

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.

Thursday, Feb. 4, 1909.

Prayer by Rev. Mr. Hayden of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to amend Chapter 8 of the Revised Statutes relating to taxation of Loan and Building Associations.

Resolve in favor of the Maine State Sanatorium Association.

Resolve accepting the benefits of the Carnegie Foundation for the advancement of teaching for the University of Maine.

Resolve in favor of the special appropriation for Eastern State Normal School.

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

Judiciary.

By Mr. Smith of Berwick: Remonstrance of Heman G. Lord of Berwick and 65 others, against An Act to prohibit the use of automobiles in the town of Eden, Mt. Desert, Tremont and Southwest Harbor, on the island of Mount Desert.

Also remonstrance of Mrs. Frances E. Moulton of Limerick and 11 others against An Act to prohibit the use of automobiles in the town of Eden, Mt. Desert, Tremont and Southwest Harbor, on the island of Mount Desert.

By A. E. Packard of Rockport: Remonstrance of George B. Smith and 14 others of St. George against the same.

By Mr. Hodgkins of Temple: Remonstrance of A. C. Norton and 18 others of Farmington against the same.

By Mr. Smith of Berwick: Remonstrance of A. L. Schulman and four others of Berwick against the same.

By Mr. Hodgkins of Temple: Remonstrance of George Weymouth and 14 others against same.

By Mr. Burlleigh of Augusta: An Act additional to and amendatory of Chapter 29 of the Private and Special Laws of 1887 entitled "An Act to incorporate the Kennebec Light & Heat Co.;" al-

so An Act to amend Section 45 of Chapter 61 of the Revised Statutes as amended by Section 4 of Chapter 43 of the Public Laws of 1907, relative to the protection of children; also An Act to amend Section 2 of Chapter 81 of the Revised Statutes in relation to records of proceedings in court.

Legal Affairs.

By Mr. Campbell of Kingman: Remonstrance of J. E. Clark of Winn and 45 others against the passage of An Act relating to the better observance of Sunday.

By Mr. Hodgkins of Temple: An Act to incorporate the Bonney Woods Corporation.

Appropriations and Financial Affairs.

By Mr. Varney of Lebanon: Petition of James O. McCorison, M. D., and 37 others of North Berwick in favor of Resolve in favor of Webber Hospital Association at Biddeford.

By Mr. Bartlett of Elliot: Petition of E. E. Shepleigh and 20 others; of J. L. M. Willis and eight others, both for same.

By Mr. Ferguson of Shepleigh: Petition of Frank M. Higgins and 14 others of Limerick for same.

By Mr. Hanson of Lyman: Petition of F. E. Tripp and nine others of Lyman for same; of S. B. Marshall and 16 others of Alfred for same.

By Mr. Whitehouse of Dayton: Petition of A. W. Bragdon and 53 others of Kennebunk for same.

By Mr. Emery of Sanford: Petition of D. W. Wentworth, M. D., and 40 others of Sanford for same.

By Mr. Smith of Biddeford: Petition of Robert McArthur and 151 others of Biddeford for same; of J. H. Littlefield and 18 others of Wells for same.

By Mr. Moore of Saco: Petition of E. E. Blake and 108 others of Saco for same.

By Mr. Chase of York: Petition of S. W. Junkins and 33 others of York for same; of George F. Merrill and 31 others of Kennebunkport for same.

By Mr. Clark of Hollis: Petition of F. H. Hargraves and six others of Buxton for same; of Edwin A. Hobson and 10 others of Hollis for same.

By Mr. Hannaford of Newfield: Pe-

tion of James Pendexter and 10 others of Parsonsfield for same; of Howard Brackett and 25 others of Cornish for same.

By Mr. Hanson of Lyman: Petition of M. F. Porter and 33 others of Old Orchard for same; of E. D. Jaques and 45 others of South Berwick for same.

By Mr. Joy of Eden: An Act to provide for the payment of premiums on bonds required of the treasurer of State and clerks in the State treasury department.

By Mr. Weld of Old Town: Resolve in favor of the Old Town hospital.

Railroads and Expresses.

By Mr. Richardson of Presque Isle: Petition of F. P. Stevens and 115 others of Presque Isle in favor of the Hall bill regarding transferable railroad mileage.

By Mr. Dunn of Brewer: Petition of O. J. Kendall and seven others against the passage of the B. & A. rebate tax bill.

