

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 Nicaeous Lake.

1313, for establish read abolish.

SENATE.

Monday, February 15, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Gibson of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act to amend the charter of the city of Westbrook," came from the House, by that branch referred to the committee on judiciary. On motion by Mr. Wheeler of Cumberland this bill was tabled for printing, pending reference.

Bill, "An Act to provide for payment of expensess of county commissioners while attending their annual conventions," came from the House, by that branch referred to the committee on appropriations and financial affairs. On motion by Mr. Milliken of Aroostook the Senate voted to non-concur in such reference; and on further motion by the same senator, the same was referred to the committee on salaries and fees.

Bill, "An Act to prevent judges and other officers from holding other offices," came from the House, by that branch referred to the committee on judiciary. On motion by Mr. Osgood of Androscoggin this bill was tabled for printing, pending reference.

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," came from the House, by that branch referred to the committee on forest preservation and water supply. On motion by Mr. Wheeler of Cumberland this bill was tabled for printing, pending reference.

The report of the committee on interior waters on Bill, "An Act to extend the rights, powers and privileges of the Milo Water Co.," that the same be referred to the committee on judiciary, came from the House by that branch accepted. On motion of Mr. Knowlton of Piscataquis the same was tabled.

House Bills Read and Assigned.

Resolve, to amend Chapter 32 of the Resolves of 1905, relating to dairying interests of the State of Maine.

Resolve, in favor of Mrs. Rebecca W. Carroll, widow—formerly widow of Enoch Lurvey, Jr., late First Sergeant, Co. H, Fourth Regiment of Infantry, Maine Volunteers, with subsequent service in the United States navy, who was lost at sea December 24, 1867.

A communication was received from the secretary of State transmitting the report of the State superintendent of public schools of the State of Maine, for the school year 1907-8. On motion by Mr. Knowlton of Piscataquis the same was referred to the committee on education.

A communication was received from the secretary of State, in accordance with the requirements of Section 4, Chapter 1 of the Revised Statutes, notifying the two branches that the accompanying list of titles of public acts thereto appended have been approved by the Governor, viz:

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 probating of wills.

An Act setting apart Lincoln day, February 12, 1909, as a holiday.

An Act respecting the place of taxation of personal property.

An Act relating to supplementary assessments.

An Act to protect benevolent, humane and fraternal corporations and organizations in the use of their names and emblems, and providing penalties for the violation thereof.

An Act setting apart Lincoln day, February 12, 1909, as a holiday.

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

Judiciary.

By Mr. Reynolds of Kennebec: An Act to ratify, confirm and make valid the organization and incorporation of the Winslow Sanitary Association.

Legal Affairs.

By Mr. Staples of Knox: Bill, An Act to amend Section 7 of Chapter 162

of the Public Laws of 1905, relating to the office of assistant attorney general.

By Mr. Hamilton of York: Bill, An Act to establish the Old Orchard Park System.

By Mr. Kellogg of Penobscot: Remonstrance of John Appleton and 32 others against An Act to repeal Chapter 7 of the Public Laws of 1907, relating to lumbering transactions.

Appropriations and Financial Affairs.

By Mr. Eaton of Washington: Bill, An Act to appropriate moneys for the expenditures of government for the years 1909.

Railroads and Expresses.

By Mr. Donigan of Somerset: Bill, An Act relating to fares on the Somerset Railway, a corporation duly organized under the laws of the State of Maine.

By Mr. Milliken of Aroostook: Petition of C. S. Cushman and 20 others of Sherman for the Act enlarging the powers of the railroad commissioners.

Also: Petition of Harry S. Wass and seven others of Addison for same.

Also: Petition of F. E. Libby and 13 others of Macwahoc for same.

Also: Petition of James F. Bryson and nine others of Haynesville for same.

Also: Petition of George S. Curtis and six others of Kingsbury plantation for same.

Also: Petition of J. N. Tarbell and 24 others of Meddybemps for same.

Also: Petition of E. M. Hunter and 35 others of Washburn for same.

Also: Petition of C. F. Chute and one other of Silver Ridge plantation for same.

Also: Petition of Joseph Rush and eight others of Benedicta for same.

Also: Petition of C. M. Wood and seven others for same.

