

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

HOUSE.

Saturday, March 13, 1909.

Prayer by Rev. Mr. Allen of Jonesboro.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to amend Sections 40, 41, 44 and 45 of Chapter 15 of the Revised Statutes relating to the union of two or more towns for the employment of a superintendent of schools. (Tabled pending first reading on motion of Mr. Dunn of Brewer.)

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

Judiciary.

By Mr. Bussell of Gardiner: An Act to amend Section 5 of Chapter 44 of the Public Laws of 1907, providing for the care and education of the feeble minded.

By Mr. Burleigh of Augusta: An Act to amend Section 51 of Chapter 79 of the Revised Statutes, relating to the appointment of auditors, surveyors and referees in vacation.

Appropriations and Financial Affairs.

By Mr. Marshall of Portland: Resolve in favor of the committee on bills in the third reading for clerical assistance.

Agriculture.

By Mr. Blanchard of Wilton: An Act to amend Chapter 83 of the Public Laws of 1905, relating to contagious diseases among cattle

Military Affairs.

By Mr. Hall of Caribou: Resolve urging action of the United States in removing the hulk of the battleship "Maine" from Havana harbor, and the decent burial of the 63 bodies of American seamen therein.

Reports of Committees.

Mr. Wing from the committee on the judiciary reported "ought not to pass" on Bill "An Act to create a lien on real estate for drilling a well thereon."

Mr. Montgomery from same commit-

tee reported same on Resolve to provide for the appointment of a commission to recodify the insurance laws of the State of Maine."

Same gentleman from same committee reported same on Bill "An Act relating to hawkers and peddlers."

Mr. Cole from the committee on ways and bridges reported "ought not to pass" on Resolve in favor of county commissioners of Franklin county for permanent improvements on road in Jerusalem and Crocker Township.

Mr. Bearce from the committee on towns reported "ought not to pass" on Bill "An Act to separate Sheridan Plantation, so called, from the town of Ashland in the county of Aroostook."

Mr. Hannaford from the committee on claims reported "ought not to pass" on Resolve in favor of Lewis O. Daggett.

The reports were accepted.

Mr. Montgomery from the committee on the judiciary reported "ought to pass" on bill "An Act to amend the charter of the Messalonskee Electric Co."

Mr. Hersey from same committee reported same on bill "An Act additional to Chapter 135 of the Revised Statutes, relating to witnesses in criminal proceedings."

Mr. Wing from same committee reported "ought to pass" in new draft under same title" on bill "An Act establishing rules and regulations for Portland harbor."

Same gentleman from same committee reported "ought to pass" on bill "An Act to authorize and empower Joseph Dresser to remove the remains of certain deceased persons from his farm in Cape Elizabeth to the public cemetery."

Mr. Peters from same committee reported same on bill "An Act to amend Paragraph 5 of Section 30 of Chapter 18 of the Revised Statutes, relating to by-laws of local boards of health.

Same gentleman from same committee reported same on bill "An Act in relation to equity proceedings."

Mr. Burleigh from same committee reported same on bill "An Act relating to frivolous exceptions."

Same gentleman from same committee reported "ought to pass in new

draft under same title" on bill "An Act in relation to political caucuses in the city of Old Town."

Mr. Andrews from same committee reported "ought to pass" on bill "An Act to create a Cemetery Corporation for the city of Rockland."

Same gentleman from same committee reported same on bill "An Act to amend Section 13 of Chapter 117 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1907, relating to the per diem attendance of expert witnesses."

Same gentleman from same committee reported "ought to pass in new draft under same title" on bill "An Act to amend Section 23 of Chapter 114 of the Revised Statutes, as amended by Chapter 2 of the Public Laws of 1907, relating to poor debtors."

Mr. Millett from the committee on agriculture reported "ought to pass" on bill "An Act relating to the transportation of animals."

Mr. Blanchard from same committee reported "ought to pass in new draft under same title" on bill "An Act in addition to Chapter 19 of the Revised Statutes, relating to contagious diseases among cattle."

Mr. Rounds from the committee on ways and bridges reported "ought to pass in new draft under same title" on resolve in favor of the county commissioners of Franklin county for the repair and permanent improvement of the road from Madrid line through Letter E Plantation and Sandy River Plantation.