By Mr. Dunn of Brewer: Petition of F. H. Harthorn and 16 others against same.

By Mr. Cook of Unity: Remonstrance of F. L. Cunningham and 30 others of Thorndike against bill for abatement of taxes on the B. & A. railroad; remonstrance of J. A. Adams and 28 others of Unity against same.

Banks and Banking.

By Mr. Bussell of Gardiner: An Act to amend Section 3 of Chapter 48 of the Revised Statutes relating to power of savings banks. (Tabled for printing on motion of Mr. Bussell).

Interior Waters.

By Mr. Trafton of Westbrook: An Act prohibiting the throwing of sawdust and other waste material into Highland lake or any of its tributaries in the city of Westbrook, towns of Windham, Gray and Falmouth, and into Mill brook in Westbrook, all in the county of Cumberland.

Military Affairs.

By Mr. Hall of Caribou: An Act to consolidate and revise the military laws of the State of Maine.

Ways and Bridges.

By Mr. Holt of Clinton: Petition of

P. B. Barrett and 83 others for order on committee on ways and bridges to report a bill in favor of a bridge at Pishon's Ferry.

By Mr. Bartlett of Stoneham: Petition of Orin B. Barrows and 20 others of Stowe for the passage of the Donigan bridge bill.

By Mr. Bussell of Gardiner: Petition of Hon. W. C. Atkins and 30 others of Gardiner for same; of W. M. Palmer and 31 others of Gardiner for same.

By Mr. Lane of Paris: Petition of A. R. Snell and 27 others in favor of the Chase bridge bill.

By Mr. Doble of Lagrange: Petition of Isaac F. Russell and 28 others of Argyle for same.

By Mr. Bigney of Greenville: Petition of A. W. Chapin and 40 others of Monson for same.

By Mr. Sanborn of Dover: Petition of A. A. Dinsmore of Dover and 37 others for same; of E. W. Livermore and 47 others of Dover for same.

By Mr. Campbell of Kingman: Petition of Frank Allingham of Sherman and 20 others for same; of G. A. Dennis and 19 others of Greenbush for same; of George P. Bramen and 40 others of Danforth for same; of Lysander W. Trask of Springfield and 27 others for same.

By Mr. Hamlin of Orneville: Petition of M. W. Morgan of Orneville and 12 others for same; of Wallace Wilson of Orrington and eight others for same; of C. P. Hart, master of Atkinson Corner Grange of Atkinson, and 12 others for same; of H. B. Salley and 16 others of Atkinson for same; of C. C. Snow and 10 others of Atkinson for same; of W. S. Owen and 18 others of Milo for same.

By Mr. Chase of Sebec: Petition of H. W. Holden and 12 others of Moose River Plantation for same; of G. C. Wingate and nine others of Sebec for same; of C. R. Davis and 20 others of Sebec for same; of S. D. Harding and 11 others of Sebec for same; of Wallace E. Marble and 32 others of Harmony for same; of A. W. Goodwin and 18 others of China for same; of T. G. Lang and 18 others of Gilead for same; of E. E. Gross and 10 others

of Orland for same; of C. L. Brown and 25 others of Searmont for same.

By Mr. Rounds of Portland: An Act authorizing a charge of grade in Pitt street bridge in the city of Portland.

By Mr. Porter of Mapleton: Resolve in aid of bridge across the Aroostook river in the town of Masardis in Aroostook county.

By Mr. Pressley of Trescott: Resolve in favor of the town of Trescott.

Inland Fisheries and Game.

By Mr. Weld of Old Town: Petition of Alexander Fraser and 19 others of Old Town for the passage of the Resolve appropriating \$50,000 for the operation of the hatcheries and other fishery interests of Maine.

By Mr. Lane of Paris: Petition of Otis Hayford and 29 others of Canton for same.

By Mr. Davies of Yarmouth: Petition of Henry W. Loring and 16 others of West Pownal for same.

By Mr. Hall of Caribou: Petition of E. M. Smith and 27 others of Mars Hill for same; of W. T. Collins and 96 business men of Caribou for same.

By Mr. Joy of Eden: Petition of B. L. Higgins and 19 others of Bar Harbor for same.

By Mr. Chase of Sebec: Petition of John Houston and 54 others of Gullford for same; of Willis E. Parsons and 28 others of Foxcroft for same.

By Mr. Andrews of Augusta: Petition of F. W. Files and 19 others of Gardiner for same; of Blaine Owen and 72 others of Augusta, Randolph and Gardiner for same; of A. D. Ward and 106 others for same.

