

# 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 Acatous Lake read Nicauous Lake.

1313, for establish read abolish.

**SENATE.**

Tuesday, March 9, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Herrick of Hallowell.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

**House Bills Read and Assigned.**

An Act authorizing the Town of Rumford, in the County of Oxford, to subscribe for stock or bonds for the purpose of securing a town hall to be used for municipal purposes.

An Act to amend the charter of the Maine Insurance Company. (On motion by Mr. Hill of Penobscot, Senate Amendment A was adopted. On motion by Mr. Hastings of Oxford, pending its second reading, the bill was tabled.)

An Act for the improvement of free high schools.

Resolve in favor of Wilton Academy. (On motion by Mr. Donigan of Somerset, this bill was tabled.)

Resolve in favor of Lee Normal Academy. (On motion by Mr. Donigan of Somerset, this bill was tabled.)

An Act authorizing the Liberty and Belfast Telephone and Telegraph Company to increase its capital stock.

An Act amendatory to Chapter 60 of the Revised Statutes, relating to agricultural societies, and additional thereto.

An Act to incorporate the Wood Stream Improvement Company.

An Act to amend Section 1 of Chapter 294 of the Private and Special Laws of 1901. (On motion by Mr. Hastings of Oxford, this bill was tabled.)

An Act authorizing a change of grade in Pitt Street Bridge in the City of Portland.

Resolve in favor of the Inhabitants of Whitneyville.

Resolve in favor of the Town of Millinocket.

Resolve in aid of the Town of Rome in maintaining its roads and bridges.

Resolve in favor of the City of Gardiner and Town of Randolph.

Resolve in favor of aiding the building of a bridge across the Fish River.

An Act to regulate hunting in Back Bay, so called, in Portland, in Cumberland County.

An Act regulating the open season on Deer in Swan's Island.

An Act to regulate fishing below Upper Dam, so called, in Oxford County.

An Act to regulate fishing on Marsh Stream, so called, in Waldo County, and also in its tributaries.

An Act to prohibit the throwing of sawdust and other mill waste into Cambridge River, so called, in the Towns of Upton and Grafton in Oxford County.

An Act to regulate fishing in Kennebago Stream, so called, situated partly in Franklin County and partly in Oxford County.

An Act to regulate fishing in the tributaries to Phillips Lake, in the County of Hancock.

An Act to regulate fishing in Over-set Pond, so called, in the Town of Greenwood, in Oxford County.

An Act to amend Section 1 of Chapter 407 of the Private and Special Laws of 1903, relating to fishing through the ice in Grassy Pond, in the Towns of Hope and Rockport, in Knox County.

An Act to regulate fishing in Horn Pond and Hanscom Brook in York County.

An Act to amend Section 2 of Chapter 407 of the Private and Special Laws of 1903, relating to fishing in Roach River, in Piscataquis County.

An Act to regulate fishing through the ice in Webber Pond, in the County of Kennebec.

An Act to amend Section 3 of Chapter 407 of the Private and Special Laws of 1903, relating to fishing in Rangeley Stream, so called.

An Act to amend Section 2 of Chapter 407 of the Private and Special Laws of 1903, relating to fishing in the tributaries to Bretton's Pond, in Livermore, in Androscoggin County.

An Act to regulate fishing in Mount Blue Stream, the outlet of Mount Blue Pond, in the Town of Avon, in Franklin County.

An Act to regulate fishing in Jimmy

Brook, so called, in the Towns of Cambridge and Parkman, in the Counties of Somerset and Piscataquis.

An Act to extend the open season on deer in the Towns of Unity and Burnham in the County of Waldo.

An Act to regulate fishing in Alder Stream in the County of Piscataquis.

An Act to regulate fishing in Locke's Brook, so called, in the Town of Hollis, York County, and tributaries.

An Act to prohibit fishing in the tributaries to Flying Pond in the Town of Vienna, Kennebec County, Maine.

An Act to regulate fishing in Spear Stream and its tributaries in the Town of Peru, in Oxford County.

A communication was received from the Secretary of State, transmitting a list of the titles of public acts approved by the Governor, as follows:

An Act relating to special contracts between employers and employees.

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

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 regulating the duties of the Commissioner of Agriculture in relation to the manufacture, transportation and sale of dairy products and their imitations.

An Act to amend Sections 17, 18, 19 and 20, 26 and 30, of Chapter 39 of the Revised Statutes, relating to the regulation and sale of commercial fertilizers, commercial feeding stuffs and agricultural seeds.

An Act relating to the issuance of mileage books by railroad corporations.

An Act to provide for the payment of the premium on bonds required of the Treasurer of State and Clerks in the State Treasury Department.

An Act to amend Section 19 of Chapter 51 of the Revised Statutes, relating to the increase of capital stock of a railroad company.

