

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.

Friday, March 5, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Nichols of Hallowell.

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 Saturday, March 6, at 9 o'clock in the forenoon.

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

"An Act to incorporate the Maine Power and Light Company."

The foregoing act came from the House, by that branch referred to the Committee on Judiciary. On motion by Mr. Milliken of Aroostook, the bill was tabled, pending reference.

"An Act to incorporate the Gregory Sanatorium." This bill came from the House, by that branch referred to the Committee on Legal Affairs. On motion by Mr. Milliken of Aroostook, the bill was tabled, pending reference.

Petition of E. J. Gerrish and 13 others of Lebanon in favor of the Chase bill, came from the House, by that branch referred to the Committee on Ways and Bridges. On motion by Mr. Donigan of Somerset the Senate voted to non-concur in such reference and that the same be placed on file.

Resolve in favor of memorial statute to Abraham Lincoln and tablet containing his Gettysburg address. This resolve having passed in the Senate without reference to a Committee, it was returned from the House, by that branch referred to the next legislature. The Senate voted to concur with the House in such reference.

"An Act to amend Section 49 of Chapter 15 of the Revised Statutes relating to the public schools." In the House this bill was amended by the adoption of House Amendment A. On motion by Mr. Hastings of Oxford, the Senate reconsidered the vote whereby the bill was passed to be engrossed; and, on

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

"An Act to provide for the removal of foreign paupers." This bill was returned from the House, that branch declining to concur with the Senate in its passage to be engrossed and indefinitely postponing the bill. On motion by Mr. Macomber of Kennebec, the Senate voted to recede and to concur with the House in the indefinite postponement of the bill.

"Resolve in aid of the extension of the Kineo Road from the Smith Farm to the Northeast Carry." The House having nonconcurred with the Senate in the acceptance of the report, and having voted not to recommit the bill to the Committee on Ways and Bridges, but to commit the resolve to the committee on State Lands and State Roads; the Senate voted to recede and to concur with the House in such commitment.

"An Act to incorporate the Sandy Stream Dam and Improvement Company." This bill was returned from the House, by that branch amended by House Amendment, and as amended passed to be engrossed. On motion by Mr. Milliken of Aroostook, 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; and the bill as amended was passed to be engrossed.

The Committee on Judiciary having reported "ought to pass" on bill, "An Act to prohibit automobiles from entering the towns of Eden, Mount Desert, Tremont and Southwest Harbor on the Island of Mount Desert," on motion by Mr. Staples of Knox, the bill was tabled pending its first reading and Wednesday, March 10, assigned for its consideration.

The same Committee having reported ought to pass on Bill "An Act to extend the charter of the Ossipee Valley Power Company;" and the bill having been returned from the House with House Amendment A adopted by that branch, on motion by Mr. Hamilton of

York, the bill was tabled pending its first reading.

House Bills Read and Assigned.

An Act in relation to South Paris Village Corporation and to establish a municipal water system for said corporation.

An Act to incorporate the North Parsonsfield Water Company.

An Act to ratify the organization, acts and doings and extend the powers of the Limerick Water and Electric Company. (On motion by Mr. Hamilton of York, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

An Act to extend the charter of the Eastport Street Railway Company.

An Act to incorporate the Rangeley Lakes and Megantic Railroad Company.

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

An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 and 13 of Chapter 112, Public Laws of 1907 relating to highways.

Resolve in favor of the town of Williamsburg.

An Act to amend Section 48 of Chapter 40 of the Revised Statutes relating to the hours of labor of women and children. (House Amendment A adopted in concurrence.)

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

Judiciary.

By Mr. Baxter of Cumberland: Bill, An Act relating to the probate records of Cumberland County.

Education.

By Mr. Knowlton of Piscataquis: Bill, "An Act to amend Section 42 of Chapter 101 relating to payment of superintendents of towns comprising school unions."

Sea and Shore Fisheries.

By Mr. Wyman of Washington: Bill, "An Act to amend Private and Special Laws of 1901, Chapter 401, Section 2, relating to the taking of smelts in Pleasant River, in Washington County."

Towns.

By Mr. Irving of Aroostook: Remonstrance of E. G. Tilley and 109 others of Ashland, against the Act to separate Sheridan Plantation, so called, from the Town of Ashland, Aroostook County.

Also: Remonstrance of G. B. Hayward and 32 others of Ashland against same.

By Mr. Hamilton of York: Petition of John F. Todd and 35 others for division of the town of York.

Railroad and Expresses.