By Mr. Burleigh of Augusta: Petition of Horace Coburn and 147 others of Augusta and Waterville for same; of A. H. Jewett and 90 others of Augusta for same; of C. B. Quimby and 19 others of Augusta for same; of E. Locke and 166 others of Augusta for same; of Smith S. Randall and 36 others of Augusta for same.

By Mr. Emery of Sanford: An Act regulating fishing in "L" pond so-called, in Sanford.

Shore Fisheries.

By Mr. Harrington of South Thomas-

ton: Petition of A. H. Hurd and 74 others of Knox county asking that the present law in regard to seining herring east of White Head and on the Penobscot river remain as it is.

By Mr. Harmon of Stonington: Remonstrance of H. A. Small and 54 others of Sedgwick and Brocklin against any legislation in relation to the flow of mill waste into Salt Pond, so-called; remonstrance of G. M. Allen and 23 others of Sedgwick against same; remonstrance of F. P. Allen and 60 others of Sedgwick and Bluehill against same;

Towns.

By Mr. Sleeper of South Berwick: An Act entitled "An Act to set off a portion of the town of Berwick and annex the same to the town of South Berwick" with accompanying petition.

Counties.

By Mr. Jones of Bucksport: Remonstrance of A. E. Varnum and 51 others against changing present county lines of Hancock county.

State Prison.

By Mr. Emery of Sanford: An Act to provide for retiring and pensioning prison officers.

Placed on File.

By Mr. Sleeper of South Berwick: Petition of Ben F. Davis of South Berwick and 24 others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Cummings of Manchester: Petition of Orella M. G. Beane of Hallowell and 34 others for same.

By Mr. Lombard of Bridgton: Petition of A. H. Walker of Bridgton and 50 others for same.

Orders.

On motion of Mr. Weld of Old Town, Ordered, The Senate concurring, that 200 copies of the report of the agent of the Penobscot tribe of Indians be printed in pamphlet form for the use of the committee on Indian affairs.

On motion of Mr. Hall of Caribou, Ordered, That the clerk of the House prepare and cause to be printed under his supervision 600 copies of the journal of the House for the present session.

Reports of Committees.

Mr. Bisbee from the committee on

appropriations and financial affairs reported "ought to pass" on Resolve in favor of the town of Ashland.

Mr. Coolidge from the committee on banks and banking reported same on bill, An Act to amend Section 1 of Chapter 48 of the Revised Statutes relating to the office of bank examiner.

Mr. Bussell from same committee reported same on bill in new draft, An Act to extend the charter of the People's Trust Co. of Houlton and to amend the same.

Mr. Hanson from same committee reported same on bill in new draft, An Act to extend the charter of the Belfast Banking Co.

Mr. Emery from same committee reported same on bill in new draft, An Act to extend the charter of the Somerset Trust Co.

Mr. Allen from same committee reported same on bill in new draft, An Act to renew and extend the charter of the Boothbay Harbor Trust Co.

Mr. Stover from same committee reported same on bill in new draft, An Act to amend and extend the charter of the Sanford Trust Co.

Mr. Moore from same committee reported same on bill, An Act to authorize the Brewer Savings Bank to construct and maintain safety deposit boxes.

Mr. Moulton from same committee reported same on bill in new draft, An Act to amend Section 23 of Chapter 48 of the Revised Statutes relating to investments of deposits of savings banks.

Mr. Thompson from the committee on railroads and expresses reported same on bill, An Act to extend the charter of the Fairfield & Skowhegan Railroad Co.

Mr. Spear from same committee reported same on bill, An Act to extend the time of construction of the Boothbay Railroad.

Mr. Kavanaugh from the committee upon appropriations and financial affairs reported same on Resolve in favor of the Good Samaritan Home of Bangor.

Mr. Colby from the committee on interior waters reported same on bill, An Act to extend An Act entitled "An Act

to incorporate the Baker & Spencer Brook Dam and Improvement Co."

Mr. Kelley from the committee on shore fisheries reported same on bill, An Act to amend Chapter 251 of the Private and Special Laws of 1907, entitled "An Act for the better protection of alewives, shad and sturgeon in the various rivers of Maine.

Mr. Bowley from same committee reported same on bill in new draft, An Act to repeal Chapter 352 of the Private and Special Laws of 1907 entitled "An Act to prohibit the taking of lobsters in Hancock county.