An Act to amend Section 10 of Chapter 53 of the Revised Statutes, relating to power of railroad commissioners.

An Act relating to the acknowledgment of deeds.

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 3, Chapter 48, of the Revised Statutes, relating to the powers of savings banks.

An Act to establish an additional normal school to be located at Machias, in the County of Washington.

An Act in relation to insurance upon automobiles.

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.

#### Read and Assigned.

An Act to extend the time in which the Maine Title Guarantee Company is authorized to commence business.

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

Resolve authorizing the State Land Agent to sell certain lots in the towns of Saint Agatha and Madawaska in Aroostook County.

An Act to shorten the time of possession required for bringing suits to quiet title to real estate.

An Act to regulate ice fishing in Pattie's pond, in Winslow, in Kennebec County.

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.

An Act to regulate fishing in little Big Wood Pond, Somerset County.

An Act to provide for a bounty on wild cats.

An Act authorizing the payment of an annuity by the City of Portland to John Cousens.

An Act to amend the private and special laws pertaining to appointments to the Police Department of the City of Portland.

An Act to make permanent the tenure of office of the City Electrician of the City of Portland.

An Act to amend Chapter 166 of the

Public Laws of 1907, entitled "An Act for the Better Collection of Taxes."

Resolve relating to Documentary History of Maine.

An Act to amend Chapter 32 of the Revised Statutes relating to inland fisheries and game, and to correct certain clerical errors therein.

An Act to amend Chapter 492 of the Private and Special Laws of 1855 entitled "An Act to incorporate the Maine Medical Association," and to confirm the reorganization of said Association.

An Act to amend an act relating to the police court for the City of Rockland.

Resolve in favor of the University of Maine.

Resolve in favor of the Farmington State Normal School.

An Act for the safeguarding of schools against danger from fire.

An Act to amend Section 28 of Chapter 15 of the Revised Statutes relating to the duties of the municipal officers of towns.

An Act additional to Chapter 144 of the Revised Statutes, providing for the recovery of money improperly paid by the State for the support of insane paupers.

Resolve, in favor of the town of Concord, County of Somerset.

Resolve, in favor of Stacyville Plantation, in Penobscot County.

#### Reports of Committees.

Mr. Wyman, for the Committee on Forests Preservation and Water Supply, on Bill, "An Act providing for the appointment of a water storage commission," reported same in new draft, under title of "An Act to create a state water storage commission," and that it ought to pass.

Mr. Walker, for the Committee on Education, on Bill, "An Act to amend Sections 40, 41, 44 and 45 of Chapter 15 of the Revised Statutes, relating to the superintendents of towns comprising schools units," reported same in new draft under title of "An Act to amend Section 40, 41, 44 and 45 of Chapter 15 of the Revised Statutes relating to the union of two or more towns for the employment of a superintendent of schools," and that it ought to pass.

Mr. Walker, for the Committee on Education, on Bill, "An Act to amend Section 64 of Chapter 15 of the Revised Statutes relating to the tuition of pupils in secondary schools," reported that same ought not to pass, as subject matter is covered by other legislation.

The same Senator for the same Committee, on "Resolve in favor of the Farmington State Normal School," reported that same be referred to the next legislature.

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

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

#### Passed to Be Engrossed.

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

An Act to amend the charter of the Penobscot Bay Electric Company.

An Act creating a lien on shovel handle blocks.

An Act to amend An Act entitled "An Act to create a lien on manufactured staves and laths."

Resolve in favor of D. H. Lambert, secretary of the committee on Indian affairs.

An Act to amend Section 10 of Chapter 57 of the Revised Statutes of Maine (1903), relating to the establishment and support of free public libraries.

An Act additional to Chapter 128 of the Revised Statutes relating to malicious mischiefs and trespasses.

An Act to change the name of Moose pond to Great Moose lake.

An Act to prohibit the throwing of sawdust and other mill waste into Kimball brook, Shin brook and Seboeis river, tributaries to the East Branch of the Penobscot river, also Fish stream, a tributary to the Mattawamkeag river.

Resolve in favor of a monument marker on the battleground of Cedar Mountain, Virginia.

An Act to authorize and empower the Guilford Manufacturing Company

to erect and maintain piers and booms in the Piscataquis river.

An Act to incorporate the Guilford Water Company. (On motion by Mr. Hastings of Oxford this bill was tabled pending its passage to be engrossed.)

Resolve in favor of Western State Normal School. (On motion by Mr. Hamilton of York, this resolve was tabled pending its second reading.)

An Act to confirm the title of Ram Island in Hancock County. (On motion by Mr. Wyman of Washington, this bill was tabled pending second reading.)