By Mr. Emery of Franklin: Remonstrance of Frank W. Butler and 120 others of Farmington against granting charter to the Bingham and Dead River Railway Company.

Also: Remonstrance of Selectmen of Rangeley Plantation against same.

Also: Remonstrance of Selectmen of Freeman against same.

Also: Remonstrance of Selectmen and others of Weld against same.

Also: Remonstrance of Selectmen of New Sharon against same.

Also: Remonstrance of Selectmen of Salem against same.

Also: Remonstrance of Selectmen of Kingfield against same.

Also: Remonstrance of S. G. Haley and 114 others of Phillips against same.

Also: Remonstrance of F. E. Howard and 100 others of Strong against same.

Also: Remonstrance of Selectmen of Phillips against same.

Also: Remonstrance of Selectmen of Avon against same.

Also: Remonstrance of H. A. Furbish and 140 others of Rangeley against same.

Also: Remonstrance of E. H. Grose and 32 others of Eustis against same.

Also: Remonstrance of the Selectmen of Strong against same.

Also: Remonstrance of the Selectmen of Rangeley against same.

Also: Remonstrance of the Selectmen of New Vineyard against same.

Also: Remonstrance of Selectmen of Wilton against same.

By Mr. Milliken of Aroostook: Petition of W. M. Wetmore and 19 others of Smyrna Mills for the passage of an Act enlarging the powers of the Railroad Commissioners.

Also: Petition of E. K. Estabrook and 16 others of Amity for same.

Also: Petition of David Murchie and 7 others of Cary for the passage of same.

Placed on File.

By Mr. Milliken of Aroostook: Petition of Neal C. Cay and 9 others of Carey for the passage of the transferable mileage bill.

Also: Petition of E. E. Farrar and 18 others of Amity for same.

Also: Petition of William H. Bates and 21 others of Smyrna Mills for same.

Also: Petition of D. A. Moore and 9 others of Cary for the passage of a bill for State aid for bridges.

Also: Petition of W. C. Smart and 17 others of Amity for same.

Also: Petition of A. P. Daggett and 18 others of Smyrna Mills for same.

Tabled for Printing.

By Mr. Milliken of Aroostook: Bill, An Act to correct a clerical error in An Act approved February 19, 1909, entitled "An Act to extend An Act entitled 'An Act to incorporate the Baker and Spencer Brook Dam and Improvement Company'." (On motion by the same Senator, the bill was tabled for printing without reference to a committee.)

Reports of Committees.

Mr. Macomber, for the Committee on Banks and Banking, on Bill "An Act to amend the charter of the Searsport Trust Company," reported "ought not to pass."

The same Senator, for the Committee on Taxation, on Bill "An Act to amend Chapter 8 of the Revised Statutes relating to the taxation of Loan and Building Associations," reported "ought not to pass."

Mr. Milliken, for the Committee on Education, on Bill "An Act to amend Section 34 of Chapter 15 of the Revised Statutes relating to the election of superintendents of schools," reported "ought not to pass."

Mr. Walker, for the same Com-

mittee, on Bill "An Act to amend Section 113 of Chapter 15 of the Revised Statutes relating to State Normal School trustees," reported "ought not to pass."

Mr. Mullen, for the Committee on Taxation, on Bill "An Act to amend Chapter 166 of the Public Laws of 1907, entitled 'An Act for the better collection of taxes,'" reported "ought to pass."

Mr. Milliken, for the Committee on Education, on "Resolve in favor of the University of Maine," reported same in new draft under same title and that it ought to pass.

Mr. Baxter, for the Committee on Judiciary, on Bill, "An Act to amend Chapter 492 of the Private and Special Laws of 1855, entitled 'An Act to incorporate the Maine Medical Organization'" reported ought to pass.

Mr. Looney, for the same Committee, on Bill "An Act to extend the time in which the Maine Title Guaranty Company is authorized to commence business," reported "ought to pass."

The same Senator, for the same Committee, on Bill "An Act to shorten the time of possession and the bringing of suits to quiet title to real estate," reported "ought to pass."

Mr. Warren, for the Committee on Banks and Banking, on Bill "An Act to extend the charter of the Searsport Trust Company," reported same in new draft, under same title, and that it ought to pass.

Mr. Wyman, for the Committee on Inland Fisheries and Game, on "Petition of J. R. Pollard and 34 others of Winslow and vicinity, asking for a close time on ice fishing in Pattie's Pond, in Winslow, for a period of 5 years," reported bill "An Act to regulate ice fishing in Pattie's Pond in Winslow in Kennebec County."

