

# 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.**

Saturday, March 13, 1909.

Senate called to order by the president.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of the previous session read and approved.

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 Monday, March 15, at 4.30 o'clock in the afternoon.

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

Papers from the House disposed of in concurrence.

An Act to define the kinds of insurance that may be transmitted in Maine and of the rules relating thereto came from the House referred to the committee on mercantile affairs and insurance. (On motion by Mr. Macomber of Kennebec, this bill was tabled for printing pending reference in concurrence).

Petition of Rev. V. E. Bragdon and 45 others in favor of the Sturgis law; of Rev. V. E. Bragdon and 43 others in favor of mandatory imprisonment of the liquor seller; remonstrance of Rev. V. E. Bragdon and 44 others against the resubmission of the prohibitory amendment.

(The foregoing petitions and remonstrance came from the House, by that branch referred to the committee on temperance. On motion by Mr. Knowlton of Piscataquis, the Senate voted to non-concur with the House, and that the same be placed on file, the committee having reported).

An Act to amend An Act relating to the police court of the city of Rockland. (By the Senate, this bill was re-committed to the committee and sent to the House. The House having non-concurred with the Senate and having taken no further action relating to the bill, Mr. Staples of Knox moved that a committee of conference be appointed).

Mr. HAMILTON of York: Mr. President: That matter was thrashed out very thoroughly in the committee. It had been there for a long time, and I

supposed that was the end of it; and I believe it should be the end of it; and I think we should recede and concur, if it is in order so to do.

Mr. STAPLES of Knox: Mr. President: This bill relates to the payment of the bills of the police court of the city of Rockland and the only question is whether the city or the county should pay the expenses of the recorder and the judge. I heard from the county commissioners of the county that they would like to be heard upon it; and that is why I asked that it be recommitted to the committee. I do not think that the senator from York would object to its being recommitted to adjust that one matter.

Mr. MACOMBER of Kennebec: Mr. President. As I understand this matter, the bill was reported from the committee on legal affairs and came in here; and on motion of the senator from Knox was recommitted. It went over into the House and the House non-concurred with the action of the Senate in recommitting. It does not seem to me that a conference is necessary; and I move that the Senate recede from its original action in referring this measure to the committee and that the measure take its proper course.

Mr. STAPLES: Mr. President: If that is the position of the senator from Kennebec, I rise to the question of no quorum.

Mr. MACOMBER: Mr. President: I will move that the bill be laid upon the table.

Mr. STAPLES: Mr. President: I will accept that motion, at this time.

The motion prevailed and the bill was tabled.

An Act to amend Section 1, Chapter 294, of the Private and Special Laws of 1901. (In the Senate, this bill was passed to be engrossed and sent to the House. In the House the bill was passed to be engrossed as amended by House Amendment A. On motion by Mr. Macomber of Kennebec, 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).

Bill, "An Act to amend Section 17 of Chapter 73 of the Revised Statutes, relating to rights of dower," came from the House, accompanied by report of the committee on judiciary "ought not to pass." On motion by Mr. Macomber of Kennebec, the bill was tabled, pending the acceptance of the report.

Bill, "An Act to amend Chapter 364 of the Private and Special Laws of 1905, relating to the Portland Bridge District," came from the House accompanied by report of the committee on judiciary, "ought not to pass." On motion by Mr. Baxter of Cumberland, the bill was tabled pending the acceptance of the report.

Bill, "An Act relating to hawkers and pedlars," came from the House, reported by the committee on judiciary "ought not to pass." On motion by Mr. Knowlton of Piscataquis, the bill was tabled pending the acceptance of the report.

#### House Bills Read and Assigned.

An Act granting additional privileges to the Peaks Island Gas Co.

An Act to authorize the Bar Harbor and Union River Power Co. to acquire the property and franchises of the Ellsworth Power Supply Co. (House Amendment A adopted in concurrence).

An Act to amend Section 64 of Chapter 15 of the Revised Statutes relating to the tuition of pupils in secondary schools.

