

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

SENATE.

Wednesday, Feb. 3, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

"An Act for the more equitable assessment of taxes on real and personal property" came from the House, by that branch referred to the committee on Taxation. On motion by Mr. Milliken of Aroostook, this bill was tabled for printing, pending reference.

House Bills Read and Assigned.

Resolve in favor of the Holy Innocent's Home for Infants in the City of Portland.

Resolve in favor of the Eastern Maine General Hospital.

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

Judiciary.

By Mr. Smith, of York: Remonstrance of H. F. Cummings and 8 others of Waterboro against the passage of an act entitled "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."

Also: Remonstrance of Charles W. Linscott and 11 others of Alfred against the same.

By Mr. Minott of Sagadahoc: Remonstrance of E. S. Crosby and 30 others of Bath, against the same.

By Mr. Reynolds, of Kennebec: Remonstrance of W. M. Ayer and others of Oakland, Maine, against same.

By Mr. Baxter, of Cumberland: Bill, An Act to amend Chapter 94 of the Private and Special Laws of 1905, entitled "An Act to incorporate the Peaks Island Gas Company."

By Mr. Hastings, of Oxford: Bill, An Act to amend Chapter 492 of the Private and Special Laws of 1855 entitled "An Act to incorporate the Maine Medical Association" and to confirm the reorganization of said association.

By Mr. Donigan, of Somerset: Resolve proposing an amendment to the

Constitution of the State of Maine, providing for the election on Tuesday next after the first Monday in November biennially of Governor, Senators, Representatives and other officers now required to be elected on the second Monday of September biennially. On motion by Mr. Donigan of Somerset this bill was tabled for printing, pending reference.

Legal Affairs.

By Mr. Hamilton, of York: Bill, An Act to amend Section 26 of Chapter 81 of the Revised Statutes of the State of Maine relating to admission to the bar.

By Mr. Irving, of Aroostook: Petition from E. W. Higgins and 10 others of Presque Isle in favor of an act for the better observance of the Sabbath.

By Mr. Warren of Cumberland: Resolve in favor of free coal.

Railroads and Expresses.

By Mr. Irving of Aroostook: Petition of A. Webster Reed and 11 others in favor of the Hall Mileage Bill so called.

Also: Petition of C. A. Day and 20 others of Westfield in favor of same.

Also: Petition of E. T. McGlauffin and 11 others in favor of same.

Also: Petition of G. W. Mooer and 16 others of Mapleton in favor of same.

Also: Petition of W. B. Day and 43 others of Westfield, in favor of same.

Agriculture.

By Mr. Hamilton, of York: Bill, An Act to establish public abattoirs in cities in the state. On motion by the same senator this bill was tabled for printing, pending reference.

By Mr. Howes, of Somerset: Bill, An Act to amend Sections 17, 18, 19, 20, 26 and 30 of Chapter 39 of the Revised Statutes relating to the sale and regulation of commercial fertilizers, commercial feeding stuffs and agricultural seeds. On motion by the same senator, this bill was tabled for printing, pending reference.

Ways and Bridges.

By Mr. Howes, of Somerset: Petition of Ernest A. Sterling and 18 others of Carratunk in favor of the Donigan Bridge Bill.

Also: Petition of Ernest Hilton and 105 others of Stark in favor of same.

Also: Petition of William M. Viles and 30 others of Flagstaff in favor of same.

Also: Petition of F. E. Williams and 40 others of the Forks in favor of same.

Also: Petition of F. J. Durgin and 25 others of the Forks in favor of same.

Also: Petition of Robert Bradley and 21 others of Enfield in favor of same.

Also: Petition of Selectmen and 18 others of Salem in favor of same.

Also: Petition of A. W. Miller and 25 others in favor of same.

Also: Petition of Lewis Hall and 45 others of Warren in favor of same.

Also: Petition of George G. Nichols and 45 others of Jackman in favor of same.

Also: Petition of E. A. Webber and 35 others of Hartland in favor of same.

Also: Petition of Ira A. Johnson and 22 others of Roque's Bluff in favor of same.

Also: Petition of W. C. Emery and 53 others of Anson in favor of same.

Also: Petition of A. J. Fulton and 25 others of Blaine in favor of same.

Also: Petition of Selectmen and 19 others of Hartland in favor of same.

Also: Petition of Warren Clark and 40 others of New Portland in favor of same.

Also: Petition of Fred E. Webster and 66 others of Norridgewock in favor of same.

Also: Petition of Board of Selectmen of Newport and letter asking for same.

By Mr. Emery of Franklin: Petition of A. Whitcomb and 45 others of New Sharon in favor of same.

