

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

SENATE.

Tuesday, March 2, 1909.

Senate called to order by the President.

Prayer by Rev. Fr. LaRiviere of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

On motion by Mr. Hastings of Oxford, is was—Ordered, the House concurring, that the Senate and House meet at 9 o'clock in the forenoon, until otherwise ordered.

Subsequently this order was returned from the House, its passage concurred in by the branch.

Resolve appropriating money for the purpose of obtaining information in regard to wild lands, for purposes of taxation. This resolve was passed to be engrossed in the Senate, as amended by House Amendment A. With this action the House concurred, further amending the same by the adoption of House Amendment A to House Amendment A. On motion duly seconded, the Senate reconsidered its vote whereby the Resolve was passed to be engrossed as amended by House Amendment A and also voted to reconsider the vote whereby House Amendment A was adopted. On further motion House Amendment A to House Amendment A was adopted in concurrence. On motion by Mr. Macomber of Kennebec, pending its passage to be engrossed, the resolve was laid on the table.

An Act to enable the Sebago Lake, Songo River and Bay of Naples Steamboat Company to construct and maintain a wharf on the east shore of Sebago Lake in the Town of Raymond, County of Cumberland. This bill was passed to be engrossed by the Senate as amended by Senate Amendment A. In the House, House Amendment A was adopted and in that branch the bill as amended by Senate Amendment A and House Amendment A was passed to be engrossed. On motion duly seconded, the Senate voted to reconsider the vote whereby the bill, as amended by Senate Amendment A, was passed to be engrossed;

and on further motion, House Amendment A was adopted in concurrence, and as amended, the same was passed to be engrossed.

Bill "An Act to extend the charter of the Cumberland Power and Light Company," came from the House, accompanied by the Report of the Committee on Judiciary, that the bill be indefinitely postponed. On motion by Mr. Hastings of Oxford, the bill was tabled.

House Bills Read and Assigned.

Resolve in favor of Susan E. Dunphe, widow of Charles Dunphe, late of Company G, Sixth Regiment of Infantry, Maine Volunteers, Civil War.

A communication was received from the Secretary of State, in accordance with the provisions of Section 4, Chapter 1, of the Revised Statutes, transmitting a list of the titles of public acts approved by the Governor, as follows:

An Act to amend Chapter 6 of the Revised Statutes, as it was amended by Chapter 61 of the Public Laws of 1907, in relation to the appointment of election clerks.

An Act to amend Section 9 of Chapter 127 of the Revised Statutes of Maine, relating to cheating by false pretences.

An Act designating the official flag of the State of Maine and describing the same, providing for the carrying of such flag by the regiments of the National Guard of the State of Maine, authorizing the Adjutant General of the State to provide and have deposited in the office of the Adjutant General a model of said flag, and making an appropriation therefor.

An Act relating to the examination of Trust Companies and Savings Institutions.

An Act relative to the use of the Cinematograph.

An Act relating to temporary crossings over railroads for lumbering purposes.

An Act to amend and correct a clerical error in Chapter 84 of the Public Laws of 1905, relating to the compensation of the Clerk to the Com-

missioners of Inland Fisheries and Game.

An Act to amend Chapter 8 of the Revised Statutes, relating to taxation of Loan and Building Associations.

An Act in relation to supplies furnished any person or family while placed in quarantine by the Board of Health.

An Act amending Section 38 of Chapter 61 of the Revised Statutes, relating to the registration of vital statistics.

An Act to amend Section 112 of Chapter 15 of the Revised Statutes, relating to Normal Schools and Training Schools.

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

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

An Act to amend Section 91 of Chapter 15 of the Revised Statutes, relating to public schools.

An Act relating to the welfare of School Children.

A communication was received from the Secretary of State transmitting report of Committee on Salaries and Fees which was authorized by the Seventy-third Legislature. On motion by Mr. Milliken of Aroostook, the foregoing communication and report were tabled, the report to be printed, pending reference to a committee.

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

Railroad and Expresses.