Mr. Reynolds, for the Committee on State Lands and State Roads, on "Resolve authorizing the State Land Agent to sell certain lots in the towns of St. Agatha and Madawaska in Aroostook County," reported same ought to pass.

The same senator for the same Com-

mittee on "Resolve authorizing the Land Agent to sell certain lands in the West half of Township E, Range 2, Franklin County" reported Legislation thereon inexpedient.

The same senator for the same Committee on "Petition of S. G. Hall and fourteen others of Phillips for improvement of road from Madrid line through letter E. and Sandy River plantations reported that the same be referred to the committee on Ways and Bridges.

Mr. Hamilton, for the Committee on Legal Affairs, on bill "An Act to amend An Act relating to the police Court of the City of Rockland," reported same in new draft under same title and that it ought to pass.

Mr. Baxter, for the Portland Delegation, on Bill, "An Act authorizing the payment of an annuity by the City of Portland," to John Cousens reported same ought to pass.

The same Delegation on Bill "An Act to make permanent the tenure of office of the City Electrician of Portland," submitted a majority report that same "ought to pass." (Signed) Looney, Marshall, Baxter, True, Rounds, Kavanaugh, Redlon, the same being a majority report, and the same delegation on the same bill submitted a minority report that same "ought not to pass" (Signed) Bigelow, Beyer. The majority report was accepted.

Mr. Knowlton, for the Committee on Inland Fisheries and Game, on Bill "An Act to prohibit the hunting of ducks and other water fowl in Damariscotta Pond, in Lincoln County, by use of steam, naphtha or gasoline boats, reported same ought to pass.

Mr. Wyman, for the same Committee, on Bill "An Act for the protection of grey squirrels in the town of Waterford, reported same "ought not to pass."

Mr. Wyman for the same Committee, on Bill "An Act for the protection of grey squirrels upon certain territory in the Town of Fryeburg," reported same ought not to pass.

The same Senator for the same Committee, on Bill "An Act to change close season on muskrats," reported same ought not to pass, as the Committee has already reported another bill relating to the same subject matter.

Mr. Knowlton, for the same Committee, on Bill "An Act to open Robinson Pond, Somerset County, to ice fishing," reported same ought not to pass.

The Portland Delegation on Bill, "An Act to amend the Private and Special Laws pertaining to appointment to the Police Department of the City of Portland," submitted majority report that same ought to pass (Signed) Looney, Marshall, Baxter, True, Rounds, Kavanaugh, Redlon; and on the same bill submitted also a minority report that the same "ought not to pass" (Signed) Bigelow, Beyer. (Majority report adopted.)

Mr. Knowlton, for the Committee on Inland Fisheries and Game, on Bill "An Act to provide for a bounty on wild cats," reported that same ought to pass.

Mr. Wyman, for the same Committee, on "Petition of C. W. Jones and 54 others asking that the length of trout which may be legally taken be made six inches instead of five inches as now provided by law," reported that petitioners have leave to withdraw.

The Committee on Legal Affairs on Bill "An Act in relation to exceptions and appeal in criminal cases," submitted a report that "same ought to pass" (Signed) Gowell, Hall, Staples, Hamilton, Morse, Snow and Smith; and on the same bill a minority report that same ought not to pass (Signed) Coolidge, Marshall, Pike. (On motion by Mr. Staples of Knox this bill and accompanying reports were tabled, pending the acceptance of either report, and Thursday, March 11th assigned for consideration.)

Mr. Wyman for the same Committee

on Bill "An Act to amend Chapter 32, of the Revised Statutes relating to Inland Fisheries and Game, and to correct certain clerical errors therein," reported same ought to pass.

Mr. Knowlton, for the same Committee, on Bill "An Act to regulate fishing in Little Big Wood Pond, in Somerset County," reported same ought to pass.

Mr. Baxter, for the Committee on Library, on "Resolve relating to documentary history of Maine," reported same in new draft under same title and that it ought to pass.

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

Read and Assigned.

An Act conditionally repealing Chapter 92 of the Public Laws of 1905, relating to the better enforcement of the laws against the manufacture and sale of intoxicating liquors.

Resolve providing for an amendment of the Constitution empowering the Governor to remove sheriffs.

Passed to Be Engrossed.

An Act to amend Chapter 8 of the Revised Statutes, relating to the Board of State Assessors.

An Act to extend the charter of the Waterville and Winslow Bridge Company.

An Act to provide for the preservation of the records and history of the Grand Army of the Republic, Department of Maine.

