fisheries.

By Mr. Duncan of Rockland: An Act to amend chapter 77 of the Public Laws of 1905 relating to sea and shore fisheries.

Towns.

By Mr. Harmon of Stonington: Petition of John J. Collins and 35 others for an act to set off the town of Isle-au-Haut in Hancock county and annex said town to Knox county also An Act to annex the town of Isle au Haut in Hancock county to Knox county.

By Mr. Stanley of Porter: An Act to set off certain lands in the town of Denmark and annex same to the town of Brownfield in Oxford county.

By Mr. Colby of Bingham: An Act to permit certain plantations to assume the maintenance of their roads and bridges.

Pensions.

By Mr. Miller of Lincolnville: Resolve in favor of William H. Murch.

By Mr. Bowley of Swan's Island: Resolve in favor of Mrs. Rebecca W. Carroll, widow, formerly widow of Enoch Lurvey, Jr., late sergeant Co. H. 4th Regt. of Infantry Me. Vols. & U. S. Navy.

Salaries and Fees.

By Mr. Thompson of Skowhegan: An Act to amend chapter 485 of the Private and Special Laws of 1901 establishing a municipal court for the town of Skowhegan.

Oxford County Delegation.

By Mr. Bisbee of Rumford: An Act in relation to the compensation of the county commissioners for the county of Oxford.

Penobscot County Delegation.

By Mr. Ross of Bangor: An Act to amend chapter 177 of the Public Laws of 1907 relating to the compensation of register of deeds.

Orders.

On motion of Mr. Campbell of Kingman,

Ordered, That the committee on judiciary be requested to inquire into the expediency of a pedlar's license law, and report by bill or otherwise.

Orders of the Day.

On motion of Mr. Kelley of Boothbay, bill, An Act to amend section 1 of chapter 538 of the Private and Special Laws of 1889 as amended by chapter 165 of the Private and Special Laws of 1907 relating to the taking of smelts in the Sneepscoot River, was taken from the table, and on further motion by the same gentleman it was referred to the committee on shore fisheries.

On motion of Mr. Moore of Saco the order, tabled for printing by him, relative to the appointment of a special clerk to the committee on appropriations and financial affairs, was taken from the table.

Mr. BURLEIGH of Augusta: Mr. Speaker, if the gentlemen of the House will turn to House Document No. 3, on their desks, they will find a printed copy of the order under consideration. The gentleman from Saco (Mr. Moore) very properly had this order tabled in order that it might be printed and in order that we might all have it before us before taking action upon it. Now

I have an amendment to offer. If the gentlemen will turn to the second page of the order, line 40, I move to amend the order by inserting at the end of line 40, the following words: "Provided that he can secure such clerk at an expense not exceeding two hundred dollars for the session."

Now, gentlemen, the report of the State auditor has just been filed showing an estimate of expenditures for the next two years of some \$8,639,000. In addition to that, is there any gentleman here who is able to estimate what will be the total amount called for by the petitions and resolves and bills and other documents which are pouring in here at such a rapid rate and which will continue to come in? Am I extravagant in my estimate that they may reach a million and a half of dollars to add to your estimated expenses of government of \$8,639,000? Now gentlemen, what does my order call for? The information called for begins at line 19; and I would like to consider the various items of this document for a moment. It calls for the name of the recipient of the appropriation or expenditure; if it be a corporation, if it be an association, if it be an individual, this order calls for the name. They must stand in the limelight so far as we are concerned. It calls for a concise statement of the objects of the appropriation; the nature of the document; the number of Senate or House document, if any; the committee to whom referred—all tending to the proposition that we may be able readily not only to see what is before us but to what source we may refer for full information on the subject. The amount called for in 1909; the amount called for in 1910; the total amount called for; and similar statements as to what we are actually expending; footings for the same; and, gentlemen, a careful and intelligent grouping under the appropriate titles and sub-titles of the various kinds of expenditures we are called upon to make. For instance, to commence with the first title, State expenditures, county expenditures, municipal expenditures, private expenditures, and miscellaneous; and under each of these broad titles, sub-headings indicating

the particular class of appropriations to which they may belong. For instance, under "State" you might have the title "Hospitals" so that when we are called upon to vote an appropriation for any particular hospital we may have before us, up to date as far as possible, the total amount called for by the hospitals, so that we may exercise some choice and discrimination in the matter. The name of every individual who asks the Legislature for an appropriation will appear upon that schedule.

Now since putting in this order I have had a conference with the chairman of the committee on appropriations. As I understand him, if the work involved in this order is to be done, it cannot be handled by that committee but will necessarily require the services of a special clerk who shall make it his business to collect this information. And, gentlemen, this clerk cannot be a person of mere clerical capacity. He must be a person competent to handle this class of work, because a lack of information, or mis-information, is very much worse than no information at all. He must make this his daily business; and every paper that comes into this Legislature must pass under his supervision and be scrutinized with great care.

Now time presses, for this clerk must go through all the papers which have already been introduced and there is need of immediate action; otherwise we shall not get our first report for two weeks to come. When he once gets his report made up he can keep it up with a proper and intelligent system of card indexing and classification, so that every week, which is what this order calls for, we shall have this information be-

fore us on our desks. Now, gentlemen, this is a ten million dollar proposition. If any gentleman thinks he would prefer not to have this information rather than spend \$200 for procuring it, he has now a chance to go on record, but I sincerely hope that no gentleman will take that attitude; and I move that the amendment be adopted.

Mr. MOORE of Saco: Mr. Speaker, when the order was tabled the other day it was simply for information. After listening to the careful analysis of the gentleman from Augusta (Mr. Burleigh) I would say that I have no objection to the passage of the order. If the members of this House can be advised every Tuesday as to how much money has been lugged out of here the week previous for the sum of \$200, it is a good investment for the State; and I second the motion.

The question being on the adoption of the amendment,

The motion was agreed to.

The order then received a passage as amended.

On motion of Mr. Davies of Yarmouth the House took a recess of 15 minutes.

After Recess.

The following order came from the Senate: Ordered, The House concurring, that when the Senate and House adjourn they adjourn to meet on Friday, January 22, 1909, at nine o'clock A. M.

The order received a passage in concurrence.

On motion of Mr. Libby of Amity, Adjourned.