By Mr. Staples of Knox: Petition of C. M. Hill and 38 others of Moscow in favor of same.

Inland Fish and Game.

By Mr. Kellogg of Penobscot: Bill, An Act to provide for ice fishing, as provided in the general law of the State, in South Branch, Carpenter, Littlefield and Fowler Ponds, Piscataquis County, and to close Davis Pond, Penobscot County, to all kinds of fishing. On motion by Mr. Knowlton of Piscataquis this bill was tabled for printing, pending reference.

Also: Petition of B. W. Howe and 76 others of Patten in favor of same.

By Mr. Colcord of Waldo: Petition of J. A. Clement and 40 others for better protection of fish in Swan Lake.

Claims.

By Mr. Minott of Sagadahoc: Resolve in favor of Adelbert F. Williams.

Portland Delegation.

By Mr. Looney of Cumberland: Bill, An Act to make permanent the tenure of office of the City Electrician of the city of Portland.

Also: An Act to make permanent the tenure of service of the janitors and engineers of the public buildings of the city of Portland.

Also: An Act amending Section 1, Chapter 350 of the Private and Special Laws of 1907, relating to the time of service of members of the Fire Department of the city of Portland.

On motion of Mr. Baxter of Cumberland the three foregoing bills were tabled for printing, pending reference.

Appropriations and Financial Affairs.

By Mr. Irving of Aroostook: Petition of F. L. Tozier of Washburn and 25 others for Resolve in favor of Maine State Sanatorium Association.

By Mr. Wheeler of Cumberland: Resolution of Fortnightly Club of Yarmouth in favor of same.

By Mr. Reynolds of Kennebec: Petition of G. S. Paine of Winslow and 32 others in favor of same.

By Mr. Emery of Franklin: Petition of T. A. Paul of New Sharon and 31 others for same.

The four petitions above-named were severally ordered placed on file.

Read and Assigned.

Resolve in favor of Bridgewater Classical Academy.

An Act to provide for the purchase of a farm on which to conduct scientific investigations in orcharding.

Reports of Committees.

Mr. Baxter for the committee on judiciary, on Bill, "An Act to amend Sections 15 and 16 of Chapter 17 of the Revised Statutes relating to the practice of medicine," reported that same be printed and recommitted.

Mr. Hastings for the committee on Governor's Message, reported that

that part relative to change in caucus law, the date of State election and the reform of the corporation law, be referred to the committee on Judiciary.

Mr. Irving, for the committee on Appropriations and Financial Affairs, on petition of Charles A. Maxwell and others, asking for an appropriation to assist in entertaining at Portland the National Grand Lodge of Good Templars, reported that petitioners have leave to withdraw.

Mr. Mullen for the committee on Taxation, on that part of the Governor's Message relative to taxation, reported that same be placed on file.

Mr. Baxter for the Portland delegation on Bill, "An Act to authorize the city of Portland to retire and pension members of its fire department," reported that the same be printed and recommitted.

The same senator for the same delegation on Bill, "An Act to authorize and ratify the appointment of Portland City Hall Building Commissions," reported that same be printed and recommitted.

The same senator for the same delegation on Bill, "An Act to amend the Private and Special Laws pertaining to appointments to the police departments of the city of Portland," reported that same be printed and recommitted.

The same senator for the same delegation on Bill, "An Act to amend Chapter 509 of the Public Laws of 1885, relating to the commissioners of cemeteries and public grounds," reported that same be printed and recommitted.

The foregoing reports were accepted.

Mr. Looney for the committee on Judiciary on Bill, "An Act to provide for the removal of foreign paupers," reported the same ought to pass.

Mr. Hastings for the same committee, on Bill, "An Act to extend the charter of the Northern Aroostook Electric Light Co.," reported that the same ought to pass.

Mr. Looney for the same committee on Bill, "An Act to extend the charter of the Central Aroostook Electric Co.," reported that same ought to pass.

Mr. Baxter for the same committee, on Bill, "An Act to extend the charter

of the Washburn Electric Co.," reported that same ought to pass.

Mr. Looney for the same committee, on Bill, "An Act to amend Section 1 of Chapter 24 of the Public Laws of 1907, in relation to reports of hearings in vacation, in law or equity," reported that same ought to pass.

Mr. Baxter for the same committee, on Bill, "An Act additional to Chapter 144 of the Revised Statutes, providing for the recovery of money improperly paid by the State for the support of Insane paupers," reported that same ought to pass.

Mr. Hastings for the same committee, on Bill, "An Act creating a State Board of Charities and Corrections," reported that same ought to pass.

The same senator for the same committee, on Bill, "An Act to extend the charter of the Northern Aroostook Electric Co.," reported that same ought to pass.