An Act to incorporate the Androscoggin Reservoir Company and to authorize it to construct, acquire and maintain a reservoir or storage basin on the Magalloway River at or near the head of Aziscoos Falls in Lincoln Plantation in the county of Oxford for the purpose of maintaining a more constant flow of water in the Magalloway and Androscoggin Rivers, for use for power and manufacturing purposes.

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. (On motion by Mr. Howes of Somerset, this

bill was tabled pending its passage to be engrossed.)

An Act to provide for the State examination and certification of all teachers of public schools. (On motion by Mr. Shaw of Kennebec, this bill was tabled pending second reading.)

An Act to amend Section 2 of Chapter 159 of the Public Laws of 1905, relating to the compensation of certain state officers. (On motion by Mr. Hamilton of York, this bill was tabled pending its passage to be engrossed.)

An Act to define and regulate the practice of optometry. (On motion by Mr. Hamilton of York, this bill was tabled pending second reading.)

Resolve in favor of roads in Indian township. (On motion by Mr. Kellogg of Penobscot, this resolve was tabled pending second reading.)

Resolve in favor of the Town of Cutler. (On motion by Mr. Milliken of Aroostook, this resolve was tabled pending second reading.)

Resolve in favor of aid in repairing highway in the town of Greenbush. (On motion by Mr. Hamilton of York, this resolve was tabled pending second reading.)

Resolve in favor of the State Board of Veterinary Examiners. (On motion by Mr. Howes of Somerset, this resolve was tabled pending second reading.)

An Act to provide for retiring and pensioning prison officers. (On motion by Mr. Macomber of Kennebec, this bill was tabled pending its second reading.)

Resolve in favor of Eugene A. Holmes, County Attorney of Aroostook County. (On motion by Mr. Irving of Aroostook, this resolve was tabled pending its second reading.)

An Act to regulate fishing in Molridgewock Pond and Stream, also the inlet to said Molridgewock Pond, Oxford County. (On motion by Mr. Hastings of Oxford, this bill was tabled pending second reading.)

Resolve in favor of the Treasurer of the East Maine Conference Seminary of Bucksport. (On motion by Mr. Walker of Hancock, this resolve was tabled, for the introduction of statement of facts, pending second reading.)

An Act to amend Section 11 of Chapter 81 of the Revised Statutes in relation to records of proceedings in Court.

An Act to amend the charter of the trustees of Hebron Academy.

An Act entitled "An Act to amend the charter of the New England Retail Grocers' Publishing Company."

An Act to provide antitoxin by the local boards of health for diphtheria and other contagious diseases.

An Act to change the name of the Unitarian Society of Augusta, Maine.

An Act to incorporate the Bonney Woods corporation of Farmington Maine.

An Act additional to and amendatory of Chapter 424 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Kittery Water District within the limits of the town of Kittery for the purpose of supplying the inhabitants of said district, likewise the remaining portion of said town with pure water for domestic and municipal purposes.

An Act to amend the law relating to political caucuses in the city of Bangor.

An Act to legalize, make valid and binding certain acts and doings of the town of Whitneyville.

An Act to amend Chapter 42 of the Public Laws of 1907, entitled "An Act to prevent desertion and non-support of families."

Resolve in favor of the Maine Mission for the Deaf.

An Act to ratify, confirm and make valid the consolidation of certain railroads under the name of Sandy River and Rangeley Lakes Railroad, and enlarge the powers of said railroad.

An Act to amend Chapter 510, Private and Special Laws of 1874, being An Act to incorporate the Lincolnville Railroad Co.

An Act to extend the charter of the Camden and Augusta Railway.

An Act to extend the charter of the Peaks Island Railroad Co.

An Act to extend the charter of the Dexter Trust Co.

An Act to revise and extend the charter of the Skowhegan Trust Co.

An Act to extend the charter of the Fairfield Trust Co.

Resolve in favor of the Maine State Chronological Society.

An Act prohibiting the throwing of sawdust and other waste material into Highland lake, or any of its tributaries, in the city of Westbrook, towns of Windham, Gray and Falmouth, and into Mill brook in Westbrook, all in the county of Cumberland.

Resolve that the land agent be authorized to convey to George F. D. Trask of East Bluehill, Hancock county, Maine, "Canary's Nub" so-called, East Bluehill.

Resolve in favor of the town of Prescott.

An Act to regulate fishing in the waters in Alder Stream township, in the county of Franklin.

An Act to regulate fishing in that portion of Rangeley Lake known as South Bog, in Franklin county.

