

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

SENATE.

Wednesday, March 17, 1909.

Senate called to order by the President.

Prayer by Rev. C. F. McCoy of Bar Harbor.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act to incorporate the Steuben Railway Company." 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 the acceptance of the report.

"Resolve authorizing the Land Agent to make a deed conveying the right of the State of Maine in Spruce Island in Meddybemps Lake, in Washington County, to F. L. Chilson of Woonsocket, Rhode Island," came from the House, referred to Committee on State Lands and State Roads. On motion by Mr. Milliken of Aroostook, the resolve was tabled.

"Resolve authorizing the State Land Agent to sell certain lots in Aroostook County." (By the Senate, this resolve was passed to be engrossed. In the House, the resolve was indefinitely postponed. On motion by Mr. Milliken of Aroostook, the Senate voted to recede and concur with the House.)

"An Act organizing the Oquossoc Railway Company." (By the Senate, this bill was passed to be engrossed. The House nonconcurred with the Senate and recommitted the bill to the Committee on Railroads and Expresses. On motion by Mr. Hastings of Oxford, the Senate voted to recede and concur with the House in recommending the bill to the Committee on Railroads and Expresses.)

"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." (By the Senate, this bill was passed to be engrossed. The House nonconcurred with the Senate, and recommitted the bill to the Committee on Taxation. On motion by

Mr. Wheeler of Cumberland, the Senate voted to recede and concur with the House in the recommitment of the bill to the Committee on Taxation.)

"An Act to amend an act relating to the police court of the City of Rockland." (The Senate joined, as a Committee of Conference on the part of the Senate, Senators Staples, Gowell and Boynton.)

"Bill, An Act providing for the evidence in and authorizing the consolidation of actions for libel in certain cases," with accompanying report of the Committee on Judiciary "ought not to pass" came from the House. On motion by Mr. Baxter of Cumberland, the bill was tabled.

House Bills Read and Assigned.

An Act to amend Section 60 of Chapter 4 of the Revised Statutes relating to dangerous or vicious dogs.

An Act to make valid the organization of the monument or memorial association in Elliot, Maine, organized under Chapter 57 of the Revised Statutes, November 9, 1905.

An Act to make valid the organization of the Rice Public Library of Kittery, Maine, organized under Chapter 57 of the Revised Statutes of 1905.

An Act to amend Section 25 of Chapter 129 of the Revised Statutes, relating to the sale or use of cigarettes.

An Act additional to Chapter 49 of the Revised Statutes, relating to securities deposited with the Treasurer of State by insurance companies.

An Act to amend the charter of the city of Westbrook.

An Act to extend the time in which the Van Buren Sewerage Company is authorized to organize and commence business.

An Act to incorporate the town of Portage Lake.

An Act to authorize the Van Buren Water District to issue bonds.

An Act to extend the rights, powers and privileges of the Milo Water Company.

An Act to make valid the doings of the Town of Bristol, County of Lincoln.

An Act to authorize the Town of Van Buren to issue bonds.

An Act to further amend Chapter 352 of the Private and Special Laws of 1905, relating to Caribou Municipal Court.

An Act to extend and amend the charter of the Municipal Light and Power Company.

An Act to create a recorder of the Westbrook Municipal Court.

An Act to amend the charter of the City of Belfast.

An Act relating to the Richmond Electric Company.

An Act to amend Section 89 of Chapter 4 of the Revised Statutes, relating to taking land for certain municipal purposes.

An Act to amend an act entitled "An Act to incorporate the City of Gardiner.

An Act to consolidate and revise the laws relating to State printing and binding. (This bill came from the House, by that branch indefinitely postponed. On motion by Mr. Baxter of Cumberland, the bill was tabled pending its second reading.)

Resolve in favor of Aroostook Central Institute.

An Act additional to Section 42 and amendatory to Section 44 of Chapter 15 of the Revised Statutes, relating to appropriations in aid of school superintendents.

An Act to amend Section 48 of Chapter 51 of the Revised Statutes, relating to expenditures by the Railroad Commissioners.

An Act to establish a standard unit of measure and a standard size of can for the sale of milk and cream, and to regulate the sanitary conditions under which milk and cream shall be handled.

Resolve in aid of the navigation of the Lower Lakes.

Resolve in aid of navigation on Rangeley Lake, Mooselucmeguntic Lake and Cupsuptic Lake.

An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallagrass River.

An Act authorizing and empowering George F. L'Abbee of Eagle Lake Plantation, County of Aroostook, to erect and maintain piers, piles and booms in the Fish River.

Resolve in favor of Machiasport Bridge.

An Act to provide for a close time on deer on Cross Island and on Scotch Island, in Washington County.

An Act to regulate fishing in Parker Pond, so called, and tributaries in the towns of Mount Vernon, Vienna and Fayette, in Kennebec County, and in the town of Chesterville, in Franklin County.

An Act to amend Chapter 79 of the Private and Special Laws of 1905, relating to fishing in Great Brook and tributaries in Oxford County.

An Act to regulate the taking of fish in certain waters in Somerset County and in the northern part of Franklin County.

