

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

### SENATE.

Friday, February 26, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Slocum of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Hastings of Oxford, it was—Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 2, at 10.30 o'clock in the forenoon.

This order was subsequently returned from the House, that branch concurring in its passage.

"An Act to renew and extend the charter of the Sebec Power Company." This bill having been passed to be engrossed in the Senate was by the House amended by House Amendment A, and as amended passed to be engrossed.

On motion by Mr. Hastings of Oxford, the Senate voted to reconsider the vote whereby it passed to be engrossed; and, on further motion by the same Senator, House Amendment A was adopted in concurrence; and the bill as amended was passed to be engrossed.

An Act relating to change of names of railroads and other corporations. This bill, having been passed to be engrossed in the Senate, was by the House amended by House Amendment A and as amended, by that branch passed to be engrossed. On motion by Mr. Wyman of Washington, the Senate reconsidered its vote whereby the bill was passed to be engrossed; and on his further motion, House Amendment A was adopted in concurrence. On motion by Mr. Baxter of Cumberland, the bill was tabled, pending its passage to be engrossed, as amended.

An Act authorizing the construction of a wharf, in Casco Bay, Portland. This bill, having been passed to be engrossed by the Senate, was by the House recommitted to the Committee on Judiciary. On motion by Mr. Wheeler of Cumberland the Senate voted to reconsider the vote whereby

the bill passed to be engrossed; and on further motion by the same Senator, the Senate voted to concur with the House in recommitting the same to the Committee on Judiciary.

An Act to amend Section 26 of Chapter 21 of the Revised Statutes, relating to the admission of attorneys to the practice of law. This bill was reported by the Judiciary Committee "ought not to pass" and the report was accepted by the Senate. The bill was returned from the House, that branch non-concurring with the action of the Senate in its recommitment to the Committee on Judiciary. On motion by Mr. Hamilton of York, the Senate voted to recede and to concur with the House in recommitting the bill to the Committee on Judiciary.

An Act to exempt certain public bonds from taxation. This bill was returned from the House, further amended by House Amendment B. On motion by Mr. Staples of Knox, the Senate voted to reconsider its vote whereby it passed the bill to be engrossed, as amended; and on his further motion pending the adoption of House Amendment B, the bill was tabled.

Resolve proposing an amendment to the Constitution for the election of Secretary of State, Treasurer and Attorney-General by the qualified electors of the State.

In the House, the minority report accompanying this bill was substituted for the majority report, accompanying same. In the Senate the majority report was accepted. The House having insisted upon its action and having asked for a Committee of Conference, on motion by Mr. Hastings of Oxford, the Senate voted to insist upon its action; and the Chair announced that he would appoint a Committee of Conference on the part of the Senate.

#### House Bills Read and Assigned.

An Act relating to the taxation of railroads. On motion by Mr. Staples of Knox, this bill was tabled.

An Act to increase the salary of the judge of the superior court for Kennebec county.

An Act authorizing and empowering the Hollingsworth & Whitney Co. to erect and maintain piers and booms in

the Kennebec river. House amendment A adopted in concurrence.

An Act to amend the charter of the Dead River Log Driving Co. House amendment A adopted in concurrence.

An Act to amend Section 3 of Chapter 129 of the Revised Statutes regulating the sale of milk and cream.

An Act to authorize Florence B. Alley and others to fence Alley cemetery in the town of Boothbay and to erect monuments or markers at the graves therein.

An Act amending and extending the provisions of Chapter 375, Private and Special Laws of 1905, entitled, An Act to authorize the town of Castine to construct for itself and for persons and corporations a system of water works in said town.

An Act to incorporate the Bibbers Island Water Co. House amendment A adopted in concurrence.

An Act to incorporate the Van Buren Light & Power Co.

An Act to incorporate the Sagamore Insurance Co.

A resolve relating to Mason's Island.

Resolve in favor of enlarging the State House or the erection of a suitable office building adjacent thereto. On motion by Mr. Staples of Knox, this bill was tabled pending the acceptance of the accompanying report; and Wednesday March 3, was assigned for its consideration.

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

#### **Judiciary.**

By Mr. Irving of Aroostook: Petition of A. F. Goodhue and 32 others of Fort Fairfield in favor of the optometry bill.

By Mr. Baxter of Cumberland: Bill, An Act amending Section 17 of Chapter 27, relating to rights of dower. By Mr. Emery of Franklin:

Petition of George W. Wheeler and 53 others of Farmington for the optometry.

#### **Appropriations and Financial Affairs.**

By Mr. Theriault of Aroostook: Resolve in favor of D. H. Lambert, Secretary of the Committee on Indian Affairs.

#### **Railroads and Expresses.**

By Mr. Milliken of Aroostook: Petition of C. L. DeWitt and 9 others of

Medford for the passage of an act enlarging the powers of Railroad Commissioners.

