

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

HOUSE.

Friday, Feb. 26, 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 extend the charter of the Bethel Trust Co.

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

An Act to extend the charter of the Stonington Electric Light and Power Co.

An Act to provide for the attesting of public records, deeds, and other instruments.

Resolve in favor of the Maine Insane hospital for support of criminal insane.

Resolve in favor of the Chase Island hospital.

Resolve in favor of the Eastern Maine Insane hospital, for concrete walk, grading, painting, furnishings, completion of contracts on barn, tubercular hospital and Wing D.

Resolve in favor of the Maine Insane hospital, for additional compensation for certain officers.

Resolve in favor of the Maine Insane hospital for completion of the criminal insane building.

Resolve in favor of the Eastern Maine Insane hospital for steam sterilizer, tools and machinery, vegetable cellar and piggery extension.

Resolve in favor of the Maine Insane hospital, to provide for deficiencies.

Resolve in favor of the Eastern Maine hospital to provide for deficiencies.

Resolve in favor of the Maine Insane hospital, for greenhouse, wharf, coal pocket, commander's house and residences on Arsenal grounds.

Resolve in favor of the Eastern Maine Hospital for the purchase of additional land.

Mr. WING of Auburn: Mr. Speaker, I move to reconsider the vote whereby these various resolves in regard to

both hospitals were assigned for their third reading for next Tuesday. As I understand the matter of these resolves they carry provisions to the extent of nearly half a million dollars. They have been read without a word of explanation. I simply desire that they may be discussed and that this House may have some notion of what this money is to be spent for. I think the matter should not pass without discussion.

Mr. WELD of Old Town: Mr. Speaker, I wish to say to the House that every resolve has been unanimously reported by the committee after careful consideration and due investigation. After a conference of the committee yesterday there is one resolve which will be held up in the Senate. I do not think there is one of them which the State of Maine can very well dispense with. There is one resolve, as I said, that will be held up in the Senate tomorrow, and with that one exception all these resolves have the support of the Governor of the State. I think we will hasten the business of the House by letting them go along. Speaking for the minority I wish to say that I am in favor of these resolves.

The question being on the motion to reconsider the vote whereby the resolves relating to the Insane hospitals were tabled and assigned for next Tuesday, a division was had and resulted in a vote of 28 in the affirmative and 48 in the negative.

So the motion was lost.

An Act to submit to the legal voters of York county the question as to whether the shire town shall be changed, and if so whether the shire town shall be established at Saco, Kennebunk or Sanford, was tabled and assigned for Wednesday of next week on motion of Mr. Chase of York.

Resolve relating to the documentary history of Maine, came from the Senate indefinitely postponed.

On motion of Mr. Marshall of Portland the resolve was tabled pending concurrent action with the Senate.

Resolve in relation to the early York county deeds, which was passed to be engrossed in the House, came back

from the Senate amended by Senate Amendment A.

On motion of Mr. Marshall of Portland the resolve was tabled pending the adoption of the amendment in concurrence.

Various petitions in favor of the Donigan bridge bill, which were referred in the House to the committee on ways and bridges, were in the Senate ordered placed on file.

On motion of Mr. Marshall of Portland the House receded and concurred with the Senate.

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

Judiciary.

By Mr. Dunn of Brewer: Remonstrance of E. B. Merrill and 53 others of Brewer against An Act to create the office of medical examiner.

By Mr. Burleigh of Augusta: An Act additional to Chapter 135 of the Revised Statutes relating to witnesses in criminal proceedings.

By Mr. Peters of Ellsworth: An Act to amend Sections 59, 62, 63 and 64 of Chapter 49 of the Revised Statutes.

Appropriations and Financial Affairs.

By Mr. Pattangall of Waterville: Resolve in favor of the University of Maine. (Tabled for printing, pending reference to the committee on motion of Mr. Wing of Kingfield).

Inland Fisheries and Game.

By Mr. Higgins of Starks: Petition of P. A. Williams of Emden and 47 others for open season for ice fishing in Great Emden pond.

Taxation.

By Mr. Additon of Leeds: Petition of A. F. Fellows and 15 others of Fayette in favor of mill tax for common highways; of N. Gould and 72 others of Hiram for same; of H. G. Parsons and 17 others of Turner for same; of J. L. Kirkpatrick and 18 others of Auburn for same; of C. P. Saunders and 20 others of Livermore for same; of M. B. Sanborn and 11 others of Greene for same; of F. M. Gilman and 17 others of Turner for same; of H. S. Stockman and 17 others of Auburn for same; of Jehn Waddell and 18 others of Mapleton for same; of W. S. Bearce and 23 others for same; of W. A. Allen and 17 others of Stoneham for same.