Also: Petition of J. E. Ruth and 10 others of Linneus for same.

Also: Petition of A. J. Cushman and 30 others of Monson for same.

Also: Petition of H. J. Avery and 21 others of North Lubec for the transferable mileage bill.

Also: Petition of A. L. Stewart and seven others for same.

Also: Petition of J. W. Caldwell and 17 others of Sherman for same.

Also: Petition of E. R. Haynes and 32 others of Monson for same.

Also: Petition of H. R. Livermore and 13 others of Milo for same.

Also: Petition of H. S. Willey and 36 others of Washburn for same.

Also: Petition of A. P. Bennett and eight others of Linneus for same.

Also: Petition of George Dudley and 25 others of Meddybemps for same.

Also: Petition of Ralph W. Longfellow and nine others of Addison for same.

Also: Petition of F. A. Chandler and 25 others of Addison for same.

Also: Petition of Joseph Rush and nine others of Benedicta for same.

Also: Petition of Gilbert Raymond and 30 others of Eagle Lake for same.

Also: Petition of E. K. Johnson and 13 others of Carmel for same.

Also: Petition of B. D. Sinclair and seven others of Kingsbury plantation for same.

Also: Petition of A. G. Chambers and nine others of Haynesville for same.

Also: Petition of E. A. Coburn and 13 others of Macwahoc for same.

Interior Waters.

By Mr. Milliken of Aroostook: Bill, An Act authorizing George R. Ketchum, his heirs and assigns to erect and maintain a dam across Big Machias stream on lots No. 55 and 56 in the town of Ashland and to maintain piers and booms in the Big Machias river in the town of Ashland and in Garfield plantation.

Also: Petition of W. B. Hallett and 32 others of Ashland for same.

By Mr. Howes of Somerset: Petition of T. A. Linn and 57 others of Hartland, praying for the change of the name of Moose pond to Great Moose pond.

By Mr. Mullen of Penobscot: Remonstrance of the Orono Pulp and Paper Co. et als. against the passage of House Bill No. 48, entitled An Act to incorporate the Penobscot River Power Co.

State Lands and State Roads.

By Mr. Emery of Franklin: Petition of Joel Wilbur and 41 others of

Phillips for improvement of road from Madrid line through Letter E and Sandy River Plantations.

Also: Petition of S. G. Haley and 14 others of Phillips for same.

By Mr. Milliken of Aroostook: Petition of George R. Curtis and seven others of Kingsberg for the Act requiring wide tires on heavy freight wagons:

Also: Remonstrance of F. R. McAvoy and eight others of Benedicta against same.

Ways and Bridges.

By Mr. Milliken of Aroostook: Petition of W. F. Pratt and 13 others of Macwahoc for State and county aid for bridges.

Also: Petition of J. W. Caldwell and 14 others of Sherman for same.

Also: Petition of William B. Thompson and nine others for same.

Also: Petition of A. G. Chambers and nine others of Haynesville for same:

Also: Petition of George S. Curtis and seven others of Kingsbury Plantation for same.

Also: Petition of George E. S. Hutchins and 13 others of Carmel for same.

Also: Petition of William E. Brown and 30 others of Eagle Lake for same.

Also: Petition of Charles W. Lombard, Jr., and 24 others of Meddybemps for same.

Also: Petition of C. D. Carter and 35 others of Washburn for same.

Also: Petition of A. C. Byron and three others of Linneus for same.

Also: Petition of W. L. Luce and 15 others of Milo for same.

Also: Petition of J. C. Joy and two others of Silver Ridge Plantation for same.

Also: Petition of A. W. Chaplin and 31 others of Monson for same.

Also: Petition of P. B. Gulltill and seven others for same.

Also: Petition of T. H. Lawler and eight others of Benedicta for same.

Inland Fish and Game.

By Mr. Kellogg of Penobscot: Resolve in favor of screening Lower Shin pond and Davis pond in Penobscot county.

Also: Petition of H. O. Brackett and 25 others for a law to prohibit the throwing of sawdust into Kimball brook, Shin brook, Fish stream and Seboeis river.

By Mr. Irving of Aroostook: Resolve for screening Squa Pan lake, Aroostook county, with petition of citizens of Aroostook county for same.

