

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.

Monday, Feb. 22, 1909.

Prayer by Rev. Mr. Hope of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

On motion of Mr. Rounds of Portland, An Act to authorize the town of Wales to construct a bridge across the Ogunquit river, which was referred in the Senate to the committee on legal affairs, was referred to the committee on ways and bridges in non-concurrence.

On motion of Mr. Robbins of Fort Kent, An Act to extend the Northern Railway of Maine, which was referred in the Senate to the committee on railroads and expresses, was tabled for printing.

On motion of Mr. Wing of Auburn, An Act to repeal a part of Section 1 of Chapter 116 of the Revised Statutes relating to the salary of the superintendent of the Insane hospital of Augusta and his four assistants, which was referred in the Senate to the committee on Insane hospitals, was referred to the committee on salaries and fees in non-concurrence.

Senate Bills on First Reading.

An Act relating to the welfare of school children.

An Act to amend Section 91 of Chapter 15 of the Revised Statutes relating to public schools.

An Act to amend Section 17 of Chapter 15 of the Revised Statutes relating to public schools.

An Act to amend Section 55 of Chapter 15 of the Revised Statutes relating to Free High schools.

An Act to amend Section 112 of Chapter 15 of the Revised Statutes relating to Normal schools and training schools.

Resolve for an appropriation for carrying on the work of the State Survey Commission.

An Act to amend Section 26 of Chapter 81 of the Revised Statutes relating to the admission of attorneys to the practice of law, came from the Senate with the report "ought not to pass."

On motion of Mr. Kelley of Booth-

bay the report was tabled pending acceptance.

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

Judiciary.

By Mr. Hamlin of Orneville: Remonstrance of C. F. Bumps and 43 others of Milo against passage of An Act to create the office of medical examiner, and 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. Marshall of Portland: Petition for Woman Suffrage from Franklin T. Royal of Freeport and 51 others; of Henry Blanchard and 81 others of Portland for same.

By Mr. Cole of Kenduskeag: Petition of Frank A. Foote and 11 others of Corinth in favor of appointment of State Board of Assessors by Governor; that their duties be enlarged and that they be required to give their entire time to the duties of the office; of G. M. Trickey and 44 others of Corinth for same.

By Mr. Hall of Caribou: Petition of B. O. Noyes and 48 others of Caribou in favor of the optometry bill.

By Mr. Smith of Andover: Petition of E. C. Bowler and 16 others of Bethel for same.

Legal Affairs.

By Mr. Allen of Jonesboro: An Act to provide for the purchase of an indemnity bond for the treasurer of Washington county.

By Mr. Beyer of Portland: An Act to regulate the fees charged by judges and lawyers.

By Mr. Beyer of Portland: An Act to regulate fees charged by experts summoned by courts.

By Mr. Bigney of Greenville: An Act to amend Section 15 of Chapter 54 of the Revised Statutes relating to fees for inspection of steamboats.

Education.

By Mr. Cole of Kenduskeag: Petition of Frank A. Foote and 11 others of Corinth for amendment of present mill tax so called for support of common schools; of G. M. Trickey and 46 others of Corinth for same.

By Mr. Jones of Bucksport: Petition of A. E. Luce and 74 others of Belfast in favor of East Maine Conference Seminary; of F. Carroll Burrill and 54 others of Ellsworth for same.

Military Affairs.

By Mr. Hall of Caribou: Resolve in favor of providing commissioned officers of the National Guard State Militia with full dress uniforms.

State Lands and State Roads.

By Mr. Cole of Kenduskeag: Petition of Frank A. Foote and 11 others of Corinth in favor of State aid for highways, to be apportioned among cities, towns and plantations in proportion to miles of public roads in each; of G. M. Trickey and 11 others of Corinth for same.

By Mr. Burleigh of Augusta: Petition of F. C. Foster and 18 others of Belgrade for same.

Ways and Bridges.

By Mr. Burleigh of Augusta: Petition of F. C. Foster and 18 others of Belgrade for enactment of a law in relation to State aid for maintenance of common highways.

By Mr. Wing of Kingfield: Petition of A. L. Savage and 50 others in favor of an appropriation for permanent improvements on highway through Jerusalem and Crocker townships.

By Mr. Bogue of East Machias: Petition of Fred L. Gardner of Dennysville and 15 others in favor of Resolve in aid of building a bridge across the Dennys river between Dennysville and Edmunds; of Albert Boston of Dennysville and 18 others for same.

Inland Fisheries and Game.

By Mr. Montgomery of Camden: Petition of T. F. French and 106 others of Camden in favor of close time on deer in Knox and Waldo counties; of C. P. Brown and 106 others of Camden in favor of prohibiting fishing in Mirror lake.

By Mr. Hamlin of Orneville: Petition of W. S. Lovejoy and 28 others of Milo for passage of An Act to regulate fishing in Alder stream in the county of Piscataquis.