Mr. Cook from the committee on libraries reported same on Resolve in relation to the early York county deeds.

The reports were accepted and the bills and resolves ordered printed under joint rules.

Mr. Jones from the committee on railroads and expresses to which was referred bill, An Act to encourage and aid the building of a railroad through the undeveloped portions of northern Maine, reported that the same be indefinitely postponed.

Mr. PIKE of Eastport: Mr. Speaker and gentlemen of the House: I trust that this morning we are performing the last sad rites in regard to this bill which has been heralded throughout the halls of this capitol as being in the interests of labor and one purporting to come from the brotherhood of locomotive engineers, who, by the way, are not benefitted by it in taxation. I want to say to the House and to the people of Maine that the solid Democratic representation here, save one, is not in mourning. I want to say to the people of Maine that the Democratic party stands now shoulder to shoulder, as in the past, for the equalization of the burdens of taxation, and that notwithstanding this bill has been introduced in this House by the leader of the Democracy, the party as a whole repudiates it; that it stands for equalization of taxation; that it has unalterably opposed the granting of special privileges to rich and powerful corporations. I trust, during the next 10 years, the time in which this

bill was to run, that the fair county of Aroostook will not be invaded, that northern hordes will not swarm over its borders and devastate and lay waste this fair section of our State. I believe that such legislation is obnoxious to the majority of the people of Maine; and I want to send a message to the people of this State that the Democratic party of Maine now, as in the past, is fighting to have taxation borne equally by the corporations and by the people.

The question being on accepting the report of the committee that the bill be indefinitely postponed,

The report was accepted.

Passed to Be Engrossed.

An Act to amend Section 24 of Chapter 242 of the Private and Special Laws of 1895.

An Act to amend the charter of the city of South Portland.

Resolve providing for assistance in rebuilding the East Branch bridge in the town of Oakfield.

An Act relating to the issue of bonds.

An Act relating to supplementary associations.

Resolve in favor of the Central Maine General hospital of Lewiston.

Finally Passed.

Resolve in favor of the Maine Institution for the Blind.

Orders of the Day.

Mr. DAVIES of Yarmouth: Mr. Speaker, in view of the very eloquent eulogy which has been pronounced by the Rev. Mr. Pike over the remains of the Bangor & Aroostook rebate bill (laughter) I sincerely hope that the House will not consider anything I may have to say in regard to it as being out of order, but I cannot permit this occasion to pass without expressing in this presence my sentiments and giving some reason for my course of action.

I felt that it was a duty incumbent upon us to make good, and as quickly as possible, to the electors of the State of Maine our promises touching the matter of rebates of taxes on railroads made in the last campaign. That was a matter that was fought out all over this entire State on every political

platform by the gentlemen who spoke in the interests of the Republican party. We told the electors that if they would return us to power we would discourage and discountenance rebates to railroads as taxes; and it seemed to me that it was incumbent upon us, as I said, to make that promise good. My mind did not resist the impression that there were certain evidences of trimming, of temporizing and of quibbling; but if the promise had been made, and we must all admit that it had, I felt that the sooner a positive declaration in regard to the matter was made the better.

I desire to take this occasion to invite every Democrat here to come into the Republican party. (Laughter). We will kill the fatted calf of repentance and celebrate your coming, we will deck you in robes of high purpose and strong endeavor; and you will have the satisfaction of knowing that you are ensconced within the folds of a party that stands for high purposes and strong endeavor, a party of principle and not a party of policy; and it seems to me that when you go home, providing you accept our invitation, your constituents will say of you when you pass along the street, "There goes a wise man who served in the 74th Legislature."

I ask, Mr. Speaker, for the passage of the resolution which I have sent to the desk.

Mr. HERSEY of Houlton: Mr. Speaker, I have never considered this matter a party measure whatever. I did object yesterday morning to the passage of the order introduced by the gentleman from Waterville (Mr. Pattangall). I intended to object this morning to the passage of the resolution introduced by the gentleman from Yarmouth (Mr. Davies) on the ground, and solely on the ground, that those orders were premature and could have only one tendency, to prejudice the minds of the Legislature upon legislation then pending before them. As this morning has witnessed the withdrawal of the bill which has been pending, I favor the resolution of the gentleman from Yarmouth this morning, and I desire to go on record, as I think every member of this House desires to

go on record, against the policy of rebates and against the tendency or attempt of any person or corporation in the future that shall dare to come to this Legislature and have the nerve to ask the State of Maine to assist them in some private scheme or enterprise; and I ask that when the vote is taken on the passage of the resolution that it be taken by the yeas and nays.