By Mr. Milliken of Aroostook: Petition of H. O. Jacobson and 15 others of Winn for the passage of An Act enlarging the powers of the Railroad Commissioners.

Also: Petition of H. L. McDuff and 17 others of Passadumkeag for same.

Sea and Shore Fisheries.

By Mr. Hamilton of York: Petition of A. B. Weffer and 14 others in favor of law to prevent non-residents from becoming lobster fishermen until they have been residents of this State for one year.

Temperance.

By Mr. Milliken of Aroostook: Bill, An Act to regulate the purchase and sale of intoxicating liquors by the State Commissioners and by the Town Liquor Agents. (On motion by Mr. Milliken, this bill was tabled for printing pending reference.)

Public Health.

By Mr. Milliken of Aroostook: Bill, An Act to amend Section 19 of Chapter 30 of the Revised Statutes relating to the sale of poisons. (On motion by Mr. Milliken this bill was tabled for printing pending reference.)

Also: Bill, An Act to amend Section 17 of Chapter 30 of the Revised Statutes, relating to the sale of poisons. (On motion by Mr. Milliken, this bill was tabled for printing, pending reference.)

Placed on File.

By Mr. Milliken of Aroostook: Petition of E. C. Smedley and 15 others of Winn, for the passage of the Transferable Mileage Bill.

Also: Petition of L. C. Hathaway and 17 others of Passadumkeag for same.

Also: Petition of C. H. McKenney and 15 others of Winn, for the passage of a bill for State aid for bridges.

Also: Petition of L. B. Bachelder and 18 others of Passadumkeag for same.

Read and Assigned.

An Act to provide for the compensation of Justices of the Supreme Judicial Court or Superior Court who shall resign after ten years' service at the age of seventy years. (On motion by Mr. Hastings of Oxford, this bill was tabled, pending its second reading.)

An Act to confirm the organization of the Bangor Young Men's Christian Association, of Bangor, Maine and for other purposes.

An Act to amend Chapter 115 of the Private and Special Laws of the year 1872, entitled "An Act to incorporate the Home for Aged Women at Bangor."

An Act to amend and additional to Chapter 50 of the Private and Special Laws of 1866, relating to the Children's Home in Bangor.

An Act to ratify the organization of

the Virginia Springs Water Company, and authorize said Company to issue bonds.

Resolve in favor of E. L. Philoon, Chairman of Joint Special Committee appointed by the Seventy-third Legislature.

Resolve in favor of E. L. Philoon, Chairman of the Special Joint Committee appointed by the Seventy-third Legislature, in regard to a State Board of Education.

An Act to amend Section 1 of Chapter 171 of the Public Laws of 1907 relating to State Superintendent of Public Schools

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

An Act to amend Section 1 of Chapter 116 of the Revised Statutes which provides for a salary of \$300 for teacher of the Maine State Prison and \$200 for chaplain.

Resolve in favor of the Maine State Prison.

Resolve in favor of the Maine State Prison.

An Act to amend Section 34 of Chapter 41 of the Revised Statutes as amended by Chapter 125 of the Public Laws of 1907, relating to bait barrels.

An Act to authorize the receiver of the Eustis Railroad Company to dispose of the property of said Company.

Resolve in favor of the president and trustees of Bates College.

Resolve in favor of Road in Elliottville.

Resolve in favor of the Town of Mount Chase in Penobscot County.

Resolve in favor of buoys on Richardson Lake.

An Act to amend Section 20 of Chapter 436 of the Private and Special Laws of 1907, entitled "An Act to establish the Milo Municipal Court.

An Act to incorporate the Vinalhaven Water Company.

An Act to extend the charter of the Wells Electric Light and Power Company.

An Act to extend the charter of the Wells Telephone Company.

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.

An Act to require motor boats to be provided with mufflers in certain cases.

Resolve in favor of a highway bridge over St. John River, between Van Buren and St. Leonard's, N. B.

Resolve in favor of the Aroostook State Normal School.

Resolve in favor of the Madawaska Training School.

Resolve in favor of Eliza A. Getchell of Winslow.