Temperance.

By Mr. Higgins of Starks: Remon-

strance of C. H. Doe of Fairfield and 17 others against resubmission.

By Mr. Burse of Pittsfield: Petition of C. H. Doe and 7 others in favor of the retention of the Sturgis law.

By Mr. Patterson of Solon: Petition of C. H. Doe and 20 others of Fairfield in favor of mandatory jail sentences for liquor sellers.

Taxation.

By Mr. Cole of Kenduskeag: Petition of Frank A. Foote and 11 others of Corinth in favor of general increase in tax rate on steam and electric railroads, telegraph and telephone companies and other public service corporations; of G. M. Trickey and 48 others of Corinth for same; remonstrance of Frank A. Foote and 11 others of Corinth against law to levy direct State tax on land alone; of G. M. Trickey and 48 others of Corinth against same.

By Mr. Burleigh of Augusta: Petition of James Tibbetts and 19 others of Belgrade for increase in tax rate on public service corporations; remonstrance of George L. Minot and 17 others of Belgrade against direct State tax on land alone.

Forestry and Water Supply.

By Mr. Cousins of Standish: An Act relating to portable or movable sawmills in cities and incorporated towns.

Reports of Committees.

Mr. Marshall from the committee on legal affairs on bill, An Act to regulate the scale of logs on the Penobscot river, reported that the same be referred to the committee on judiciary.

Mr. Hall from same committee reported "ought not to pass" on bill, An Act to incorporate the Livermore Falls Gas Company.

Mr. Hall from same committee reported same on bill, An Act to amend the charter of the Livermore Falls Light and Power Company.

Mr. Beyer from the committee on ways and bridges, on petition of C. O. Purinton and 20 others praying that a law be enacted providing for State aid for the maintenance of common highways, reported that the same be referred to the committee on State lands and State roads.

Mr. Bartlett from the committee on manufactures, on order regarding the use of benzoate of soda and other preservatives in food products, reported that legislation thereon is inexpedient.

Mr. Hill from the committee on counties reported "ought not to pass" on bill, An Act to annex the town of Stonington to the county of Knox.

Mr. Hill from same committee reported same on bill, An Act to annex the town of Isle au Haut, Hancock county, to Knox county.

Mr. Hall from the committee on legal affairs on Remonstrance against any change in the law relating to the assessment of poll tax, reported that the same be referred to the committee on taxation.

The reports were accepted.

Mr. Marshall from the committee on legal affairs reported "ought to pass" on bill, An Act amending and extending the provisions of Chapter 375 of the Private and Special Laws of 1905 entitled "An Act to authorize the town of Castine to construct for itself and for persons and corporations a system of water works in said towns.

Mr. Coolidge from same committee reported same on bill, An Act to incorporate the Bibber's Island Water Co.

Mr. Smith from same committee reported same on bill, An Act to authorize Florence B. Alley and others to fence Alley cemetery in the town of Boothbay, and to erect monuments and markers at the graves therein.

Mr. Morse from same committee reported same on bill in new draft, An Act to incorporate the Van Buren Light & Power Co.

Mr. Morse from same committee reported same on resolve relating to Mason's Island.

Mr. Hall from same committee on bill, An Act to incorporate the Van Buren Light & Power Co., reported that the subject matter of this act is covered by another act of the same title and that the same be placed on file.

Mr. Grant from the committee on mercantile affairs and insurance reported "ought to pass" on bill in new draft, An Act to incorporate the Sagamore Insurance Co.

First Reading of Printed Bills and Resolves.

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

An Act relating to the issuance of mileage books by railroad corporations.

An Act in relation to the Gardiner municipal court of the city of Gardiner.

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.

An Act to extend the authority of the Rockland, South Thomaston and St. George Railway.

An Act to authorize the Kellogg Lumber Co. to erect and maintain piers and booms at the mouth of Moose river and in Long pond.

An Act to extend the charter of the Ossipee Valley Power Co.

An Act to enable the town of Winter Harbor to purchase the property and franchise now or formerly of the Winter Harbor Gas & Light Co.

An Act to incorporate the Bar Harbor Gas Co.

An Act to amend Section 25 of Chapter 53 of the Revised Statutes, relating to necessary regulation of street railroads by municipal officers.

An Act to ratify and confirm the acts of the Wayne Library Association, at its meeting of August 27, 1903, and at all subsequent meetings.

An Act to provide for the restoration of the records of the court of probate for the county of Cumberland.

Resolve to correct certain entries in the books of the State treasurer.

Resolve authorizing the compilation and publication of the insurance laws of Maine.

Resolve in favor of the Old Town hospital.

Resolve in favor of the city of Auburn.

Resolve in favor of the Waldo County General hospital.

Passed to Be Engrossed.

