

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**SENATE.**

Thursday, Jan. 28, 1909.

Senate called to order by the President.

Prayer by the Rev. Mr. Herrick of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act to require life preservers on motor boats" came from the House, by that branch referred to the committee on Judiciary. On motion of Mr. Baxter of Cumberland, the bill was tabled for printing, pending reference.

Bill, "An Act to amend Section 19 of Chapter 15 of the Revised Statutes relating to the purchase of second-hand books for schools" came from the House, by that branch referred to the Committee on Education. On motion by Mr. Howes of Somerset this bill was tabled for printing, pending reference.

Bill, "An Act to provide for the uniform grading, packing and branding of apples" came from the House, by that branch referred to the committee on Agriculture. On motion by Mr. Howes of Somerset, this bill was tabled for printing, pending reference.

Bill, "An Act to amend Chapter 117 of the Laws of 1905 relating to salaries of County Commissioners of Washington County" came from the House, by that branch referred to the committee on Salaries and Fees. On motion by Mr. Wyman of Washington, the Senate non-concurred with such reference, and on further motion by the same senator the bill was referred to the Washington County Delegation. Subsequently on motion by the same senator, the vote whereby the bill was referred to the Washington County Delegation, was reconsidered, and, on further motion by the same senator, the bill was referred to the committee on Salaries and Fees, in concurrence.

**House Bill Read and Assigned.**

An Act relating to Canning Machinery and Supplies Association. House Amendment A adopted in concurrence.

The following communication was received:

"Augusta, Jan. 28, 1909.

To the Honorable Senate and House of Representatives:

I have the honor to respectfully call your attention to the fact that President Roosevelt has recommended that February 12th, 1909, the 100th anniversary of the birth of Abraham Lincoln, be observed as a National Holiday. Similar action has already been taken by several of the State legislatures. I suggest therefore that it would be particularly appropriate for our Legislature at this time to set apart the 12th day of February next as a State Holiday in commemoration of the birth of our lamented ex-President; and I trust that the matter may have your favorable consideration.

Very respectfully,

(Signed) BERT M. FERNALD,  
Governor of the State of Maine."

On motion by Mr. Hastings of Oxford the foregoing message was received and referred to the committee on Lincoln Memorial Day Exercises.

The following bills, petitions and resolves were presented and referred:

**Judiciary.**

By Mr. Hastings of Oxford: Bill, An Act relating to the acknowledgement of Deeds.

By Mr. Hamilton of York: Bill, An Act to amend Section 15 and 16 of Chapter 17 of the Revised Statutes, relating to practice of medicine.

By Mr. Macomber of Kennebec: Bill, An Act to change the name of Augusta City Hospital.

By Mr. Baxter of Cumberland: Petition of Henry F. Kloman and 10 others in favor of the Uniformity of Divorce Laws. Also: Petition of Frank L. Wilkins and 203 others favoring the Act making uniform the laws of Marriage and Divorce.

By Mr. Mullen of Penobscot: Petition of A. H. Andrews and 16 others of Bangor against an Act to prohibit the use of Automobiles in the towns of Eden, Mt. Desert, Tremont and Southwest Harbor, on the Island of Mt. Desert.

**Legal Affairs.**

By Mr. Staples of Knox: An Act to

amend An Act relating to the Police Court of the City of Rockland.

Also: Bill, An Act in relation to exceptions and appeal in criminal cases.

### **Education.**

By Mr. Knowlton of Piscataquis: Bill, An Act to amend Sections 40, 41, 43, 44 and 45 of Chapter 15 of the Revised Statutes relating to the superintendence of towns comprising school unions. On motion by the same senator this bill was tabled for printing pending reference.

Also: Bill, An Act to extend the privileges of secondary school instruction to youths resident in unorganized townships. On motion by the same senator, this bill was tabled for printing, pending reference.

Also: Resolve in favor of investigation of industrial education. On motion by the same senator this bill was tabled for printing, pending reference.

By Mr. Walker of Hancock: Resolve in favor of the Western State Normal School.

### **Interior Waters.**

By Mr. Hastings of Oxford: Resolve in favor of buoys on Richardson Lake.

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

By Mr. Hastings of Oxford: Resolve for repairs of Highway in Upton, Malloway Plantation and Township C, in Oxford County.

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

By Mr. Staples of Knox: Resolve for the purpose of erecting a fish hatchery in Knox County.

### **Claims.**

By Mr. Kellogg of Penobscot: Resolve in favor of Stacyville Plantation, Penobscot County.

By Mr. Theriault of Aroostook: Resolve in favor of the town of Frenchville for one hundred and forty-one dollars and seventy-five cents to be paid to the town of Frenchville on account of state road constructed in 1908.

### **Pensions.**

By Mr. Boynton of Lincoln: Resolve in favor of Lewis Robbins of the town of Waldoboro.

### **Taxation.**

By Mr. Looney of Cumberland: Bill, An Act to amend Chapter 10 of the Revised Statutes relating to the sale of land for non-payment of taxes.

### **Salaries and Fees.**

By Mr. Mullen of Penobscot: Bill, An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, relating to Bangor Municipal Court.