Resolve in favor of Daniel R. Palmer of Buckfield.

Resolve for the publication of certain documents by the State Historian.

Resolve in favor of the Farmington State Normal School.

Resolve in favor of Fred A. Houdlette and Son, Inc. of Boston, Mass.

Resolve for repairs of highway in Upton, Magalloway Plantation, and Township C in the County of Oxford.

Resolve in favor of investigation of Industrial Education.

An Act to amend Section 16 of Chapter 15 of the Revised Statutes relating to public schools.

An Act to extend the privileges of secondary instruction to youths resident in unorganized townships.

An Act to appropriate moneys for the payment of salaries fixed by law for the year 1909.

An Act to appropriate moneys for the expenditures of government for the year 1909.

Reports of Committees.

Mr. Mullen, for the Committee on Taxation, on Report of the Board of State Assessors for the year 1908, reported that same be placed on file.

Mr. Knowlton, for the Committee on Education on Report of the State Superintendent of Public Schools of the State of Maine for the school years 1907-1908, reported that same be placed on file.

The same Senator for the same Committee, on Report of the Joint Special Committee on Education, on Bill, "An Act to create a State Board of Education," reported that same be placed on file.

Mr. Hill, for the Committee on Agriculture, on Bill, "An Act to establish public abattoirs in cities of the state," reported legislation inexpedient.

Mr. Howes, for the same Committee, on Message of the Governor relating to Agriculture, reported that same be placed on file.

The same Senator, for the same Committee, on Bill, "An Act to amend Sections 2, 4, 7, of Chapter 60 of the Revised Statutes, in relation to holding Farmers' Institutes," reported legislation inexpedient.

The foregoing reports were accepted.

Mr. Milliken, for the Committee on Education, on Bill "An Act to provide for the examination and certification of all teachers of public schools," reported same in new draft, under same title, and that it ought to pass.

Mr. Walker, for the same Committee, on "Resolve in favor of the Western State Normal School," reported same in new draft under same title, and that it ought to pass.

Mr. Howes, for the Committee on Agriculture, on Bill "An Act to amend Section 1 and Section 3 of Chapter 60 of the Revised Statutes, relating to the duties of the Commissioner of Agriculture," reported same ought to pass.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on "Resolve in favor of a fish hatchery in Washington County, reported same in new draft, under same title, and that it ought to pass.

The same Senator, for the same Committee on Bill "An Act authorizing towns to elect fish wardens in certain cases," reported same ought to pass.

Mr. Baxter, for the Cumberland County Delegation, on "Resolve in favor of Ray P. Eaton, former Register of Deeds of Cumberland County," reported same ought to pass.

The foregoing reports were accepted, and bills and resolves reported "ought to pass" were tabled for printing under the joint rules.

At this point Senator Baxter of Cumberland was called to the Chair and presided.

Passed to Be Engrossed.

"An Act to increase the salary of the Warden of the Maine State Prison. (On motion by Mr. Colcord of Waldo, this bill was tabled pending its second reading.)

An Act to amend the Charter of the Dead River Log Driving Company. (On motion by Mr. Irving of Aroostook, this bill was tabled pending its passage to be engrossed.)

An Act to amend Section 3 of Chapter 129 of the Revised Statutes regulating the sale of milk and cream. (On motion by Mr. Irving of Aroostook, this bill was tabled pending its passage to be engrossed.)

Resolve in favor of 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.

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 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.

Passed to Be Enacted.

An Act to open Mayfield and Kingsbury pond in Somerset county for ice fishing.

An Act to regulate fishing in Mattanawcook lake, Long, Crooked and Fulsome ponds in Lincoln, Penobscot county, Maine.

An Act to regulate fishing in Stratton brook and tributaries situated wholly or partly in the county of Franklin.

An Act to amend Chapter 176 of the Private and Special Laws of 1907 re-

lating to fishing in Bartlett and Cook's brook in the county of York.

An Act to amend Section 1 of Chapter 38 of the Private and Special Laws of 1907 relating to fishing in Songo river, so-called, in the county of Cumberland.