Arroostook County Delegation.

By Mr. Patterson of Solon: Petition of C. F. Danton and 29 others in favor of regulating the width of sleds.

Placed on File.

By Mr. Wing of Kingfield: Petition of Charles B. Richardson and 15 others for the Optometry bill.

By Mr. Dunn of Brewer: Petition of Manley H. Perkins and 22 others in favor of the two-cent mileage rate.

On motion of Mr. McLain of Eremen the rules were suspended and he introduced resolve in favor of the town of Washington for reimbursement for money paid for support of Frank Ashe, a State pauper. (Referred to the committee on claims).

On motion of Mr. Bartlett of Eliot the rules were suspended and he presented An Act to make valid the organization of the Rice Public Library of Kittery, Maine, organized under Chapter 57 of the Revised Statutes in the year 1903; also An Act to make valid the organization of the Monumental Memorial Association of Eliot, Maine, organized under Chapter 57 of the Revised Statutes November 9, 1905.

Reports of Committees.

Mr. Wing from the committee on taxation reported "ought not to pass" on bill, An Act for the better collection of taxes.

Mr. Peters from same committee reported same on bill, An Act to regulate the office hours of registers of deeds in the several counties. (Report and accompanying bill tabled on motion of Mr. Burleigh of Augusta).

Mr. Burleigh from same committee on bill, An Act to incorporate the Skowhegan Water District, reported that the same be printed and recommended.

Mr. Cummings from the committee on claims reported "ought not to pass" on resolve in favor of A. J. Cameron.

Mr. Bigelow from the committee on inland fisheries and game reported same on bill, An Act to require resident hunters to pay a license fee.

Mr. Bigelow from same committee on petition praying that Jimmy pond in

Litchfield be opened for summer fishing, reported "leave to withdraw."

Mr. Bigelow from same committee on bill, An Act to prohibit trout fishing in Goding brook and tributaries in the town of Lebanon and Acton, York county, reported that the same be referred to the commissioners of inland fisheries and game as the subject matter of said act properly comes under their jurisdiction by the general law.

Mr. Bigelow from same committee reported same on petition praying for regulations upon fishing in Moxie pond, Somerset county.

Mr. Bigelow from same committee reported same on petition for a close time on Twelve Mile stream and tributaries.

Mr. Bigelow from same committee reported same on bill, An Act to prohibit trout fishing in Carey brook, so-called and tributaries in the town of Lebanon, York county.

Mr. Bigelow from same committee reported same on petition praying for regulation upon fishing in Moxie pond, Somerset county.

Mr. Bigelow from same committee reported same on petition asking for regulations on fishing in Warrens pond, South Berwick.

Mr. Bigelow from same committee reported "ought not to pass" on bill, An Act to regulate fishing in Thompson and Hill brook and all its tributaries in the town of Mexico.

Mr. Bigelow from same committee on remonstrance against closing of C pond in Oxford county to all but fly fishing, reported that the same be placed on file as the subject matter of said remonstrance has already been acted upon and reported by this committee.

Mr. Bigelow from same committee reported same on remonstrance against any change in the law relating to snaring of rabbits in Hancock county.

Mr. Bigelow from same committee reported "ought not to pass" on bill, An Act to amend Section 1 of Chapter 412 of the Private and Special Laws of 1907.

Mr. Lane from same committee on Petition that the law be amended so that close time on wild hares or rab-

bits shall be from March 15 to Oct. 1 following, reported "leave to withdraw."

Mr. Packard from the committee on claims reported "ought not to pass" on resolve in favor of A. J. McKenny.

Mr. Higgins from the committee on education reported same on bill, An Act to amend Paragraph 2 of Section 35 of Chapter 15 of the Revised Statutes relating to the duties of superintending school committees.

Mr. Havey from same committee reported same on Resolve in new draft, Resolve in favor of the treasurer of the Eastern Maine Conference Seminary at Bucksport.

The reports were accepted.

Mr. Montgomery from the committee on judiciary reported "ought to pass" on bill, An Act to amend the charter of the trustees of Hebron Academy.

Mr. Wing from same committee reported same on bill in new draft, An Act in relation to the South Paris Village Corporation and to establish a municipal water system for said corporation.