Same gentleman from same committee reported same on resolve in favor of State aid for the support of the Eastport bridge.

Mr. Bigelow from the committee on inland fisheries and game reported "ought to pass" on bill "An Act amendatory of Section 20 of Chapter 30 of the Revised Statutes, relative to the poisoning of animals."

Same gentleman from same committee on petition of H. A. Mansfield and others praying for regulations on fishing in Indian River stream in Washington county, and its tributaries, reported bill entitled "An Act to regulate fishing in Indian River stream,

so-called, in the towns of Jonesport, Addison and Columbia Falls, in the county of Washington."

Mr. Hodgkins from the committee on shore fisheries on petition of H. E. Webster and 82 others of Newcastle praying for the prohibition of the use of drag nets or seines in the catching of smelts in Damariscotta river or its tributaries, reported bill entitled "An Act relating to the catching of smelts in Damariscotta river, bays and tributaries."

Mr. Kelley from same committee reported "ought to pass" on bill "An Act to regulate the taking of eels in Taunton bay, town of Franklin."

Mr. Moore from the committee on claims reported "ought to pass in new draft under same title" on resolve in favor of the town of Rangeley.

Mr. Hannaford from same committee reported "ought to pass" on resolve in favor of the town of Dennysville.

Same gentleman from same committee reported "ought to pass in new draft under same title" on resolve in favor of Parker Pineo.

Mr. Beals from same committee reported "ought to pass" on resolve in favor of the town of Nobleboro.

Same gentleman from same committee reported same on resolve in favor of the town of Dexter.

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

Same gentleman from same committee reported same on resolve in favor of the town of Dexter.

Same gentleman from same committee reported "ought to pass in new draft under same title" on resolve in favor of the town of Perham.

Mr. Colby from the committee on forest preservation and water supply reported "ought to pass in new draft under same title" on bill "An Act to amend Specification 10 of Section 6 of Chapter 9 of the Revised Statutes, relating to the exemption from taxation of lands set apart for the production of forest trees, as amended by Chapter 169 of the Public Laws of 1907."

Mr. Campbell from same committee reported same on bill "An Act relating

to portable or movable sawmills in cities and incorporated towns."

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

First Reading of Printed Bills and Resolves.

An Act to amend Paragraph twenty of Section one of Chapter one hundred and sixteen of the Revised Statutes of nineteen hundred and three as amended by Chapter one hundred and twenty of the public Laws of nineteen hundred and five, relating to Sea and Shore Fisheries.

An Act relating to police court of the city of Belfast.

An Act to abolish the office of auditor of State printing.

An Act to amend Chapter one hundred and eighty-three of the Public Laws of nineteen hundred and seven, relating to time of payment of members of the government.

An Act authorizing plantation of Monhegan to issue bonds to raise money to pay the cost of building a town landing.

An Act to amend Section 10 of Chapter 433 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Portland Water District."

An Act to incorporate the Northeastern Insurance Company.

An Act to consolidate and revise the laws relating to State printing and binding.

Resolve authorizing the land agent to make a deed for the purpose of curing defects in the title to Dog Fish island in the Penobscot bay.

Resolve in favor of a monument for the late Commodore Samuel Tucker at Bremen, Maine.

Passed To Be Engrossed.

An Act legalizing the assessment and commitment of taxes in the city of Ellsworth for the years 1903 and 1904.

An Act relating to the fees of the city clerk and treasurer and collector of the city of Portland.

An Act to amend Section 1 of Chapter 407 of the Private and Special Laws of 1903, as amended, relating to fishing in Hayden lake, so called, in the town of Madison in Somerset county.

An Act to amend Section 7 of Chapter

99 of the Revised Statutes, relating to judgments in bastardy cases.

An Act to regulate fishing in Pierce pond, so called, in Somerset county.

An Act to regulate the hunting of ducks and other water fowl in Bluehill bay and Eggmoggin Reach, so called.

An Act to provide for a fire and police commission for the town of Skowhegan.

An Act to amend Section 11 of Chapter 93 of the Acts and Resolves of 1878, relative to the establishment of a municipal court in the town of Farmington.

An Act to amend Section 1 of Chapter 96 of the Private and Special Laws of 1905.

