

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**HOUSE.**

Friday, Feb. 5, 1909.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading.**

An Act to amend Section 46 of Chapter 106 of the Revised Statutes relating to appointment of surveyors in real actions.

Resolve in favor of the Bridgewater Classical Academy.

The report of the committee on railroads and expresses came from the Senate, reporting "ought not to pass" on bill, An Act to amend Section 53 of Chapter 51 of the Revised Statutes relating to railroad commissioners.

On motion of Mr. Pike of Eastport the report was tabled pending acceptance.

Resolve in favor of St. Elizabeth's Roman Catholic Asylum at Portland, came from the Senate amended by Senate Amendment A, by striking out the word "orphan" in line three.

On motion of Mr. Campbell of Kingman the vote was reconsidered whereby the resolve was passed to be engrossed, Senate Amendment A was adopted and the resolve was then passed to be engrossed as amended in concurrence.

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

**Judiciary.**

By Mr. Trimble of Calais: Petition of Mrs. Sarah B. Abbott, president W. C. T. U., Milltown, Calais and 22 others in favor of bill to submit to people constitutional amendment giving right of suffrage to women.

By Mr. Sleeper of South Berwick: Petition of Perley W. Stevens and 154 others for same.

By Mr. Sanborn of Dover: Petition of Rev. C. W. Wallace and 243 others for same; also remonstrance of S. E. Coburn and five others of Dover, Fexcroft and Milo against An Act to prohibit the use of automobiles on Mt. Desert.

By Mr. Jones of Bucksport: Remonstrance of Archie C. Hopkins against same.

By Mr. Bigelow of Portland: Remonstrance of J. C. Rollins and 12 others of Portland against same.

By Mr. Stetson of Hartford: Remonstrance of B. E. Gerrish of Buckfield and six others against same; of Maurice W. Forester of Dixfield and 13 others against same.

By Mr. Wing of Auburn: Remonstrance of H. H. Cleveland, M. D., of Auburn and four others against same.

By Mr. Conners of Bangor: Remonstrance of H. T. Clough and 20 others of Bangor against same.

By Mr. Perry of Fort Fairfield: An Act to incorporate the Maple Grove Electric Company.

By Mr. Bisbee of Rumford: An Act to authorize the town of Rumford to subscribe for capital stock for the purpose of procuring a town hall.

By Mr. Fortier of Waterville: An Act to amend charter of the Mesalonskee Electric Company. (Tabled for printing, pending reference on motion of Mr. Fortier).

By Mr. Burleigh of Augusta: An Act to provide for the acknowledgment of discharges of mortgages of real estate.

By Mr. Tibbetts of Orrington: An Act to amend the charter of the Bangor Railway & Electric Company.

By Mr. Andrews of Augusta: Petition of George F. Gannett, Jr., and 14 others of Augusta against the passage of An Act to prohibit the use of automobiles on Mt. Desert.

**Legal Affairs.**

By Mr. Ross of Bangor: Resolution of the City Council of the city of Bangor in favor of the Hall bill so-called, entitled "An Act to regulate the digging up of the public streets, ways and highways in cities and towns."

By Mr. Hall of Caribou: Petition of Eugene A. Holmes and nine others of Caribou in favor of the amendment relating to the Caribou municipal court.

By Mr. Richardson of Presque Isle: Petition of I. V. Thibodeau of Van Buren and seven others of Presque Isle for same.

By Mr. Campbell of Kingman: Remonstrance of M. E. Murdock and 20 others of Springfield against bill relating to the carrying of firearms on Sunday.

By Mr. Richardson of Presque Isle: An Act prohibiting the exhibit of moving pictures in any city or town without a license.

By Mr. Snow of Scarboro: An Act to amend Section 2 of Chapter 96 of the Revised Statutes of 1903 relating to forcible entry and detainer

By Mr. Burrell of Augusta: An Act relative to the licensing of plumbers and the supervision of the business of plumbing.

By Mr. Bartlett of Eliot: An Act additional to the Private and Special Laws of 1907 to authorize and empower the Kittery Water District to extend its business into the town of Eliot.

#### **Appropriations and Financial Affairs.**

Petition of Alice L. Sands and Elinor P. Sands in favor of an appropriation for Bates College for heating plant.

#### **Education.**

By Mr. Campbell of Cherryfield: Petition of A. C. Leighton and 45 others of Milbridge in favor of the establishment of a normal school at Machias.

By Mr. White of Columbia: Petition of R. A. Plummer of Harrington and 11 others for same.