An Act to regulate fishing in Magalloway river and tributaries, and upper and lower Metallus and Lincoln ponds and Parmachenee lake, Oxford county.

An Act to prohibit ice fishing in the Puffer pond, so-called, in the town of Dexter, Penobscot county.

An Act to regulate fishing in Brown brook and Perry pond and tributaries, in Somerset county.

An Act relating to an open season for the hunting of certain game birds in the county of Hancock.

An Act to provide for a close time on wild animals and birds on Kineo point, so-called, Moosehead lake.

An Act to amend Chapter 412 of the Private and Special Laws of 1907, regulating fishing in Swift river in the counties of Oxford and Franklin.

An Act to protect the white perch in Ellis pond, sometimes called Roxbury pond, in the towns of Roxbury and Byron in the county of Oxford.

An Act to amend Section 20 of Chapter 41 of the Revised Statutes of 1903, relating to sea and shore fisheries.

An Act to amend Chapter 77 of the Public Laws of 1905, relating to sea and shore fisheries.

An Act to amend Section 17 of Chapter 41 of the Revised Statutes of 1903 as amended by Chapter 49 of the Pub-

lic Laws of 1907 relating to sea and shore fisheries.

An Act to amend Section 1 of Chapter 538 of the Private and Special Laws of 1889 relating to the taking of smelts in the Sheepscot river, as amended by Chapter 165 of the Private and Special Laws of 1907.

Resolve in payment of claims of Gilbert M. Elliott and Lincoln H. Colby.

Resolve in favor of the town of East Machias.

Resolve in favor of the town of Searsport.

Resolve in favor of the town of Fort Kent.

Resolve in favor of the town of Bremen.

Resolve in favor of Joseph E. Jewett.

Resolve in favor of the town of Starks.

Resolve in favor of the city of Ellsworth.

Resolve in favor of the town of Tremont, in Hancock county.

Resolve in favor of the Penobscot Tribe of Indians.

Passed to Be Enacted.

An Act to extend the charter of the Bethel Trust Co.

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

An Act to incorporate the Van Buren Light Power Co.

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.

An Act to enable the Sebago Lake, Songo River and Bay of Naples Steamboat Co. to construct and maintain a wharf at the east shore of Sebago lake in the town of Wyman in the county of Cumberland.

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

An Act to increase the salary of the

judge of the superior court for Kennebec county.

An Act to incorporate the Bibber's Island Water Co.

An Act to extend the charter of the Investment Trust Co.

An Act to provide for the attesting of public records, deeds and other instruments.

An Act to amend Section 2 of Chapter 188 of the Public Laws of 1907 to enable cities to assess taxes for street sprinkling.

An Act to incorporate the Sagamore Insurance Co.

An Act to extend the charter of the Stonington Electric Light & Power Co.

Finally Passed.

Resolve relating to Mason's Island.

Resolve in favor of Susan E. Dumphe, widow of Charles Dumphe, late of Co. G, 6th Regiment of Infantry, Maine Volunteers, Civil War.

A communication was received from the secretary of State transmitting report of the Maine Insane hospital and the Eastern Maine Insane hospital for the year 1908. (On motion by Mr. Hastings of Oxford this was referred to the committee on insane hospitals).

A communication was received from the secretary of State transmitting the report of the bank examiner of the State of Maine 1908. (On motion by Mr. Wyman of Washington the same was referred to the committee on banks and banking).

Orders of the Day.

Mr. WARREN of Cumberland: Mr. President: I move to reconsider the vote whereby House Document No. 263 was passed to be engrossed.

The PRESIDENT: Will the senator state the title of the bill?

Mr. WARREN: The title of the bill is "An Act to incorporate the Sandy Stream Dam & Improvement Co." I am informed that that was passed by the House this morning in concurrence. It may not have reached the Senate as yet.

The PRESIDENT: Will the senator from Cumberland, Senator Warren, inform the Chair and the Senate what the status of the bill is, if he knows?

Mr. WARREN: Mr. President: So far as I can inform the Senate this

bill was passed to be enacted by the Senate; it went to the House, where it was amended; it came back to the Senate and the Senate concurred in the amendment and the bill was passed to be engrossed. I wish now to offer an amendment.

The motion to reconsider the vote whereby the bill was passed to be engrossed, prevailed.

On further motion by the same senator, the Senate reconsidered the vote whereby House Amendment A was adopted in concurrence; and further voted to non-concur in the adoption of House Amendment A.

Mr. WARREN: I will state, in doing this, that I am doing it at the request of the member of the House who put in this amendment.