Also: Petition of M. W. Sandstrom and 29 others of New Sweden for same.

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

By Mr. Wyman of Washington: Bill, An Act to provide for a bounty on wild cats.

By Mr. Staples of Knox: Protest of W. E. Deering and 35 others of Washington against the enactment of any law preventing sawdust in the Jackson Stream in the town of Jefferson on any of the tributaries of Damariscotta Pond.

#### **Labor.**

By Mr. Looney of Cumberland: Bill, An Act to amend Section 56 of Chapter 40 of the Revised Statutes relating to the hours of labor.

#### **Public Health.**

By Mr. Milliken of Aroostook: Bill, An Act authorizing towns to prohibit the sale of cigarettes.

Also: An Act to amend Section 25 of Chapter 129 of the Revised Statutes relating to sale of cigarettes.

On motion by Mr. Milliken of Aroostook the two last named bills were tabled for printing, pending reference.

#### **Placed on File.**

By Mr. Milliken of Aroostook: Petition of W. A. Dean and 8 others of Medford for the passage of a bill for state aid for bridges.

Also: Petition of B. Pearson and 28 others of New Sweden for the passage of a bill for same.

Also: Petition of A. H. Tornquist and 29 others of New Sweden for passage of the transferable mileage bill.

Also: Petition of John Dean and 9 others of Medford for same.

#### **Orders.**

On motion by Mr. Milliken of Aroostook, it was—Ordered, the House concurring, that the Committee on the Judiciary be and hereby is requested and instructed to inquire whether there is any plain and adequate method now existing by law whereby towns and plantations may take land on which to erect public schoolhouses and for yards and play grounds in connection with such schoolhouses,

and for enlarging the yards and play grounds of existing school houses, and to report by bill or otherwise.

On motion by Mr. Gowell of York, it was—Ordered, the House concurring, that the committee on Appropriations and Financial Affairs be directed to make up the payroll of the officers, employees and chaplains of the Senate and House, the same as at the last session; and that said Committee be directed to make up the payroll of members of the Senate, in accordance with the change in the law relating thereto.

#### Read and Assigned.

Resolve in favor of Maine State Prison.

An Act to increase the salary of the warden of the Maine State Prison.

An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, relating to Bangor Municipal Court.

#### Reports of Committees.

Mr. Baxter, for the Committee on Judiciary, on Bill "An Act to amend Chapter 55 of the Revised Statutes, relating to telegraph and telephone companies, gas and electric light and power companies," reported that same ought not to pass.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on "Resolve for the purchase of certain photographic views," reported that same ought not to pass.

The foregoing reports were accepted.

Mr. Looney, for the Committee on Judiciary, on Bill "An Act to require motor boats to be provided with mufflers in certain cases," submitted same in new draft under same title, and that it ought to pass.

Mr. Staples, for the Committee on Legal Affairs, on Bill "An Act to amend Chapter 455 of the Private and Special Laws of the year 1897, and to permit Good Will Home Association to increase its capital," reported same ought to pass.

Mr. Hamilton for the same Committee, on bill, "An Act to extend the charter of the Wells Telephone Company," reported same ought to pass.

Mr. Gowell for the same Committee, on Bill "An Act to extend the charter

of the Wells Electric Light and Power Company," reported same ought to pass.

Mr. Eaton, for the Committee on Appropriations and Financial Affairs, on Bill "An Act to appropriate moneys for the expenditures of government for the year 1909," submitted same in new draft under the same title and that it ought to pass.

The same Senator, for the same Committee, on bill "An Act to appropriate moneys for the expenditures of government for the year 1909," submitted same in new draft under title of "An Act to appropriate moneys for the payment of salaries fixed by law for the year 1909," and that it ought to pass.

Mr. Walker, for the Committee on Education, on "Resolve in favor of the Farmington State Normal School," reported same ought to pass.

The same Senator, for the same Committee, on "Resolve in favor of the Aroostook State Normal School," reported same ought to pass.

The same Senator for the same Committee, on "Resolve in favor of the Madawaska Training School," reported that same ought to pass.

The same Senator, for the same Committee, on bill "An Act to amend Section 16 of Chapter 15 of the Revised Statutes, relating to public schools," reported that same ought to pass.

The same Senator for the same Committee, on "Resolve in favor of investigation of industrial education," reported same ought to pass.

Mr. Knowlton for the same Committee, on Bill "An Act to extend the privileges of secondary instruction to youths resident in unorganized townships," reported that the same ought to pass.

Mr. Howes for the Committee on State Lands and State Roads, on "Resolve for repairs of highway in Upton, Magalloway Plantation and Township C, in the County of Oxford," reported same ought to pass.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on "Resolve in favor of Fred A. Houdlette and Son, Inc., of Boston, Mass.," reported same ought to pass.

Mr. Minott, for the Committee on

Pensions, on "Resolve in favor of Eliza A. Getchell of Winslow," reported same ought to pass.