By Mr. Allen of Jonesboro: Petition of Frank T. Crane of Machias and 116 others for same; of Florence M. Nealy and 14 others, teachers of Machias schools for same; of John Monaghan of Whitneyville and 41 others for same; of E. I. White and 24 others for same; of Elizabeth L. Chandler and 20 others, members of the Ursula Penniman Literary Club of Machias for same; of S. G. Day and 33 others for same.

By Mr. White of Columbia: Petition of Dr. F. A. Chandler of Addison and 18 others for same.

By Mr. Allen of Jonesboro: Petition of Edward M. Smith of Northfield and 41 others for same; of John H. Watts of Roque Bluffs and 25 others for same; of W. C. Leighton of Machias and 35 others for same.

By Mr. Presley of Trescott: Peti-

tion of J. H. Gray of Lubec and 64 others for same.

By Mr. Mercier of Princeton: Petition of George M. Wardwell and 38 others of Princeton for same; of H. H. Putnam of Danforth and 130 others for same.

By Mr. Thurlow of Cutler: Vote of Bucks Harbor Grange, 35 members present, for same; petition of Mrs. D. D. Kelley of Jonesport and 89 others for same; of Charles E. Smith of Cutler and 37 others for same; of L. M. Cole and 48 others for same.

By Mr. Trimble of Calais: Petition of George A. Murchie and 40 others of Calais for same.

By Mr. Harriman of Meddybemps: Petition of H. B. Sprague of Pembroke and 35 others for same.

By Mr. Pike of Eastport: Petition of Fred Benson of Eastport and 71 others for same.

By Mr. Campbell of Cherryfield: Petition of L. C. Haycock and 25 others of Cherryfield for same.

By Mr. Bearce of Eddington: An Act to amend Section 85 of Chapter 15 of the Revised Statutes relative to teachers' services.

#### **Railroads and Expresses.**

By Mr. Miller of Lincolnville: An Act to amend Chapter 510 of the Private and Special Laws of 1874 being An Act to incorporate the Lincolnville Railroad Company.

#### **Banks and Banking.**

By Mr. Wing of Kingfield: An Act to extend the charter of the Phillips Trust Company.

#### **Agriculture.**

By Mr. Moulton of Cumberland: An Act to amend Section 14 of Chapter 60 of the Revised Statutes as amended by Chapter 45 of the Public Laws of 1907, and Section 15 of said chapter, relating to agricultural societies.

#### **State Lands and State Roads.**

By Mr. Spear of Warren: Petition of M. D. Eastman and 15 others of Warren for the enactment of Senate Bill No. 55 entitled "An Act to provide for the ownership and maintenance of highway bridges by the State."

#### **Ways and Bridges.**

By Mr. Campbell of Kingman: Pe-

tition of M. Johnson and 12 others of Kingman in favor of the enactment of a bridge bill; of John I. Hersom and five others of Kingman for same.

By Mr. Higgins of Starks: Petition of Hon. John Knowlton of New Portland and 41 others in favor of the Donigan bridge bill.

By Mr. Harriman of Meddybemps: Petition of H. L. Gove and 25 others of Perry for same.

By Mr. Cole of Kenduskeag: Petition of George H. Williams and 23 others of Bradford for passage of Chase bridge bill.

By Mr. Presley of Trescott: Petition of George H. Jones and seven others of Trescott for same.

By Mr. Harriman of Meddybemps: Petition of Ansel W. Fisher and three others of Charlotte for same.

By Mr. Bearce of Eddington: Petition of A. H. Pond and 36 others of Eddington for same.

By Mr. Chase of Sebec: Petition of Willis E. Parsons and 34 others of Foxcroft for same.

By Mr. Drake of Frankfort: Resolve in favor of the town of Frankfort in Waldo county.

#### **Inland Fisheries and Game.**

By Mr. Bigney of Greenville: Petition of C. H. Sawyer and 19 others for part of Roach river to be opened for fly fishing during the months of June, July and August.

By Mr. Bemis of Harmony: Petition of J. D. Ring and eight others of Cambridge and vicinity asking for a law to prohibit the throwing of sawdust and other mill waste into Ferguson stream in Cambridge and Wellington.

By Mr. Lord of Vassalboro: Petition of B. H. Hawes and 86 others asking for regulations upon ice fishing in Webber pond, Kennebec county.

By Mr. Hanson of Lyman: Petition of S. N. Small and 24 others asking for a law making close time on Horn pond and its tributaries, Hanscomb brook, from Oct. 1 to May 1 of the following year.

B. Mr. Spear of Warren: Petition of Austin M. Titus and nine others of East Union for a fish hatchery in Knox county; of Charles A. Lynch of Washington and 35 others for same.

By Mr. Lord of Vassalboro: Petition of F. H. Jealous and 41 others of Vassalboro for passage of Resolve for maintenance of hatcheries and fish interests of the State.