On further motion by the same senator, the bill, with House Amendment A stricken out, was passed to be engrossed.

On motion by Mr. Kellogg of Penobscot, the Senate voted to reconsider the vote whereby Senate Document No. 104, "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," was passed to be enacted; and on his further motion, the Senate voted to reconsider the vote whereby the bill was passed to be engrossed; and on further motion the bill was tabled pending amendment.

On motion by Mr. Baxter of Cumberland, Senate Document No. 320, "An Act to amend Chapter 153 of the Public Laws of 1907 relating to transportation of public officials was taken from the table; and on further motion by the same senator, the bill took its first reading. Senate Amendment A was adopted, and the bill was assigned for second reading.

On motion by Mr. Colcord of Waldo, Senate Document No. 263, "An Act to increase the salary of the warden of the Maine State prison," 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, it was voted to recall from the Executive "Resolve for the purpose of operating fish hatcheries and feeding stations for fish and for the protection of fish." On further motion by the same senator, the vote whereby this resolve was passed to be enacted was reconsidered; and on his further motion, the vote whereby the resolve was passed to be engrossed was reconsidered.

Mr. WYMAN of Washington: Mr. President: I will say that this resolve passed the House and Senate and when it got up into the room in the northwest corner of the Capitol it seemed to be too large for the room or the room too small for the resolve. And I would say that I recall this resolve in order to make it fit. I move that the resolve lie on the table.

The motion prevailed.

On motion by the same senator, Senate Document No. 208, "An Act to provide for the ownership and maintenance of highway bridges by the State and the construction of such bridges by the State, county and towns," was taken from the table.

Mr. WYMAN of Washington: Mr. President: I will say that this is a report from the ways and bridges committee, on the general bridge bill; and it is also the report of the minority of that committee, for a county bridge bill. I am not particularly interested in this one as far as the interests of the State and counties at large are concerned. I believe that, perhaps, if we could get on with an economical expenditure for bridges that it would not be necessary to have this bill; but we are confronted with the fact that nearly every man elected to the Legislature has some form of a bridge bill that he would like to get through the Legislature; and this is increasing from Legislature to Legislature. In the present Legislature we have before the committee some \$200,000 or more asked for. How much will be appropriated, it is too early to tell, but the amount asked for now is equal to that of the bill presented by Senator Donigan—one-half mill on the dollar of the whole taxable property of

the State of Maine. Of course, one can see how this is divided. The railroads, of course, pay none of this and it is divided by the whole State valuation outside of that. Consequently, each county now pays one-half a mill, if we appropriate the money we have before us. The people feel that we should have something to equalize the taxation on bridges; and well I believe they may feel this. It is not convincing to me that the county of Washington should support bridges in York county, nor that York county should do so in the county of Washington, where we hardly pass over those bridges. This county bill may not be protection, but the counties use these bridges to a greater extent than any one else, and the county I believe should support them. It seems to be equitable because the counties that are of the least population have the most wild lands, and that takes in all the wild lands of the State and they have to contribute towards the support of these bridges. In the thickly populated portions of the State, we have the cities, and the cities in those counties have little wild lands and they should be made to take care of those bridges. So it seems to me that this county bill comes as near equalizing the tax as it is possible. I would say as to this bill that I have no idea how it is situated in the Senate as to passage, as I have not canvassed this point; but I believe there is a demand for it and I hope, Mr. President and Gentleman, it will have your consideration.

At the proper time I am ready to adopt the amendment which has been suggested by some of the members of this body, which would allow the towns to support one-third of the whole bridges. As the bill now reads, the county takes all the bridges from 25 feet up absolutely, and from 10 feet to 25 feet the towns support one-third. It is possible that it would be more equitable and that it would be handled with greater care if the towns were obliged to support one-third of all the bridges, both on construction and repairs.

Mr. MULLEN of Penobscot: Mr.

President and Senators: I have a communication here from the commissioners of the county of Penobscot and the citizens of Penobscot; and they protest against this bill. The cities in the large counties also protest against this bill—the city of Bangor especially claims that it would be a hardship to them inasmuch as they have many bridges within the city limits, so to speak. According to the charter of the city of Bangor, those bridges, of course, are the immediate care of the city of Bangor; and our people over there say that under this bill, as it now reads, they would be afraid of great trouble and damages. They say, and they claim with their organization and municipalities, they are better able to determine and to take care to build the kind of bridges they need, and better prepared to construct them than parties from the outside; and they say again, as I have just said, that they object because, in case of accident or the becoming defective, any bridges requiring immediate attention they would be liable; and they look upon it as a very great question. They think a legal question is involved; and the city charter gives the exclusive control to them of the highways including the bridges, and that this bill would deprive them of that control; and they even say; here is a great legal question, the city of Bangor pays more than one-half of the county tax of the county of Penobscot, and they feel as though they ought to have something to say; and the county commissioners themselves request that, if this bill is to be considered at all, that it should be recommitted and the several counties of the State given a chance to be heard. With these few remarks I leave the matter in your hands.