The same Senator, for the same Committee, on "Resolve in favor of Daniel R. Palmer of Buckfield," reported that same ought to pass.

Mr. Baxter, for the Committee on Library, on "Resolve for the publication of certain documents by the State Historian," reported that 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.

Resolve in favor of the Eastern Maine Insane Hospital, for fire proof buildings. On motion by Mr. Hamilton of York, this bill was tabled, pending second reading.

Resolve in favor of the Maine Insane Hospital, for renovating central male wing. On motion by same senator this bill was tabled, pending second reading.

Resolve in favor of the Maine Insane Hospital, for kitchen, bakery and dining room. On motion by the same senator this bill was tabled, pending second reading.

An Act to amend Section 48 of Chapter 8 of the Revised Statutes relating to taxation of insurance companies.

Resolve in favor of the Maine School for Feeble Minded. On motion by Mr. Shaw of Kennebec, this bill was tabled pending second reading.

Resolve in favor of W. A. Walker.

Resolve in favor of Lewis Barrows.

Resolve to provide for the expenses of the Maine Industrial School for Girls.

Resolve in favor of the Maine Industrial School for Girls, for water supply and grading.

Resolve in favor of Camden and Rockland Water Company.

An Act to amend Section 13 of Chapter 32 of the Revised Statutes, as amended by Chapter 75 of the Public Laws of 1905, relating to the snaring of rabbits.

"An Act to amend Section 2 of Chapter 188 of the Public Laws of

1907." On motion by Mr. Hamilton of York this bill was tabled, pending its passage to be engrossed.

An Act to enlarge the rights of the Alfred Embroidery Company.

An Act to extend the charter of the Phillips Trust Company.

An Act to extend the charter of the Gardiner Trust Company.

An Act to amend Section 3, Chapter 48 of the Revised Statutes, relating to the powers of Savings Banks.

An Act to incorporate the Sandy Stream Dam and Improvement Company.

Resolve for the erection of a fish hatchery and feeding station on Cold Stream, the outlet of Cold Stream Lake, in Enfield. On motion by Mr. Hamilton of York, this bill was tabled, pending its passage to be engrossed.

An Act to amend Section 1 of Chapter 164 of the Private and Special Laws of 1907, relating to fishing in the tributaries of China Lake.

An Act to regulate fishing in the tributaries to Marshall Pond, so called, in Oxford County.

An Act to regulate ice fishing in Donnell Pond, so called, situated partly in Franklin and partly in Township No. 10, Hancock County.

An Act to regulate fishing in Dead Stream Pond, Lower Cold Stream Pond and Horseshoe Pond, in Somerset County.

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, also to close Davis Pond, Penobscot County, to all kinds of fishing.

#### Passed to Be Enacted.

An Act to extend the charter of the Eastport bridge.

An Act relating to the welfare of school children.

An Act to extend the charter of the Somerset Trust company.

An Act to extend the charter of the Mutual Fire Insurance Company.

An Act to amend Section 17 of Chapter 15 of the Revised Statutes relating to public schools.

An Act to amend section 91 of Chap-

ter 15 of the Revised Statutes relating to public schools.

An Act to amend Section 65 of Chapter 15 of the Revised Statutes relating to free High schools.

An Act to amend Section 112 of Chapter 15 of the Revised Statutes relating to Normal schools and training schools.

#### Orders of the Day.

On motion by Mr. Milliken of Aroostook, House Document No. 230, "An Act in relation to the Gardiner Municipal Court of the City of Gardiner," was taken from the table. On further motion by the same Senator, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Donigan of Somerseset "Report, Committee on Ways and Bridges on Resolve for bridge over St. John River at Van Buren, ought to pass," was taken from the table; and on further motion by the same Senator, the report was accepted and the bill was tabled for printing under the joint rules.

On motion by the same Senator, House Document No. 219, "Report, Committee on Education, submitting new draft on bill establishing Machias amend Chapter 32 of the Resolves of 1905, relating to dairying interests of

Normal School," was taken from the table; and on further motion by the same Senator, the rules were suspended and the resolve took its two several readings and was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, House Document No 236, "An Act to extend the authority of the Rockland, south Thomaston and St. George Railway," was taken from the table; and on further motion by the same Senator the bill took its second reading and was passed to be engrossed.

On motion by Mr. Wyman of Washington, Senate Document No. 171, "An Act to amend Section 21 of Chapter 51 of the Revised Statutes, relating to increase of stock of railroads corporations," was taken from the table; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Hamilton of York, House Document No. 105, "Resolve to the State of Maine," was taken from the table; and on further motion by the same Senator, the Resolve took its second reading and was passed to be engrossed.

On motion by Mr. Hastings of Oxford, the Senate adjourned, to meet on Tuesday, March 2, at 10.30 o'clock in the forenoon.