Mr. Marshall of Portland offered House Amendment A, to amend the title by adding the following: "to prohibit the deposit of refuse matter upon the banks of the Aroostook river in Fort Fairfield Village Corporation."

The amendment was adopted and the bill received its third reading and was passed to be engrossed as amended.

An Act to define and regulate the practice of optometry.

An Act to incorporate the Androscoggin Valley Railroad Company.

Resolve in favor of the Maine School for Feeble Minded.

An Act to authorize the Sebasticook Power Co. to issue additional bonds.

An Act to amend Section 45 of Chapter 123 of the Public Laws of 1905, as amended by Chapter 43 of the Public Laws of 1907, entitled "An Act for the protection of children."

An Act to amend Section 88 of Chapter 84 of the Revised Statutes relating to empanelling of traverse jurors.

An Act to incorporate the Woodland Light and Water Co.

An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fort Fairfield Village Corporation," as amended by Chapter 303 of the Private and Special Laws of 1905, and as amended by Chapter 116 and by Chapter 210 of the Private and Special Laws of 1907.

Resolve in favor of Israel H. Cross of Lincolnville.

Resolve in favor of the town of Old Orchard for abatement of taxes for the years 1907 and 1908.

Passed To Be Enacted.

An Act to amend Chapter 8 of the Revised Statutes relating to the board of State assessors. (Tabled pending its passage to be enacted on motion of Mr. Rounds of Portland.)

Orders of the Day.

On motion of Mr. Hersey of Houlton the vote was reconsidered whereby the House passed to be engrossed Resolve authorizing the State land agent to sell certain lots in the towns of St. Agatha and Madawaska in Aroostook county, and on further motion by Mr. Hersey the further consideration of the resolve was postponed to next Tuesday.

On motion of Mr. Marshall of Portland the vote was reconsidered whereby the House assigned next Monday afternoon for the third reading of bill, An Act to amend Section 10 of Chapter 533 of the Private and Special Laws of 1907 entitled "An Act to incorporate the Portland Water District."

Mr. MARSHALL: Mr. Speaker, it is evident that a mistake was made in the report on this bill. It was the unanimous sense of the Portland and South Portland delegations that the bill ought not to pass. There was another bill providing for a sinking fund which it was the unanimous sense of the delegations should pass. That bill has not yet come in; apparently this one by mistake is in place of it. Therefore, after consulting with such other members of the delegations as are present, and knowing that it is the unanimous sense of the delegations that it ought not to pass, I move that this bill be indefinitely postponed.

The motion was agreed to.

On motion of Mr. Smith of Andover the report of the committee on interior waters, to which was referred Resolve in aid of buoys and piers in Rangeley lake, reporting ought not to

pass, as the same subject matter has been reported in another resolve, was taken from the table, and on further motion by Mr. Smith the report of the committee was accepted.

On motion of Mr. Allen of Jonesboro the majority and minority reports of the committee on temperance, to which was referred resolve calling for an amendment to the Constitution by abrogating and annulling Amendment 5 relating to the sale and manufacture of intoxicating liquors, the majority reporting "ought not to pass" and the minority reporting "ought to pass," was taken from the table, and on further motion by Mr. Allen the further consideration of the reports was assigned for Thursday of next week.

On motion of Mr. Allen of Jonesboro the rules were suspended and he introduced the following:

Remonstrance of the selectmen of East Machias against the proposed law changing the present rule for the taxation of logs. (Referred to committee on taxation.)

Petition of James H. Schopper and 22 others for Resolve in favor of the town of Jonesboro; of Charles C. Whitney and 29 others for same; of T. H. Schopper and 28 others for same; of Warren G. Fish of Jonesboro and 24 others for same. (Referred to the committee on ways and bridges.)

On motion of Mr. Hersey of Houlton the report of the committee on railroads and expresses reporting "ought not to pass" on bill, An Act to enlarge the powers and duties of the railroad commissioners and to regulate the fares and tolls of common carriers, was taken from the table and on further motion by Mr. Hersey its further consideration was assigned for Wednesday of next week.

On motion of Mr. Blake of Monmouth,

Adjourned until next Monday at 4.30 o'clock P. M.