Mr. Burleigh from same committee reported same on bill, An Act to amend Section 11 of Chapter 81 of the Revised Statutes relating to records of proceedings in court.

Mr. Marshall from the committee on legal affairs reported same on bill, An Act to extend the charter of the Eastport Street Railway Co.

Mr. Hall from same committee reported same on bill, An Act to incorporate the North Parsonsfield Water Co.

Mr. Pike from same committee reported same on bill, An Act to incorporate the Bonney Woods Corporation.

Mr. Morse from same committee reported same on bill, 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.

Mr. Bisbee from the committee on appropriations and financial affairs reported same on Resolve in favor of the Maine Mission for the Deaf.

Mr. Millett from the committee on agriculture reported same on Resolve

in favor of the State Pomological Society.

Mr. Bigelow from the committee on inland fisheries and game, on petition reported bill, An Act to regulate fishing in that portion of Rangeley lake known as South bog, Franklin county, and that it ought to pass.

Mr. Bigelow from same committee, on Petition reported bill, An Act to regulate fishing in the waters of Alder stream in the county of Franklin, and that it ought to pass.

Mr. Bigelow from same committee reported same on bill, An Act to provide for close time on wild animals and birds on Kineo point, so-called, Moosehead lake.

Mr. Bigelow from same committee reported same on bill, An Act to amend Chapter 412 of the Private and Special Laws of 1907 relating to fishing in Swift river in the counties of Oxford and Franklin.

Mr. Bigelow from same committee, on Petition reported bill, An Act to regulate fishing in Molridgewock pond and stream, also the inlet to said Molridgewock pond, Oxford county.

Mr. Bigelow from same committee, on Petition reported bill, An Act to regulate fishing in Brown brook and Keay pond and tributaries in Somerset county, and that it ought to pass.

Mr. Bigelow from same committee, reported "ought to pass" on bill, An Act relating to open season for the hunting of certain game birds in the county of Hancock.

Mr. Bigelow from same committee, on Petition reported bill, An Act to prohibit ice fishing in Puffer pond, so-called, in the town of Dexter, Penobscot county.

Mr. Bigelow from same committee, on Petition reported bill, An Act to regulate fishing in Magalloway river and tributaries and Upper and Lower Lincoln pond and Parmachence lake, Oxford county.

Mr. Bigelow from same committee, reported "ought to pass" on bill, An Act to protect the white perch in Ellis pond, sometimes called Roxbury pond, in the town of Roxbury and Byron in the county of Oxford.

Mr. Chase from the committee on State lands and State roads reported "ought to pass" on bill in new draft, An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 and 13 of Chapter 112 of the Public Laws of 1907 relating to highways.

Mr. Cummings from the committee on claims reported same on Resolve in favor of Joseph E. Jewett.

Mr. Smith from same committee reported same on resolve in favor of the town of Searsport.

Mr. Cummings from same committee reported same on resolve in favor of the town of Starks.

Mr. Boynton from same committee reported same on resolve in favor of the State board of veterinary examiners.

Mr. Boynt from same committee reported same on resolve in favor of the town of Fort Kent.

Mr. Boynton from same committee reported same on resolve in favor of the town of Bremen.

Mr. Boynton from same committee reported same on resolve in new draft, resolve in favor of the town of Williamsburg.

Mr. Donnell from same committee reported same on resolve in favor of Eugene A. Holmes.

Mr. Spear from same committee reported same on resolve in favor of Gilbert M. Elliott and Lincoln H. Colby.

Mr. Cummings from same committee reported same on resolve in favor of the city of Ellsworth.

Mr. Packard from same committee reported same on resolve in favor of the town of East Machias.

Mr. Packard from same committee reported same on resolve in favor of the town of Tremont.

Mr. Robbins from same committee on ways and bridges reported same on resolve in new draft, resolve in aid of bridge across the Aroostook river in the town of Masardis, Aroostook county.

Mr. Packard from the committee on State prison reported same on bill in new draft, An Act to provide for retiring and pensioning prison officers.

First Reading of Printed Bills and Resolves.

Resolve in favor of J. E. Cook, secretary.

Resolve in favor of the town of Frankfort, in Waldo county.

An Act to provide for a close time on Hungarian partridges, so-called.

An Act to regulate the catching of pickerel in Lake Pushaw.

An Act to regulate fishing in Dead Cambridge river, in Upton and "C" Surplus, and tributaries, also tributaries to C pond, in Township "C" surplus, Oxford county.