The SPEAKER: The chair will direct the clerk to read the resolution under consideration.

The clerk read the resolution, as follows:

Resolve in reference to rebates of taxes to railroads.

Resolved, That rebates of taxes to railroads are discountenanced and declared inequitable and unjust because:

First—The principle of special favors to railroads or other quasi public corporations is indefensible and to be condemned.

Second—That such rebates or exemptions force upon those less able to support the expenses of the State, burdens which should be borne without complaint or evasion by corporations given privileges which justly impose upon them a duty to meet their part of the State's expenses.

That it is the sense of this Legislature that such rebates should not be extended or newly granted.

The question being, shall the yeas and nays be ordered, the motion was agreed to.

The SPEAKER: The question is on the adoption of this resolution. As many as are in favor of the adoption of the resolution will answer yes when their names are called; those opposed to the adoption of the resolution will answer no. The clerk will call the roll.

YEA:—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Bartlett of Eliot, Bartlett of Stoneham, Beals, Bemis, Bigelow, Bigney, Bisbee, Blake, Blanchard, Bogue, Bourassa, Bowley, Burleigh, Burse of Pittsfield, Bussell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Charles, Chase of Sebec, Chase of York, Clark, Colby, Cole, Conners, Cook, Coolidge, Couture, Cummings, Da-

vies, Day, Doble, Donnell, Dorr, Drake, Dufour, Dunn, Edwards, Emery, Ferguson, Fortier, Frost, Gilbert, Grant, Hall, Hamlin, Hanson, Harmon, Harriman, Harrington, Havey, Hersey, Hill, Hines, Hodgkins of Damariscotta, Hodgkins of Temple, Holt, Hussey, Jones, Jordan, Joy, Kavanough, Kelley, Lambert, Lane, Libby, Lombard, Lord, Ludgate, Mace, Marshall, McLain, Mercier, Merrifield, Merrill of Bluehill, Merrill of Durham, Miller, Millett, Montgomery, Morse, Moulton, Nelson, Nickerson, Orff, Packard, Pattangall, Patten, Patterson, Paul, Pelletier, Perry, Peters, Pike, Pinkham, Porter, Pressley, utnam, Quinn, Redlon, Richardson, Robbins, Ross, Rounds, Sanborn, Sawyer, Silsby, Sleeper, Smith of Andover, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Snow of Scarborough, Spear of South Portland, Spear of Warren, Stackpole, Stetson, Stover, Thompson, Tibbetts, Trafton, Trickey, Trimble, True, Varney, Weld, White of Columbia, Whitehouse, Whitney, Wing of Auburn, Wing of Kingfield—134.

NAY:—Beyer—1.

ABSENT:—Bearce of Eddington, Bradford, Bragdon, Cousins, Duncan, Farnham, Hannaford, Harris, Higgins, Hyde, Moore, Stanley, Strickland, Thurlough, White of Wayne—15.

So the resolution was adopted.

On motion of Mr. Putnam of East Livermore the rules were suspended and he introduced out of order remonstrance of C. C. Bartlett & Co. and 58 others of Livermore Falls against the passage of An Act entitled "An Act to amend Section 55 of Chapter 88, Paragraph 6 of the Revised Statutes, relating to trustee process." (Referred to the committee on legal affairs).

On motion of Mr. Davies of Yarmouth the rules were suspended and he introduced out of order petition of J. M. Day and 43 others of Woodstock for the passage of the Donigan bridge bill. (Referred to the committee on ways and bridges).

On motion of Mr. Bogue of East Machias the rules were suspended and he introduced out of order petition of H. H. Allen and others of Dennysville in

favor of the Donigan bridge bill. (Referred to the committee on ways and bridges).

The Speaker joined to the committee on public health on the part of the House Messrs. Gilbert of Litchfield, Lombard of Bridgton, Ludgate of Sherman, Beyer of Portland, Moulton of Cumberland, Weld of Old Town and Cook of Unity.

On motion of Mr. Pike of Eastport bill, An Act to create the office of State commissioners of publicity and to define his duties, was taken from the table, and on further motion by Mr. Pike it was referred to the committee on judiciary.

On motion of Mr. Kelley of Boothbay, adjourned until 9 o'clock tomorrow morning.