An Act to amend Sections 3, 4, 6, 7, 11, 12 and 13 of Chapter 15 of the Public Laws of 1907 relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

An Act relating to special contracts between employers and employees.

Finally Passed.

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish.

Resolve for providing for the repair of highway in Washington plantation and Perkins plantation in Franklin county.

Resolve in favor of William H. Murch, late Co. G, 15th Regiment, United States Infantry.

Resolve in favor of Daniel P. Hobart for State pension.

Resolve in favor of the town of Howland in Penobscot county.

Resolve in favor of Lewis Robbins of the town of Waldoboro.

Resolve in favor of Martha Burrill of Linnington.

Resolve in favor of Freedom Academy.

Resolve for an appropriation for carrying on the work of the State Survey Commission.

Orders of the Day.

On motion by Mr. Smith of York, Bill "An Act appropriating money for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases," was recalled from the governor. On further motion by the same Senator, the vote whereby this bill was passed to be enacted was reconsidered and on his further motion, the vote whereby the act was passed to be engrossed was reconsidered. The same Senator moved the adoption of Senate Amendment A as follows: "That Section 1 be amended by striking out in the sixth line thereof the words 'Thirty-five' and inserting in place thereof the words 'twenty-five' so that the Section as

amended shall read as follows: 'Section 1, for the purpose of carrying into effect the provisions of the law now in force and as the same may be amended and added to, relative to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, there is hereby appropriated, out of any moneys in the treasury, the sum of Twenty-five Thousand Dollars annually. Any part of this appropriation remaining unexpended at the end of any calendar year may be expended under the supervision of the Commissioner of Agriculture upon presentation of properly approved bills for the same.'"

On motion by Mr. Macomber of Kennebec, pending the adoption of the foregoing amendment, the bill was laid upon the table.

On motion by Mr. Hamilton of York, Senate Document No. 244, "Resolve for the appointment by the Governor of a Committee to inquire into the advisability of reorganizing the agricultural department, so that all of the agricultural interests and appropriations shall be under the head of the Commissioner of Agriculture," was taken from the table. On further motion by the same Senator, the Resolve was referred to the Committee on Agriculture.

On motion by the same Senator, Senate Document No. 225, "An Act to amend Section 37 of Chapter 81 of the Revised Statutes relating to the removal of unworthy attorneys," 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 the same Senator, House Document No. 259, "An Act to amend Section 2 of Chapter 138 of the Public Laws of 1907" was taken from the table; and on further motion by the same Senator, was passed to be engrossed.

On motion by the same Senator, House Document No. 271, "Resolve for the erection of a fish hatchery and feeding station on Cold Stream, the outlet of Cold Stream lake, in Enfield," was taken from the table; and on further motion by the same Senator, was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Senate Document No. 306, "An Act authorizing towns to prohibit the sale of cigarettes," was taken from the table; and on further motion by the same Senator, the same was referred to the Committee on Public Health.

On further motion by the same Senator, Senate Document No. 307, "An Act to amend Section 25 of Chapter 129 of the Revised Statutes relating to the sale of cigarettes," was taken from the table; and on his further motion, was referred to the committee on Public Health.

On motion by Mr. Hastings of Oxford, Senate Document No. 265, "An Act to provide for the compensation of justices of the Supreme Judicial Court or Superior Court who shall resign after ten years service at the age

of 70 years," was taken from the table. On further motion by the same Senator, Senate Amendment A was adopted, as follows: "Amend by striking out the enacting clause and inserting in place thereof the following enacting clause: 'Be it enacted by the people of the State of Maine as follows.' The bill as amended was read and assigned.

On motion by Mr. Knowlton of Piscataquis, Senate Document, No. 235, "An Act to separate Sheridan Plantation, so called, from the Town of Ashland in the County of Aroostook," was taken from the table; and on further motion by the same Senator, the bill was referred to the Committee on Towns, in concurrence.

On motion by Mr. Minott of Sagadahoc, the Senate adjourned.