An Act to amend Section 48 of Chapter 40 of the Revised Statutes relating to the hours of labor of women and children.

An Act to amend Section 4, Chapter 144 of the Revised Statutes relating to Insane hospitals.

An Act to regulate fishing in the town of Durham.

An Act authorizing the president and secretary of the trustees of the Maine Insane and Eastern Maine Insane hospitals to execute a deed for certain lands in Bangor.

An Act to revise and consolidate the laws relating to the collection, examination, inspection and analysis of agricultural seeds, concentrated commercial feeding stuffs, commercial fertilizer, and foods and drugs.

Mr. Strickland of Bangor offered an amendment by adding to Section 2 the following: "All fines paid under Chapter 39 of the Revised Statutes and under Section 8 of Chapter 124 of the Public Laws of 1907 may be used for the enforcement of the laws regulating the sale and analysis of agricultural seeds, commercial fertilizers, concentrated commercial feeding stuffs and food and drugs, and shall be paid over by the several county commissioners, to whom they shall be paid, to the officers charged by law with the enforcement of the laws regulating the same."

The amendment was adopted, the bill received its second reading and was assigned for next Tuesday.

Passed to Be Engrossed.

Resolve in favor of Susan E. Dumphe, widow of Charles Dumphe,

late of Co. G, 6th Regiment of Infantry, Maine Volunteers, Civil War.

Passed to Be Enacted.

An Act to open Mayfield and Kingsbury pond in Somerset county for ice fishing.

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

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

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 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.

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 introduction and ravages of dangerous insects and diseases.

An Act relating to special contracts between employers and employees.

Finally Passed.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish.

Resolve for providing for the repair of highway in Washington plantation and Perkins plantation in Franklin county.

Resolve in favor of William H. Murch, late Co. G, 15th Regiment, United States Infantry.

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

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

Resolve in favor of Lewis Robbins of the town of Waldoboro.

Resolve in favor of Martha Burrill of Limington.

Resolve in favor of Freedom Academy.

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

Orders of the Day.

Special assignment: An Act to extend the charter of the Cumberland County Power and Light Co.

Mr. ROUNDS of Portland: Mr. Speaker, I am requested by the friends of this bill to move that it be indefinitely postponed.

The motion was agreed to.

Special assignment: An Act to improve the public highways of Maine by regulating the width of tires upon wagons made for carrying heavy loads.

On motion of Mr. Chase of York the report of the committee on this bill reporting "ought not to pass" was accepted.

On motion of Mr. Marshall of Portland Senate Doc. No. 178, An Act in relation to insurance upon automobiles, was taken from the table, and on further motion by Mr. Marshall the bill received its third reading and was passed to be engrossed.

On motion of Mr. Redlon of Portland the vote was reconsidered whereby the House passed to be engrossed Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

Mr. Redlon offered an amendment to House Amendment A by inserting after the word "purposes" in line 11 the following: "and for incorporating such description in deeds when lands are sold for taxes, also for the employment of a competent person or persons to assist said board of State assessors in making special explorations in wild land townships to ascertain for taxation purposes their just and fair value."

The amendment was adopted and the bill was then passed to be engrossed as amended.

On motion of Mr. Wing of Auburn House Doc. No. 295, An Act relating to hawkers and peddlers, was taken from the table, and on further motion by Mr. Wing it was referred to the committee on judiciary.

On motion of Mr. Hersey of Houlton the rules were suspended and he introduced An Act to incorporate the Milo Water District. (Referred to the committee on judiciary.)

On motion of Mr. Hodgkins of Damariscotta the rules were suspended and he introduced An Act to separate the town of Bristol in the county of Lincoln into three voting districts. (Referred to the committee on judiciary.)

On motion of Mr. Chase of York the vote was reconsidered whereby Wednesday of next week was assigned for the consideration of the bill relating to changing the county seat of York county.

Senate Amendments A, B, C, D and E were then adopted in concurrence, the bill received its two readings and was assigned for Tuesday of next week.

On motion of Mr. Burleigh of Augusta the report of the committee on judiciary reporting "ought not to pass" on bill, An Act to regulate the office hours of registers of deeds in the several counties, was taken from the table, and on further motion by Mr. Burleigh the bill was recommitted to the committee on judiciary, pending the acceptance of the report.

On motion of Mr. Nelson of Hebron the rules were suspended and he introduced Resolve in favor of Freeman B. Andrews. (Referred to the committee on pensions.)

On motion of Mr. McLain of Bremen,

Adjourned.