Mr. MACOMBER of Kennebec: Mr. President: I must confess that I do not know whether I am for, or against this proposition. It comes before the Senate in rather a peculiar way. If I understand aright, the bill which was considered by the committee on ways and bridges was the Donigan bridge bill; and a large majority of that committee reported in favor of that measure; and that this bill comes as a min-

ority report from that committee; and it seems to me that, under these conditions, the whole committee and those people who will be interested in the passage of a county bill have not had an opportunity to discuss the merits of that bill as they should; and I think the suggestion of the senator from Bangor is entirely proper, that this bill should be recommitted to the committee, where everybody would have a chance to be heard, and out of it some proper bill should come. I move that it be recommitted to the committee on ways and bridges.

Mr. HAMILTON of York: Mr. President and gentlemen: It seems to me that this should now be disposed of. Ever since I have been here, we have heard nothing but bridge, bridge, bridge and the taxation of State lands. We started in with the Donigan bridge bill and he presented it very eloquently; and now it is this bridge bill. We have disposed of the Donigan bridge bill. Now, let us dispose of this so that we can have our minds composed to attend to other matters.

The question being upon the motion of Mr. Macomber of Kennebec that the bill be recommitted to the committee on ways and bridges, the motion prevailed.

The President announced as a committee of conference on the part of the Senate in matter of "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," Messrs. Hastings of Oxford, Macomber of Kennebec and Eaton of Washington.

On motion by Mr. Hamilton of York, Senate Document No. 191, "An Act to amend Section 115 of Chapter 15 of the Revised Statutes relating to public schools," was taken from the table. Mr. Walker of Hancock thereupon offered Senate Amendment B.

Mr. Hamilton of York moved that the bill and amendment lie on the table until next Wednesday.

The PRESIDENT: The Chair informs the senator from York that the amendment offered by the senator from Hancock, Mr. Walker, has not

been adopted. Does the senator from York object to the amendment?

Mr. HAMILTON: Yes, Mr. President.

Mr. WALKER: Mr. President: I think it would be well to offer a few words in explanation of the introduction of the amendment at this late day. When the bill was introduced and the amount asked for was passed on, the condition existing was, that there were four normal schools and one manual school existing. Since the introduction of this bill, the Legislature in its wisdom or otherwise has seen fit to establish an additional normal school in Washington county; and it becomes necessary that the amount asked for by normal schools should be increased by the small amount included in the amendment. That is the reason for the introduction of this amendment at this time. It is a matter of common knowledge that the amount asked for normal schools comes from normal school funds and is not a special appropriation, which is based on the mill tax on State valuation and is not in any sense or in any way a special appropriation.

Mr. HAMILTON of York: Mr. President: I understand that it comes from the common school fund. But what about the common schools. Is not so much taken from the common school fund?

Mr. WALKER: I will say to the senator from York that this will in no way affect the common schools.

Mr. HAMILTON: The senator from Hancock does not answer my question. Is not this equivalent to so much less funds to run the common schools with? Is it not less by the amount you take for the normal schools?

Mr. WALKER: Mr. President: I will say that there is an ample margin for the common schools. There is always a large margin left from the common school fund and the common schools will not in any way be crippled by this small increase of the normal school appropriation.

The question being put upon the motion of the senator from York, Mr. Hamilton, that the bill and the proposed amendment, Senate Amendment

B. pending the adoption of the amendment, be laid upon the table, the motion was lost.

The pending question being upon the motion of the senator from Hancock, Mr. Walker, that Senate Amendment B, be adopted, the amendment was adopted.

On further motion by the same senator, the bill took its second reading as amended by Senate Amendment B; and as amended was passed to be engrossed.