An Act relating to the appointment of school physicians. (Tabled pending third reading on motion of Mr. Rounds of Portland).

An Act to amend Section 11 of Chapter 39 of the Revised Statutes relating to the sale of milk. (Tabled pending third reading on motion of Mr. Rounds of Portland.)

An Act to open Mayfield and Kingsbury ponds, in Somerset county, to ice fishing.

An Act to amend Chapter 176 of the Private and Special Laws of 1907 relating to fishing in Bartlett and Cook's brook, in the county of York.

An Act to regulate fishing in Stratton brook and tributaries, situated wholly or partly in the county of Franklin.

An Act to establish an additional Normal school to be located at Machias in the county of Washington. (Tabled pending third reading and tomorrow morning assigned for its consideration on motion of Mr. Beyer of Portland.)

An Act to establish a standard unit of measure and a standard size of can for the sale of milk and cream, and to regulate the sanitary conditions under which milk and cream shall be handled. (Tabled pending third reading on motion of Mr. Rounds of Portland.)

An Act to regulate fishing in Mattanawcook lake, Long, Crooked and Folsom ponds, in Lincoln, Penobscot county, Maine.

Resolve in favor of Daniel P. Hobart for State pension.

Resolve in favor of Martha Burrill of Birmingham.

Resolve in favor of the enlargement of the State House, or the erection of a suitable State office building adjacent thereto. (Tabled pending third reading and assigned for Thursday of this week on motion of Mr. Pattangall of Waterville.)

An Act to amend the charter of the Relief Association of the Portland Fire Department.

An Act authorizing the Merrill Springer Company to make, generate, sell, distribute or supply gas or electricity or both for lighting, heating, manufacturing or mechanical purposes.

An Act authorizing the construction of a wharf into Caseo bay, Portland.

Mr. Rounds of Portland offered House Amendment A by striking out everything

after the enacting clause and substituting new sections.

On motion of Mr. Beyer of Portland the bill was tabled pending action on the amendment and the amendment was ordered printed.

An Act in relation to insurance upon automobiles. (Tabled pending third reading on motion of Mr. Marshall of Portland.)

An Act to incorporate the North Yarmouth Water Company.

Resolve in favor of the Hospital of the Daughters of Wisdom, in the town of St. Agatha, Maine.

Resolve in favor of the Maine School for the Deaf.

Resolve in favor of the Children's Protective Society of Portland.

Passed to Be Enacted.

An Act to appropriate moneys for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

An Act to extend the charter of the Rumford Falls and Bethel Street Railway.

An Act to extend the charter of the Lincoln Electric Railway Company.

An Act to extend the charter of the Lincoln County Street Railway.

An Act to extend the charter of the Waldo Street Railway Company.

An Act to extend the charter of the Danforth Trust Company.

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

An Act to change the name of the Augusta City hospital.

An Act for the better protection of oysters in Sheepscoot and Dyer's rivers, Lincoln county, Maine.

An Act to authorize the construction of a weir in tide waters of the Saint Croix river in the town of Robbinston.

An Act relating to temporary crossings over railroads for lumbering purposes.

An Act to incorporate the Universal Electric Light and Power Company.

An Act to amend Section 9 of Chapter 127 of the Revised Statutes of Maine, relating to cheating by false pretences.

An Act to amend the charter of the city of Ellsworth.

An Act to extend the charter of the Clinton Trust Company.

An Act designating the official flag of the State of Maine and describing the same; providing for the carrying of such flag by the regiments of the National Guard of the State of Maine; authorizing the adjutant general of the State to provide, and have deposited in the office of the adjutant general, a model of said flag, and making an appropriation therefor.

An Act to extend the charter of the Pepperell Trust Company.

An Act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Maine.

An Act to extend the charter of the Ocean and Northern Railroad Company.

An Act to extend the charter of the Winter Harbor Trust Company.

An Act to extend the charter of the Sandy River Trust Company.

An Act to amend Chapter 6 of the Revised Statutes as it was amended by Chapter 61 of the Public Laws of 1907, in relation to the appointment of election clerks.

An Act to amend and correct a clerical error in Chapter 84 of the Public Laws of 1905, relating to the compensation of the clerk to the commissioners of inland fisheries and game.

An Act to amend Section 1 of Chapter 38 of the Private and Special Laws of 1907, relating to fishing in Songo river, so-called, in the county of Cumberland. (Tabled pending passage to be enacted on motion of Mr. Bigelow of Portland).

An Act to authorize the town of Robbinston to erect and maintain a wharf into the tide waters of the Saint Croix river in the town of Robbinston, county of Washington.

An Act to amend Section 21 of Chapter 51 of the Revised Statutes relating to increase of stock of railroad corporations.

An Act relating to the examination of trust companies and savings institutions.

An Act to extend the charter of the American Trust Co.