By Mr. Bigney of Greenville: Petition of Edwin R. Haynes and 41 others of Monson for same.

By Mr. Campbell of Kingman: Petition of Ralph Scribner and 20 others of Springfield for same.

By Mr. Nelson of Hebron: Petition of L. D. Randall and 11 others of Hebron for same.

By Mr. Smith of Andover: Petition of W. Z. Twitchell, M. D. and 14 others of Andover for same.

By Mr. Hersey of Houlton: Petition of George H. Wiggin and 54 others of Houlton for same.

By Mr. Moulton of Cumberland: Petition of Seth C. Morton and 43 others of Cumberland Mills for same.

By Mr. Millett of Minot: Petition of A. W. Bridge and 60 others of Mechanic Falls for same.

By Mr. Bussell of Gardiner: Petition of G. D. Libby and 20 others of Gardiner for same; of Cross and Robinson and 30 others of Gardiner for same.

By Mr. Hussey of Windsor: Petition of G. H. Graves and 37 others of China for same.

By Mr. Mercier of Princeton: Petition of Charles W. Camp and 43 others of Vanceboro for same.

By Mr. Pinkham of Lincoln: Petition of W. W. Holmes and 20 others of Lincoln for same.

By Mr. Lambert of Orono: Petition of F. C. Barton and 34 others of Bradley for same.

By Mr. Paul of Naples: Petition of Albert Proctor and 10 others of Naples for same.

By Mr. Bragdon of Perham: Petition of Lewis Anderson and others of Stockholm for same.

By Mr. White of Columbia: An Act to repeal those portions of Section 31 of Chapter 40 of the Revised Statutes of 1883 relating to Pleasant River in Washington county.

By Mr. Jones of Bucksport: Resolve in favor of screening Poddy Pond

in the town of Orland, Hancock county.

#### Shore Fisheries.

By Mr. Kelley of Boothbay: Petition of K. M. Barter and 259 others, citizens of Lincoln county, in favor of the bill to allow seining of smelts in Sheepscoot river and its tributaries.

#### Counties.

By Mr. Jones of Bucksport: Remonstrance of S. E. Nickerson and 16 others against changing present county lines of Hancock county; of H. P. Burrill and 14 others against same.

#### Towns.

By Mr. Burleigh of Augusta: Remonstrance of James Tibbetts and 69 others against setting off Hoyt's Island from Belgrade and annexing it to Rome.

#### Claims.

By Mr. Mercier of Princeton: Resolve in favor of Parker Pineo.

#### Taxation.

By Mr. Andrews of Augusta: Petition of Joseph H. Allen and four others for exemption from poll tax of persons over 90; also An Act to exempt persons over 90 years of age from the payment of poll taxes.

#### Salaries and Fees.

By Mr. Burleigh of Augusta: An Act relating to clerk hire for the register of deeds for Kennebec county.

#### Placed on File.

By Mr. Andrews of Augusta: Petition of Current Events Club of Augusta and others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Bragdon of Perham: Petition of Peter E. Johnson of Woodland and 12 others for same.

By Mr. Perry of Fort Fairfield: Petition of H. T. Powers of Fort Fairfield and seven others for same; petition of Philomathian Club of Fort Fairfield and others for same.

By Mr. Jones of Bucksport: Petition of George W. Brewster of Dedham and 32 others for same.

By Mr. Hanson of Lyman: Petition of G. M. Phoenix of Alfred and 14 others for same.

By Mr. Perry of Fort Fairfield: Petition of Nicholas Fessenden of Fort Fairfield and 44 others for same.

By Mr. Lane of Paris: Petition of

A. J. Abbott and 45 others of Paris and vicinity against rebating taxes of B. & A. or any other railroad.

By Mr. Additon of Leeds: Remonstrance of F. B. Lothrop and 19 others against same.

Mr. Andrews of Augusta presented a Resolve in favor of Michael Burns, and on his motion it was tabled for printing, pending reference to a committee.

#### Reports of Committees.

Mr. Hersey from the committee on judiciary reported "ought to pass" on bill, An Act to authorize the Union Construction Company to hold stock and bonds of other corporations.

Mr. Montgomery from the same committee reported same on bill, An Act to incorporate the St. George Water Company.

Mr. Andrews from same committee reported same on bill, An Act to amend An Act establishing the municipal court of Waterville.

Mr. Peters from same committee reported same on bill, An Act authorizing the Rumford Land Company to hold stocks and bonds of other corporations.

Mr. Hyde from the committee on appropriations and financial affairs reported same on Resolve in favor of the Bath Military and Naval Orphan Asylum.