By Mr. Hastings of Oxford: Petition of W. F. Kendall and others of Bethel for resolve of \$50,000 for hatcheries and fish protection.

By Mr. Osgood of Androscoggin: Petition of Edward M. Lowell and 260 others of Lewiston for same.

Claims.

By Mr. Milliken of Aroostook: Resolve in favor of the town of Smyrna, with statement of facts.

Also: Resolve in favor of Macwahoc Plantation for \$100 on account of State road constructed in the year 1907.

By Mr. Kellogg of Penobscot: Resolve in favor of Kingman in Penobscot county and Frenchville in Aroostook county, with statement of facts.

Also: Resolve in favor of the town of Mount Chase.

Library.

By Mr. Baxter of Cumberland: Bill, An Act relating to free public libraries.

Temperance.

By Mr. Howes of Somerset: Petition of C. A. Weston and 89 others of Skowhegan for the Hastings bill.

By Mr. Minott of Sagadahoc: Petition for mandatory imprisonment of the liquor seller of H. C. Stevens and 41 others of Phippsburg and Georgetown.

By Mr. Wyman of Washington: Petition of S. K. Cushman and 24 others of Steuben asking for the mandatory imprisonment of the liquor sellers.

By Mr. Hastings of Oxford: Petition of Rev. S. R. Ford and 69 others of Paris for same.

Also: Petition of Rev. Abel W. Pottle and 53 others of Buckfield in favor of same.

Also: Petition of Rev. Abel W. Pottle and 49 others of Buckfield for re-

tention of the Sturgis Law, with needed amendments.

Also: Petition of Rev. D. R. Ford and 65 others of Paris in favor of same.

Also: Petition of Rev. Abel W. Pottle and 49 others of Buckfield in favor of same.

Also: Petition of S. K. Cushman of Steuben and 22 others in favor of same.

Also: Petition of H. C. Stevens and 41 others of Phippsburg and Georgetown for same.

Also: Remonstrance of Rev. D. R. Ford against resubmission.

By Mr. Wyman of Washington: Petition of S. K. Cushman and 22 others of Steuben against resubmission of the prohibitory amendment.

By Mr. Minott of Sagadahoc: Remonstrance of H. C. Stevens and 46 others of Phippsburg and Georgetown against resubmission.

By Mr. Howes of Somerset: Petition of L. L. Walton and 86 others of Skowhegan against resubmission.

Salaries and Fees.

By Mr. Smith of York: Bill, An Act to amend Sec. 1 of Chapter 173 of the Public Laws of 1905, relating to the compensation of register of deeds in York county.

By Mr. Gowell of York: Bill, An Act to amend Section 1 of Chapter 117 of the Public Laws of 1905, relating to the compensation of county commissioners in York county.

Placed on File.

By Mr. Milliken of Aroostook: Remonstrance of T. S. Robinson and nine others residents and taxpayers of Sherman against any further rebates or tax exemptions to the railroads of the State.

By Mr. Gowell of York: Petition of Charles K. Littlefield and 53 others of Kennebunk in favor of Maine Sanatorium.

Read and Assigned.

An Act to change the name of Augusta City hospital.

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

An Act relating to the choice of assessors in towns.

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

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish. On motion by Mr. Wyman of Washington, Senate Amendment A, to the foregoing Resolve was adopted as follows: "Senate Amendment A to Senate Document No. 167. In Senate, Feb. 15, 1909. Whereas, the fish hatcheries of the State now contain nearly 3,000,000 salmon and trout eggs and fish, which must have constant and careful attention from those in charge and,

Whereas, the men employed for this purpose are poor men with families, who must be paid monthly in order to retain their services, it becomes absolutely necessary that this Resolve should be passed so that the property of the State be not lost or endangered by the loss of the services of those men now on duty.

Whereas, In the opinion of the Legislature, the facts above stated create an emergency making it immediately necessary for the proper care and preservation of the property of the State, that the following resolve be passed so that the same may go into effect on approval." As amended the Bill was read and assigned.

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

Resolve in favor of the town of Paten.

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

The PRESIDENT: For the information of the Senate the Chair will state that private bills presented to the secretary or put in the hopper tomorrow will be in season for reception.

Reports of Committees.