Mr. Irving for the committee on Appropriations and Financial Affairs, on "Resolve in favor of L. M. Staples, chairman of the committee on Home for Feeble Minded," reported same ought to pass.

Mr. Irving for the same committee, on "Resolve in favor of Maine General hospital," reported same in new draft under same title, and that it ought to pass.

Mr. Osgood for the same committee on "Resolve in aid of Piscataquis County Historical Society," reported same ought to pass.

Mr. Irving for the same committee on "Resolve in favor of Augusta City hospital," reported same in new draft under same title, and that it 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.

Resolve accepting the benefits of the Carnegie Foundation for the advancement of teaching for the University of Maine.

Resolve in favor of special appropriation for Eastern State Normal School.

Resolve in aid of Maine School for

the Deaf. On motion by Mr. Looney of Cumberland, this resolve was tabled, pending its passage to be engrossed.

Resolve in favor of St. Elizabeth's Roman Catholic Asylum of Portland.

An Act to authorize the Artesian Water Co. to issue bonds.

Resolve in favor of Maine Institution for the Blind.

Orders of the Day.

On motion by Mr. Milliken of Aroostook, Senate Doc. No. 99, "An Act to encourage manufacturing industries and to regulate the charges for side-track facilities on railroads within the State," was taken from the table. On further motion by the same senator, the bill was referred to the committee on Railroads and Expresses in concurrence.

On motion by Mr. Hastings of Oxford, Senate Doc. No. 89, "Resolve in favor of the Maine State Sanatorium Association" was taken from the table.

MR. HASTINGS: Mr. President: In view of the fact that there appeared in one of the evening papers a statement relative to my reasons for tabling this Resolve, which statement was a very fair and accurate one, but one which might be construed as a reflection in some quarters, it seems not inappropriate for me to state to the members of the Senate more fully my reasons for so doing.

Information had come to me from reliable sources that the special appropriation for needy persons for the past two years had been diverted into other purposes by those having the institution in charge, and I was requested to look into the matter before the Resolve came along. It came along unexpectedly yesterday morning before I had opportunity to do that; and I tabled it for that reason. Now, I am happy to say, this morning, after looking into the matter carefully, that this appropriation has not been diverted and that every cent of it for the past two years has been used for needed purposes, and, in addition to that, large sums of money given by private individuals to the institution, have

been used for that purpose. I think, possibly, this rumor gained credence from the fact that so many applications are made to the institution for admittance by needy persons, and the sum appropriated for that purpose is so small that it came about. I went over the matter carefully with Dr. Young, who is secretary of the association--secretary of the State Board of Health, and he gave me a detailed statement of items, names of individuals who had been assisted, and the amount paid for each individual. Now, any senator may have access to that same statement, or any other person, whether a friend to the institution or critic, and I now move, Mr. President, that the Resolve take its second reading.

The motion prevailed. The Resolve took its second reading and was passed to be engrossed.

On motion by Mr. Baxter of Cumberland, Senate Doc. No. 100, "An Act to amend the charter of the Portland Water District," was taken from the table. On further motion by the same senator, the bill was referred to the Portland and South Portland delegations.

On motion by the same senator, Senate Doc. No. 92, "An Act relating to airbrakes on street railway cars," was taken from the table. On further motion by the same senator, the bill was referred to the committee on Railroads and Expresses.

On motion by Mr. Knowlton of Piscataquis, Senate Doc. No. 81, "An Act to amend Section 30 of Chapter 15 of the Revised Statutes relating to members of superintending school committees," was taken from the table. On further motion by the same senator, the bill was referred to the committee on Education.

On motion by Mr. Hamilton of York, Senate Doc. No. 64, "An Act to establish a uniform poll tax," was taken from the table. On further motion by the same senator, the bill was retabled and Thursday, Feb. 4, assigned for its consideration.

On further motion by the same sen-

ator, Senate Doc. No. 83, "An Act to amend Chapter 8 of the Revised Statutes relating to taxation of Loan and Building Associations," was taken from the table. On further motion by the same senator, the bill was passed to be engrossed.

On motion by the same senator, Senate Doc. No. 88, "An Act to amend Section 46 of Chapter 106 of the Revised Statutes relating to the appointment of surveyors in real actions," was taken from the table. On further motion by the same senator the bill

was re-tabled and Thursday, Feb. 4, was assigned for its consideration.

On the Order of Jan. 27, introduced by Mr. Shaw of Kennebec, 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, the President announced the Senate members as follows: Messrs. Shaw of Kennebec, Gowell of York and Boynton of Lincoln.

On motion of Mr. Kellogg of Penobscot, the Senate adjourned.