An Act to amend Section 13 of Chapter 4 of the Revised Statutes, relating to choice of road commissioner in towns. (On motion by Mr. Staples of Knox, this bill was tabled pending its second reading.)

An Act to incorporate the Androscoggin Valley Railroad Company. On motion by Mr. Osgood of Androscoggin, this bill was tabled pending its second reading.)

#### Passed to Be Enacted.

An Act to regulate the catching of pickerel in Lake Pushaw.

An Act to incorporate the Central Railroad Co.

An Act to provide for a close time on Hungarian partridges, so-called.

An Act to amend Section 4 of Chapter 144 of the Revised Statutes relating to insane hospitals.

An Act authorizing the president and secretary of the trustees of the Maine Insane and Eastern Maine Insane hospitals to execute a deed for certain lands in Bangor.

An Act to regulate fishing in Dead Cambridge river in Upton, and C surplus and tributaries, also tributaries to C pond in Township C, surplus, Oxford county.

#### Finally Passed.

Resolve in favor of Lewis Barrows.

Resolve in favor of W. A. Walker.

Resolve in favor of J. E. Cook, secretary.

Resolve in favor of the Camden & Rockland Water Co.

Resolve in favor of the town of Frankfort in Waldo county.

Resolve in favor of the Maine In-

dustrial School for Girls for water supply and grading.

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

Resolve in favor of Waldo County General hospital.

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. Wyman of Washington, the vote whereby this Resolve was passed to be engrossed, was reconsidered; and on further motion by the same Senator, Senate Amendment A was adopted, and the bill as amended was passed to be engrossed.)

#### Orders of the Day.

On motion by Mr. Baxter of Cumberland, 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; and on further motion by the same Senator, the bill was assigned for consideration, Wednesday, March 10.

Mr. STAPLES of Knox:—Mr. President: A few days ago the resolve in favor of school for the feeble minded was tabled by the Senator from Kennebec, Senator Shaw. I would like to ask the Senator if he will not take it from the table and assign it for an early day.

On motion by Mr. Shaw of Kennebec, Senate Document No. 255, "Resolve in favor of the Maine School for Feeble Minded," was taken from the table; and on further motion by the same Senator, Thursday, March 11, was assigned for its consideration.

On motion by Mr. Hastings of Oxford, Bill An Act relating to the Maine Law about sentence on criminal cases, was taken from the table; and on further motion by the same Senator, the report was accepted and the bill was read and assigned, and was tabled for printing under the joint rules.

On motion by Mr. Milliken of Aroostook, House Document No. 305, "Resolve in favor of the Town of Cutler," was taken from the table; and on further motion by the same Senator,



an amendment with statement of facts was adopted; and the bill as amended took its second reading and was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, House Document No. 333, "An Act to provide for retiring and pensioning prison officers," 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. Howes of Somerset, Senate Document No. 312, "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 was taken from the table; and on further motion by the same Senator, was passed to be engrossed.

On motion by Mr. Irving of Aroostook, House Document No. 179, "An Act to amend the charter of the Dead River Log Driving Company," 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 Irving of Aroostook, House Document No. 339, "Resolve in favor of Eugene A. Holmes, County Attorney of Aroostook County," was taken from the table; and on further motion by the same Senator, the resolve was recommitted to the Committee on Claims.

Mr. OSGOOD of Androscoggin:—Mr. President: I ask the consent of the Senate to introduce, out of order and without reference to any committee, "An Act to authorize the County Commissioners of Androscoggin County to negotiate a loan for the purpose of erecting an addition to the County Jail. I will say Mr. President, that this comes to me from our County Commis-

sioners at a late date, but upon the suggestion of the Commissioners upon State Prisons and Jails, I have asked the opinion of the Honorable Chairman of the Judiciary Committee; and it is entirely agreeable to him; and, if agreeable to the Senate, I ask that the rules may be suspended and that this bill take its two several readings at this time, and pass to be engrossed.

The PRESIDING OFFICER: The Chair will call the attention of the Senator from Androscoggin to the fact that, by Section 2 of this Act, Section 2 is in conflict with the constitutional provision adopted last September, by which no bill can take effect until 90 days after the adjournment of the legislature, unless it is an emergency measure.

Mr. Osgood of Androscoggin thereupon offered Senate Amendment A, amend by striking out Section 2, and moved its adoption. The amendment was adopted and the bill, as amended, took its two several readings, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 309, "Resolve in favor of Aid in repairing highway in the Town of Greenbush," 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. Hamilton of York, House Document No. 241 "An Act to extend the charter of the Ossipee Valley Power Company," was taken from the table; and on further motion by the same Senator the amendment, being House Amendment A, was adopted in concurrence, and the bill as amended took its second reading and was passed to be engrossed.

On motion by Mr. Mullen of Penobscot, the Senate adjourned.