Mr. Baxter for the committee on Judiciary, on Bill, "An Act to provide for the indeterminate sentence," reported same ought not to pass.

Mr. Eaton for the committee on Appropriations and Financial Affairs, on

"Report of the treasurer of State for the years 1908," reported that the same be placed on file.

The foregoing reports were accepted.

Mr. Baxter for the committee on Judiciary, on Bill, "An Act authorizing the construction of a wharf in Casco bay, Portland, reported that same ought to pass.

The same senator for the same committee on Bill, "An Act to amend the charter of the Relief Association of the Portland Fire Department," reported that same ought to pass.

Mr. Looney for the same committee, on Bill, "An Act to incorporate the North Yarmouth Water Co.," reported that same ought to pass.

Mr. Hastings for the same committee, on Bill, "An Act authorizing the Mineral Spring Co. to make, generate, sell, distribute and supply gas or electricity or both, for lighting, heating, manufacturing, for mechanical purposes," reported that the same ought to pass.

Mr. Irving for the committee on Appropriations and Financial Affairs, on "Resolve in favor of the Hospital of the Daughters of Wisdom of the town of St. Agatha, Maine," reported same in new draft, under the same title and that it ought to pass.

The same senator for the same committee, on "Resolve in favor of the Children's Protective Society of Portland," reported the same in new draft, under same title and that it ought to pass.

The same senator for the same committee on "Resolve in aid of the Maine School for the Deaf," which was re-committed to the committee in new draft, submitted the same in new draft under the same title, and that it ought to pass.

Mr. Boynton for the committee on Mercantile Affairs and Insurance, on Bill, "An Act in relation to insurance upon automobiles," reported same ought to pass.

Mr. Theriault for the committee on Ways and Bridges on "Resolve in favor of aid in building a highway bridge across the East Branch of the Penobscot river in the town of Medway," re-

ported 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.

Pased to Be Engrossed.

An Act relating to special contracts between employers and employees. On motion by Mr. Baxter of Cumberland this bill was tabled pending its second reading.

An Act to amend Section 41 of Chapter 66 of the Revised Statutes relating to duties of executors and administrators.

Resolve in favor of I. W. Gilbert, secretary of the committee on Insane hospitals.

Resolve in favor of the Trull Hospital Aid Association.

Resolve for an appropriation for carrying on the work of the State Survey Commission. On motion by Mr. Hamilton of York this resolve was tabled pending its second reading.

Resolve providing for the purchase and distribution of Savage's Supplemental Digest of the Maine Reports. On motion by Mr. Hamilton of York this resolve was tabled pending its second reading.

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

An Act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Maine. On motion by Mr. Hastings of Oxford, the bill was tabled pending its second reading.

An Act to amend Chapter 18 of the Revised Statutes relating to the State Board of Health. On motion by Mr. Shaw of Kennebec this bill was tabled pending its second reading.

An Act to amend the charter of the city of South Portland. (House Amendment A adopted in concurrence).

Resolve in favor of Daniel Lineo.

Pased to Be Enacted.

An Act to extend the charter of the Washburn Electric Co.

An Act to extend the charter of the Central Aroostook Electric Co.

An Act to extend the charter of the Northern Aroostook Electric Co.

An Act to amend Section 46 of Chapter 106 of the Revised Statutes relating to the appointment of surveyors in real actions.

Finally Passed.

Resolve in favor of Bridgewater Classical academy.

Resolve in favor of L. M. Staples, chairman of the committee on Home for Feeble Minded.

Orders of the Day.

On motion by Mr. Hastings of Oxford, Senate Document No. 161 "An Act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Maine," was taken from the table. On further motion by the same senator, Senate Amendment A "Amend by striking out Section 4" was adopt-

ed; and his further motion, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Knowlton of Piscataquis, Senate Document No. 172, "An Act to amend Section 34 of Chapter 15 of the Revised Statutes, relating to the election of the superintendent of schools" was taken from the table; and on further motion by the same senator, was referred to the committee on education.

On motion by Mr. Shaw of Kennebec, Senate Document No. 173, "An Act in relation to medical expert evidence" was taken from the table; and on further motion by the same senator, the same was referred to the committee on judiciary.

On motion by Mr. Eaton of Washington the Senate adjourned.