### **Forestry and Water Supply.**

By Mr. Hamilton of York: Resolve to accept gift of \$1000 from Benjamin C. Jordan of Alfred to encourage forest cultivation.

### **Orders.**

On motion by Mr. Warren of Cumberland, it was—

Ordered, the House concurring, that the committee of forestry and water supply be directed to inquire into the expediency of creating an emergency fund for the purpose of the prevention and extinguishment of forest fires in unincorporated townships, and report by bill or otherwise.

On motion by Mr. Shaw of Kennebec, it was—

Ordered, that a joint special committee of three on the part of the Senate with such as the House may join be appointed a committee on public health.

### **Reports of Committees.**

Mr. Hastings for the committee on judiciary, on Bill, An Act in amendment of Sec. 1 of Chap. 136 relating to sentence in criminal cases, reported that same be referred to the committee on temperance.

Mr. Eaton for the committee on appropriations and financial affairs on order relating to the advisability of requiring a reasonable fee from persons and corporations asking for private and special legislation, except educational and charitable institutions, pensions and similar matters, reported the same without recommendation, having been discharged from consideration by a subsequent order.

Mr. Wyman for the committee on sea and shore fisheries, on Bill, "An Act to amend Sec. 3 of Chapter 41, R. S., 1903, relating to sea and shore fisheries, reported that the same be printed and re-committed.

Mr. Walker, for the committee on libra-

ry, on order, That the State librarian appoint a suitable person as reference librarian," reported same ought not to pass.

The foregoing reports were accepted.

Mr. Gowell, for the committee on legal affairs, on Bill, "An Act to protect benevolent, humane, fraternal or charitable corporations or organizations in the use of their names and emblems and providing penalties for the violation thereof," reported same in new draft under title of "An Act to protect benevolent, humane, fraternal or charitable corporations or organizations in the use of their names and emblems, and providing penalties for the violation thereof."

Mr. Osgood, for the committee on appropriations and financial affairs, on resolve in favor of the Maine Home for Friendless Boys, reported that same ought to pass.

The same senator for the same committee, on "Resolve in favor of the Children's hospital," submitted the same in new draft, under same title.

Mr. Mullen, for the committee on railroads and expresses, on Bill, "An Act to extend the charter of the Aroostook Valley Railroad Company," reported that the same ought to pass.

Mr. Emery, for the same committee, on Bill, "An Act relating to the extension of the Fryeburg Horse Railroad," reported that the same ought to pass.

The foregoing reports were accepted, and the several bills and resolves were tabled for printing, under the joint rules.

#### **Passed to Be Engrossed.**

An Act to authorize the Governor to appoint a stenographer.

An Act to amend Section 22 of Chapter 66 of the Revised Statutes of Maine, relating to the probate of wills.

Resolve in favor of the Hayes' Young Women's Home at Lewiston.

Resolve in aid of Temporary Home for Women and Children at Portland.

On motion by Mr. Hamilton of York this bill was tabled.

#### **Finally Passed.**

Resolve in favor of secretary of the Senate.

#### **Orders of the Day.**

On motion by Mr. Staples of Knox, Senate Doc. No. 7, "An Act to create a State police force," was taken from the

table. On further motion by the same senator the bill was referred to the committee on legal affairs.

On motion by the same senator, Senate Doc. No. 8, "An Act relating to the support of the poor by counties and the establishment of county poor-houses and poor-farms," was taken from the table, and on further motion the same was referred to the committee on judiciary.

On motion by the same senator, Senate Doc. No. 44, "Report of State auditor, showing claims against the State not paid," was taken from the table; and on further motion was referred to the committee on appropriations and financial affairs.

On motion by the same senator, Senate Doc. No. 57, "An Act to encourage and aid the building of a railroad through the undeveloped portion of northern Maine," was taken from the table.

Mr. STAPLES of Knox: Mr. President, I did intend, at this time, to ask the indefinite postponement of that bill, but owing to the short time that seems to be ahead for the bill I do not care to put any sorrows upon it in its declining few days that it will live in the Legislature of Maine. It has been here so long that everybody knows that dissolution is about to take place. I do not care to have that happen in the Senate of Maine. I therefore move that it be referred to the committee on railroads and expresses, in concurrence. The motion prevailed.

On further motion by the same senator, certain petitions in reference to the foregoing bill were also taken from the table, and on further motion the same were referred to the same committee.

On further motion by the same senator Senate Doc. No. 45, "Report of State auditor, showing statements of estimated expenditures and incomes of various State departments," was taken from the table; and on further motion the same was referred to the committee on appropriations and financial affairs.

On motion by Mr. Macomber of Kennebec, Senate Doc. No. 54, "An Act to incorporate the Sagamore Insurance Company," was taken from the table, and on further motion by the same senator the bill was referred to the committee on mercantile affairs and insurance.

On motion by Mr. Hastings of Oxford, it was—

Ordered, the House concurring, that House, that branch concurring in its passage. when the Senate and House adjourn they adjourn to meet on Friday, Jan. 29, 1909. On motion by Mr. Staples of Knox, the at 9 o'clock in the forenoon. This order Senate adjourned until Friday, Jan. 29, was subsequently received from the 1909, at 9 o'clock in the forenoon.