An Act relative to the use of the cinematograph.

Finally Passed.

Resolve in favor of the Trull Hospital Aid Association.

Resolve in regard to appropriation due Spanish War veterans for services rendered.

Resolve in favor of the Children's Heart Work Society of Maine.

Resolve for extra pay to the Maine Volunteers in war with Spain.

Resolve for the providing of testimonials for the honorably discharged soldiers and sailors who volunteered from Maine for service in the Civil War.

Resolve in favor of E. & I. K. Stetson, agents.

Resolve in aid of the Piscataquis County Historical Society.

Resolve in favor of an appropriation for a breakwater in Moosehead lake.

Resolve in relation to Fort William Henry in the town of Bristol.

Resolve in favor of the town of Paris, Oxford county, Maine.

Resolve in favor of the town of Leeds.

Resolve in favor of the W. C. T. U. Temporary Home for Children.

Resolve in aid of navigation on Moosehead lake.

Resolve in favor of Maine Children's Home Society.

Resolve in favor of the Webber Hospital Association of Biddeford.

Resolve in favor of Hon. George H. Eaton, chairman of the committee on appropriations and financial affairs.

Resolve in favor of the town of Cornville.

Resolve in favor of the town of Lisbon.

Resolve in favor of Joseph A. Mitchell, representative of Passamaquoddy tribe of Indians.

Resolve in favor of navigation on Sebec lake.

Resolve to accept the gift of \$1000 from B. C. Jordan of Alfred, Maine, for the purpose of encouraging cultivation of forest trees.

Resolve in favor of the town of Patten in Penobscot county.

Resolve in favor of Charles D.

Mitchell, representative of Penobscot tribe of Indians.

Resolve in favor of the Northern Maine General hospital of Eagle Lake.

Resolve providing for the purchase and distribution of Savage's Supplemental Digest of the Maine Reports.

Resolve in favor of a memorial statue of Abraham Lincoln and tablet of his Gettysburg address.

Resolve providing for the payment of claims, accounts and demands against the State accrued prior to January 1, 1909, and remaining unpaid by reason of insufficient appropriations.

Orders of the Day.

On motion of Mr. Burleigh of Augusta, House Document No. 146, An Act to amend Sections 3, 4, 6, 7, 11, 12 and 13 of Chapter 15 of the Public Laws of 1907 relating to the protection of trees and shrubs from the ravages of dangerous insects and diseases, was taken from the table.

Mr. Burleigh offered an amendment to House Amendment A by inserting in line eight after the word "may" the words "in the judgment of the commissioner of agriculture."

The amendment was adopted.

House Amendment A as amended was then adopted.

Mr. Burleigh offered House Amendment B to Section 6 by inserting in the third Paragraph in Line 29, on Page 9 of the printed bill, after the word "may" the words "in the judgment of the commissioner of agriculture."

The amendment was adopted, the bill was then read a third time and was passed to be engrossed as amended.

On motion of Mr. Burleigh House Doc. No. 239, An Act to abolish certain grade crossings in the city of Augusta, was taken from the table, and on further motion by Mr. Burleigh it was referred to the committee on railroads and expresses.

On motion of Mr. Rounds of Portland House Doc. No. 207, An Act es-

tablishing rules and regulations for Portland harbor, was taken from the table, and on further motion by Mr. Rounds it was referred to the committee on judiciary.

On motion of Mr. Bogue of East Machias House Doc. 250, resolve in favor of the towns of Dennysville and Edmunds for the purpose of building a bridge between the two towns, was taken from the table, and on further motion by Mr. Bogue it was referred to the committee and ways and bridges.

On motion of Mr. Cole of Kenduskeag House Doc. No. 252, An Act to amend Section 8 of Chapter 15 of the Revised Statutes of Maine relating to State aid for academies, was taken from the table, and on further motion by Mr. Cole it was referred to the committee on education.

On motion of Mr. Spear of South Portland An Act to incorporate the Fore River Shore Line, was taken from the table, and on further motion by Mr. Spear it was referred to the committee on railroads and expresses.

On motion of Mr. Spear An Act to incorporate the South Portland Railway Terminal Co. was taken from the table, and on further motion by Mr. Spear it was referred to the committee on railroads and expresses in non-concurrence.

On motion of Mr. Bigelow of Portland the rules were suspended and he introduced two remonstrances out of order: Remonstrance of Charles E. Wheeler of Portland and 33 others against an act to create the office of medical examiner; of George O. Loring of Portland and 41 others against same. (Referred to the committee on judiciary).

On motion of Mr. Spear of South Portland House Doc. No. 255, An Act to incorporate the Scarborough & Cape Elizabeth Railway Co., was taken from the table, and on further motion by Mr. Spear it was referred to the committee on railroads and expresses.

On motion of Mr. Emery of Sanford, adjourned.