Resolve in favor of road for town of Brownville to Katahdin Iron Works. (House Amendment A adopted in concurrence).

"An Act to regulate fishing in Chase brook and tributaries," came from the House, recommitteed to the committee on inland fisheries and game. On motion by Mr. Hastings of Oxford, the bill was tabled.

An Act to amend Section 13 of Chapter 9 of the Revised Statutes, relating to the assessment of taxes on logs and lumber.

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

#### Legal Affairs.

By Mr. Milliken of Aroostook: Bill, An Act to amend Chapter 4, Section

43 of the Revised Statutes, relating to duties of town clerks.

#### Inland Fisheries and Game.

By Mr. Wyman of Washington: Resolve to amend a resolve passed for the purpose of establishing a fish hatchery in Knox county.

#### Salaries and Fees.

By Mr. Milliken of Aroostook: An Act to amend Chapter 116, Section 1 of the Revised Statutes, relating to the payment of salaries of public officers.

Also: Bill, An Act in relation to the collection of fees by State officials and the payment of same to the State treasurer.

#### Placed on File.

By Mr. Wheeler of Cumberland: Remonstrance of Timothy Linnehan and 45 others against hunter's license law.

Also: Remonstrance of Zenas Thompson and 9 others of Portland against passage of Senate Bill, entitled "An Act for the better protection of sheep."

#### Read and Assigned.

An Act in relation to exceptions and appeal in criminal cases.

An Act to incorporate the Union Cemetery Improvement Company. (On motion by Mr. Hastings of Oxford this bill was tabled pending second reading.)

An Act to amend Section 63 of Chapter 15 of the Revised Statutes relating to the payment of tuition in secondary schools.

An Act to amend Sections 42 and 44 of Chapter 8 of the Revised Statutes as amended by Chapter 167 of the Public Laws of 1907 relating to taxation of express companies.

An Act to amend Sections 35, 37 and 41 of Chapter 8 of the Revised Statutes relating to taxation of telephone and telegraph companies.

Resolve providing for deficiency in appropriation for expenses of Australian ballot for the year 1908.

Resolve in favor of Harry R. Coolidge.

An Act to regulate fishing in Muddy pond, so called, in the town of Washington, county of Knox.

An Act to regulate the taking of white perch.

**Reports of Committees.**

Mr. Looney, for the committee on judiciary, on Bill, "An Act relating to the issuance of capiases by magistrates" reported same ought to pass.

Mr. Baxter, for the same committee, on Bill "An Act relating to the probate records of Cumberland county," reported same ought to pass.

Mr. Knowlton, for the committee on education, on Bill "An Act relative to school outhouses," reported same in new draft under same title and that it ought to pass.

Mr. Irving, for the committee on agriculture, on Bill "An Act for the prevention of tuberculosis among cattle," reported same in new draft under same title and that it ought to pass.

Mr. Theriault, for the committee on ways and bridges, on Bill "An Act to authorize the construction and maintenance of a highway in the tide waters of York river reported that same be referred to the committee on legal affairs.

The same senator, for the same committee, on Bill "An Act to authorize the town of Wells to construct a bridge across the Agunquit," reported that same ought to pass.

Mr. Smith, for the committee on claims, on "Resolve in favor of the town of Smyrna," reported same in new draft under title of "Resolve to the amount of \$258.64" and that it ought to pass.

Mr. Looney, for the committee on labor, on Bill, "An Act to amend Chapter 40 of the Revised Statutes and Chapter 46 of the Public Laws of 1907, relating to the employment of minors in manufacturing or mechanical establishments in this State," reported same in new draft under same title and that it ought to pass.

Mr. Baxter, for the committee on library, on Bill "An Act to amend Chapter 88 of the Public Laws of 1907, entitled 'An Act to encourage the compiling the teaching of local history and geography in the public schools,'" reported same ought to pass.

The Portland delegation, on Bill "An Act to amend Chapter 509 of the Public Laws of 1885, relating to the commissioners of cemeteries and public grounds," reported same ought to pass.