Mr. OSGOOD of Androscoggin: Mr. President, A few days ago I introduced an order directed to the railroad commissioners, inquiring as to the feasibility of the establishment of toilets upon electric cars. This order as introduced was referred for an opinion to the railroad commissioners and it was passed to the committee on railroads and expresses, and I was unavoidably detained elsewhere at the time of the hearing; and the committee on railroads and expresses reported "legislation inexpedient." I ask, Mr. President and Gentlemen, in view of the importance of this most humanitarian and sanitarian measures which involves the life and comfort of a great many people at least on our electric roads, that this order may be recommended to the committee on railroads and expresses and that a hearing may be had upon it at which the friends of that measure would like to be heard.

Mr. MULLEN of Penobscot: Replying to the remarks of the senator from Kennebec, I will say that when that hearing took place no one appeared for the bill; and after waiting a long time and hearing the other side of the question—and as I said, no one appearing for the bill—we voted to report "legislation inexpedient." That is all there is to it. There was not a man who appeared for it.

The PRESIDENT: The secretary informs the Chair that this order has been sent down to the House for concurrence. It is therefore not now before the Senate for its action; and any action by way of reconsideration would have to be taken in the House.

Mr. OSGOOD: Mr. President, I will withdraw my motion.

On motion by Mr. Hamilton of York, House Document No. 62, "An Act relating to holidays," specially assigned for today, was taken from the table.

Mr. HAMILTON of York: Mr. President, I would say that in that bill there was an amendment put in. The bill struck out the first day of January as a court and bank holiday, and the amendment replaces that as they were originally in the Statute. Now I do not care anything about the bill, but the judges of the supreme court say sometimes that it bothers them and they have sometimes the first day of January as a legal holiday and our bank presidents and bank cashiers in our cities consider it a nuisance, right after Christmas, to have the first day of January a bank holiday. It is immaterial to me and was immaterial to the committee. We want to serve all parties right and to do what is for the best.

Mr. SHAW of Kennebec: Mr. President, I offered the amendment to strike out Section 2, at the suggestion of one of the bank men in this city. He represented to me that it was a great convenience to have January 1 a bank holiday, that being about the time they settled up their annual business and they needed the day. As far as I am concerned, I have no other interest in it than to serve those people right; and it was purely at his suggestion, as he represented the matter to me, that I offered the amendment striking out that section.

Mr. HAMILTON: Mr. President, I would say in reference to that, that word came to us that the bank here in Augusta had withdrawn its suggestion and was willing the bill, as originally reported, should go forward. Now it makes very little difference and is not worth while to stop and talk about. That is the sum and substance of the whole matter.

Mr. MACOMBER of Kennebec: Mr. President, In reference to this matter of January 1, I do not think it is dependent on any bank officer in Augusta or any other especial place. I know that the first day of January is the general settling day between the banks and their depositors. The depos-

itors are the people who want to know how they stand on the first day of the year. Now, if this is a holiday the officials in the bank can work out and get at those deposits and balances so that on the second day of January the depositors may know where they are at. I think it is an important matter, so far as the banks are concerned, to have this day; and I hope the Senate will adopt the amendment of my colleague.

Mr. HAMILTON: That is just why the bank cashiers who came to me stated that they wanted this as a bank holiday, so that they could go in and fix up their accounts and on the second day of January be in condition to tell the depositors what they wanted to know.

Mr. MACOMBER: That is just what we want, so that we shall not have to have the bank open and have an opportunity to close up the accounts and be able to show depositors the next morning just how we stand.

The bill thereupon took its second reading as amended and was passed to be engrossed.

Mr. MACOMBER of Kennebec: Mr. President, I desire again to call the attention of the Senate to the order originally introduced by the senator from Androscoggin, Senator Osgood, with reference to toilets on electric

railways. I understand that the matter has not yet gone to the House.

The PRESIDENT: The Chair will state that it was mistaken in stating that it had gone to the House. It had been laid on the table.

Mr. MACOMBER: The proposition of the senator from Androscoggin seems to me to be entirely feasible and the difficulty seems to have been that the people who favored it did not know of the hearing; and under those circumstances it is certainly fair that this matter should be recommitted so that those people can have a fair hearing before the committee on railroads; and I move that it be recommitted to the committee on railroads and expresses. The motion prevailed.

On motion by Mr. Warren of Cumberland, House Document No. 308, "An Act prohibiting the throwing of sawdust and other waste material into Highland lake, or any of its tributaries in the city of Westbrook, towns of Windham, Gray and Falmouth, and into Mill brook in Westbrook, all in the county of Cumberland," was amended by adding Section 3, as follows: "Section 3. This Act shall take effect July 1, 1909." On further motion by the same senator, the bill as amended was passed to be engrossed.

On motion by Mr. Hastings of Oxford, the Senate adjourned.