Mr. Bussell from the committee on appropriations and financial affairs, on petition, reported a Resolve entitled "Resolve in favor of the Lewiston and Auburn Children's Home," and that it ought to pass.

Mr. Emery from same committee reported same on Resolve in favor of Girls' Orphanage in the city of Lewiston under the auspices of the Sisters of Charity.

Mr. Bigelow from the committee on inland fisheries and game reported same on bill in new draft, An Act to amend Section 1 of Chapter 33 of the Private and Special Laws of 1907 relating to fishing in Songo river so-called in the county of Cumberland.

Mr. Bigelow from same committee reported same on bill, An Act to regulate fishing in Thorn Brook in Abbot,

Kingsbury and Blanchard in Piscataquis county.

Mr. Bigelow from same committee, on petition reported bill, An Act to provide for ice fishing in Round Pond in the town of Greenwood, Oxford county, and that it ought to pass.

Mr. Bigelow from same committee reported same on bill, An Act to amend Chapter 532 of the Private and Special Laws of 1893 relating to the charter of the Maine Sportsmen's Fish & Game Association.

Mr. Bigelow from same committee, on petition reported bill, An Act to amend Chapter 393 of the Private and Special Laws of 1907 relating to fishing in Sebago Lake.

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

Mr. Wing from the committee on judiciary reported "ought not to pass" on bill, An Act relating to the jurisdiction of agents for the prevention of cruelty to animals.

Mr. Davies from same committee, to which was referred bill, An Act additional to Chapter 52 of the Revised Statutes of Maine in reference to common carriers, reported that the same be referred to the committee on railroads and expresses.

Mr. Bussell from the committee on appropriations and financial affairs reported "ought not to pass" on Resolve in favor of the town of Hebron in the county of Oxford.

Mr. Bigelow from the committee on inland fisheries and game to which was referred petition of C. E. Hewes and others of Piscataquis county asking that the law prohibiting bait fishing in Big Lyford Pond be extended for an indefinite period, reported legislation unnecessary as the subject matter of the petition is already covered by law.

#### First Reading of Printed Bills and Resolves.

An Act to extend the provisions of Chapter 241 of the Private and Special Laws of 1903, entitled "An Act to supply the town of Lisbon with pure water."

An Act to amend Chapter 55 of the Private and Special Laws of Maine for

the year 1903, incorporating the Squirrel Island Village Corporation.

An Act relating to holidays.

An Act to ratify, confirm and make valid the organization of the Andover Water Co. and authorize it to issue Bonds and extend its plant.

An Act to amend sub-division fifth, Section 23, Chapter 48 of the Revised Statutes, relating to investment of deposits of savings banks.

An Act to renew and extend the charter of the Boothbay Harbor Trust Co.

An Act to amend and extend the charter of the Sanford Trust Co.

An Act to amend the charter of the People's Trust Co. of Houlton and to amend the same.

An Act to extend the charter of the Belfast Banking Co.

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."

An Act to amend Section 1, Chapter 251, of the Special Laws of 1907, entitled "An Act for the better protection of alewives, shad and sturgeon in various rivers in Maine."

Resolve in favor of the Children's Aid Society of Maine.

Resolve in favor of the King's Daughters Union of Bangor.

Resolve in favor of the Healy Asylum with statement of facts.

Resolve in favor of York hospital.

Resolve in favor of Knox County General hospital.

Resolve in relation to the early York county deeds.

#### Passed To Be Engrossed.

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 a special appropriation for Eastern State Normal School.

#### Finally Passed.

Resolve in favor of the Electoral College.

Resolve in favor of the Children's hospital.

Resolve in favor of the Maine Home for Friendless Boys.

Resolve in favor of the Eastern Maine General hospital.

Resolve in favor of the Maine Eye and Ear Infirmary.

Resolve in favor of the official reporter of the Senate.

Resolve in favor of the Holy Innocents' Home for Infants in the city of Portland.

Resolve in favor of the purchase of the Maine State Year Book and Legislative Manual for the years 1909 and 1910.

**Orders of the Day.**

On motion of Mr. Wing of Auburn

House Doc. No. 70, An Act to amend the charter of the city of Auburn, was taken from the table and on further motion by Mr. Wing it was referred to the committee on the judiciary.

Mr. Havey of Sullivan presented the following order and moved its passage:

Ordered, That the committee on temperance report back for printing the bill entitled "An Act to amend Section 5 and repeal Section 9 of Chapter 92 of the Public Laws of 1905 relating to the sale and manufacture of intoxicating liquors.

The order received a passage.

On motion of Mr. Nickerson of Swanville,

Adjourned until Monday afternoon, Feb. 8, at 4.30 o'clock.