(Signed) Looney, Baxter, Bigelow, True, Rounds, Kavanough, Marshall, Redlon, Beyer.

**Passed To Be Engrossed.**

Resolve in favor of the town of Sebec.

Resolve in favor of Drew Plantation.

An Act for the protection of deer in York county.

Resolve in favor of Donald M. Hastings of Bristol, Me., Company E, Fourth Maine Infantry 1861.

Resolve in favor of Freeman D. Andrews, late of 27th Unassigned Maine Volunteers.

Resolve in favor of Mary A. Goodwin of Kittery.

An Act to set off a lot of land from Bucksport and annex same to the town of Dedham.

A Act to amend Chapter 192 of the Private and Special Laws of the State of Maine for the year 1907 relating to the Brunswick Electric Light and Power Co.

An Act authorizing the location of a dam built by Edward S. Marshall of York, under license of the municipal officers of said town.

An Act to incorporate the Bodwell Power Co.

An Act to amend the charter of the Island Ferry Co.

Resolve in favor of Henry H. Hastings, chairman.

An Act to incorporate the Barrows Falls Light and Power Co.

An Act relating to the Bodwell Water Power Co. of Old Town, Maine.

An Act in respect of foreign corporations.

An Act to amend Section 32 of Chapter 8 of the Revised Statutes as amended by Chapter 156 of the Public Laws of 1907, relating to excise tax on palace or other cars, for which extra compensation is charged for riding therein.

An Act to ratify, confirm and make valid the organization and incorporation of the Winslow Cemetery Association.

Resolve for the preservation of the archives of the State of Maine.

An Act to authorize the county commissioners of Cumberland county to create a sinking fund for the purpose

of paying the bonded debt of said county.

An Act to amend the charter of the Rumford Falls Light and Water Co.

An Act to incorporate the Brewer Water District.

An Act to incorporate the Litchfield Electric Co.

An Act to amend Section 81 of Chapter 184 of the Public Laws of 1907, relating to the compensation of selectmen.

An Act to amend Section 9 of Chapter 55, of the Revised Statutes, relating to telegraph and telephone companies issuing coupon or registered bonds.

An Act to encourage the teaching of manual training, domestic science and agriculture in academies and to repeal Chapter 78 of the Public Laws of 1907.

An Act to amend Section 113 of Chapter 15 of the Revised Statutes, as amended by Chapter 11 of the Public Laws of 1905, relating to the number of trustees of State Normal Schools.

An Act to incorporate the Aroostook Mutual Fire Insurance Co.

Resolve in favor of the Androscoggin Valley Agricultural Society in the county of Oxford.

An Act relating to the taxation of railroads.

An Act for the equalization of school privileges. (On motion by Mr. Hamilton of York, this bill was tabled pending its second reading.)

An Act to provide for the uniform grading, packing and branding of apples. (On motion by Mr. Reynolds of Kennebec, this bill was tabled pending its second reading.)

An Act to amend Section 4 of Chapter 174 of the Public Laws of 1905, relating to the compensation of sheriffs. (On motion by Mr. Hamilton of York, this bill was tabled pending its second reading.)

An Act to amend Section 11 of Chapter 39 of the Revised Statutes relating to the sale of milk. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its second reading.)

An Act to incorporate the Maine Boiler Inspection Co. (On motion by Mr. Hastings of Oxford, this bill was tabled pending its second reading.)

Resolve in favor of the town of Dresden in aid of the repair and main-

tenance of bridges. (On motion by Mr. Hamilton of York, this resolve was tabled pending its second reading.)

Resolve in favor of the towns of Edmunds and Dennysville in the county of Washington. (On motion by Mr. Hamilton of York this resolve was tabled pending its second reading.)

Resolve in favor of building bridges on the road as travelled from the Northeast Carry on the West Branch of the Penobscot river to Chesuncook lake. (On motion by Mr. Hamilton of York this bill was tabled pending its passage to be engrossed.)

Resolve in favor of repairing the road between Patten and Trout Brook farm in Penobscot county. (On motion by Mr. Hamilton of York, this resolve was tabled pending its second reading.)

#### **Passed To Be Enacted.**

An Act for the improvement of free High schools.

An Act to regulate fishing in the tributaries to Phillips lake, in the county of Hancock.

An Act to regulate fishing in Locke's brook, so-called in the town of Hollis, York county, and its tributaries.

An Act to prohibit fishing in the tributaries to Flying pond, in the town of Vienna, Kennebec county, Maine.

A Act to regulate fishig in Overset pond, so-called, in the town of Greenwood, in Oxford county.

An Act to regulate fishing through the ice in Webber pond, in the county of Kennebec.

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

An Act to regulate fishing in Jimmy pond, so called, in the towns of Cambridge and Parkman, in the counties of Somerset and Piscataquis.

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 Mount Blue stream, the outlet of Mount Blue pond, in the town of Avon, in Franklin county.

An Act to prohibit the throwing of sawdust and other mill waste into Cam-



bridge river, so called, in the towns of Upton and Grafton, in Oxford county.

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 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 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 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 amend the charter of the Maine Insurance Company.

An Act to regulate fishing in Alder stream in the county of Piscataquis.

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

An Act to regulate fishing in Horn pond and Hanscom brook in York county.

An Act to regulate fishing in Spear stream and its tributaries in the town of Peru, in Oxford county.

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

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 regulate fishing in Marsh stream, so called, in Waldo county, and also its tributaries.

An Act regulating the open season on deer on Straw's island.

An Act to regulate hunting in Back bay, so called, in Portland, in Cumberland county.

An Act to authorize Androscoggin county to issue bonds to enable it to build an addition to the county jail and for other purposes.

An Act authorizing a change in grade in Pitt street bridges in the city of Portland.

An Act to amend Chapter 153 of the Public Laws of 1907, relating to the transportation of public officials.

### Finally Passed.

Resolve for the erection of a fish hatchery and feeding station on Cold stream, the outlet of Cold Stream lake, in Enfield.

Resolve in favor of the city of Gardiner and town of Randolph.

Resolve in favor of the town of Rome in maintaining its roads and bridges.

Resolve in favor of the treasurer of the East Maine Conference Seminary of Bucksport.

Resolve in favor of the town of Millinocket.

Resolve in favor of the inhabitants of Whitneyville.

An Act to submit to the legal voters of York county the question as to whether the shire town shall be changed, and if so, as to establish the shire town at Saco, Kennebunk or Sanford.

Mr. HAMILTON of York: Mr. President, In relation to this bill, it is agreed, I understand, by both those in its favor and against it, that there is to be a small amendment added; and in order to make the thing certain I move that the bill be tabled pending its passage to be enacted.

The motion prevailed.

### Orders of the Day.

On motion by Mr. Hamilton of York, Senate Document No. 207, assigned for consideration today, was taken from the table; and on his further motion was re-assigned for consideration Monday, March 15.

On motion by Mr. Macomber of Kennebec, House Document No. 419, "An Act to incorporate the Brewer Water Company," was taken from the table; and on his further motion, Senate Amendment "C" was adopted; and the bill as amended was read and assigned.

On motion by Mr. Hastings of Oxford, House Document No. 319, "Resolve in favor of the Penobscot Tribe of Indians," was recalled from the engrossing clerk. On further motion by the same senator the Senate reconsidered the vote whereby the resolve was passed to be engrossed; and on his further motion, Senate Amendment "A" was adopted and the resolve as amended was passed to be engrossed.

On motion by Mr. Kellogg of Penobscot,

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House Document No. 268, "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 taken from the table. On further motion by the same senator the bill was passed to be engrossed; and on his further motion the bill was passed to be enacted.

On motion by Mr. Shaw of Kennebec the Senate adjourned until Monday at 4.30 P. M.