An Act to regulate fishing in Bog brook, so called, and Deer, or Bog Pond, so called, in the township of Lowelltown, in Franklin County.

An Act to regulate fishing in Mousam Long Pond, so called, in the towns of Shapleigh and Acton, York County.

An Act to regulate fishing in Taylor Pond, in Auburn, Androscoggin County.

An Act to amend Section 11, of Chapter 32 of the Revised Statutes relating to the taking of beaver. (On motion by Mr. Knowlton of Piscataquis, this bill was tabled.)

An Act to regulate fishing for black bass, white perch and smelts in the Belgrade Chain of Lakes, so called, in the counties of Kennebec and Somerset.

An Act to prohibit the taking of scallops in West Penobscot Bay from April 1st to October 1st of each year.

An Act for the encouragement, etc., of Shellfish Industry. (On motion by Mr. Hastings of Oxford, this bill was tabled.)

Resolve in favor of the inhabitants of the Town of Littleton, to reimburse them for expenses incurred for support, medicine, medical attendance, and burial expenses of State pauper David J. Elliott.

Resolve in favor of the town of Belmont.

Resolve in favor of the town of Hodgdon, Aroostook County.

Resolve in favor of Jere Rhoades.

Resolve in favor of Alexis O. Robbins,

to reimburse him for expenses incurred in contested election in Fort Kent class. (On motion by Mr. Knowlton of Piscataquis, this resolve was tabled.)

Resolve in favor of the town of South Berwick.

Resolve in favor of the town of Marion.

Resolve in favor of the town of Edgington.

Resolve in favor of Robert Palmer of Moro in the County of Aroostook.

Resolve in favor of the town of Millinocket.

Resolve in favor of the town of Rome.
Resolve in favor of the town of Weston, Aroostook County.

Resolve in favor of the town of Old Orchard, for receipt of State Treasurer for State tax, to be given said town on valuation of one hundred thousand dollars. (On motion by Mr. Smith of York Senate Amendment A was adopted.)

The following remonstrance and petition were presented and referred:

Inland Fisheries and Game.

By Mr. Staples of Knox: Remonstrance of Pearl Sukeforth and 30 others against any change in the deer law of Knox County.

Temperance.

By Mr. Osgood of Androscoggin: Petition of S. L. Haywood and 12 others of Lewiston and Auburn for the Hastings Mandatory Sentence Bill.

Reports of Committees.

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

Mr. Walker, for the Committee on Education, on Bill "An Act to amend Section 56 of Chapter 15 of the Revised Statutes relating to the conveyance of pupils in secondary schools," reported same ought to pass.

Mr. Baxter, for the Portland and South Portland Delegation, on Bill "An Act to amend the charter of the Portland Water District," reported same ought to pass.

Mr. Colcord, for the Committee on Railroads and Expresses on "Resolve for the publication of the Railroad Map of Maine," reported same in new draft,

under same title, and that it ought to pass.

Mr. Baxter, for the Committee on Judiciary, on "Report of the Commission appointed by the Governor to investigate methods of scaling logs and lumber in the State of Maine," reported bill "An Act relating to scaling logs," and that it ought to pass.

Mr. Wheeler, for the Committee on Taxation, on Bill "An Act relating to inheritance, transfer, succession or legacy tax," reported same in new draft, under title of "An Act for the better collection of inheritance taxes," and that it ought to pass.

Mr. Knowlton, for the Committee on Education, on Bill "An Act to amend Section 42 of Chapter 101, relating to payment of superintendents of towns comprising school unions," reported same ought to pass.

Mr. Walker, for the Committee on Education, on Bill "An Act additional to Chapter 15 of the Revised Statutes relating to State aid to educational institutions," reported same ought not to pass.

Mr. Milliken, for the same Committee, on Bill "An Act to amend Section 2 of Chapter 15 of the Revised Statutes relating to the conveyance of pupils," reported same ought not to pass.

The same Senator, for the same Committee, on Bill "An Act to amend Section 42 of Chapter 15 of the Revised Statutes as amended by Chapter 101 of the Public Laws of 1907, relating to district superintendents of schools," reported same ought not to pass.

Mr. Macomber, for the Committee on Taxation, on Bill "An Act creating the Maine Forestry District and providing for protection against forest fires therein," reported that same be placed on file, as the subject matter covered by the bill has been reported in another bill.

The same Senator, for the same Committee, on "Petition of George F. Whidden and 16 others, asking that the school mill tax law be amended by substituting the words "two and one-half mills" for "one and one-half mills," together with numerous other petitions — reported that same be placed on file as the subject matter has already been reported by bill.

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 Milliken of Aroostook was called to the Chair and presided.

Passed to Be Engrossed.

An Act to amend the charter of the City of Auburn.

An Act authorizing the City of Bangor to levy assessments for street improvements. (This bill was returned from the House recommitted to the committee. On motion by Mr. Baxter of Cumberland, the Senate voted to concur in its recommitment.)

An Act authorizing the plantation of Monhegan to issue bonds to raise money to pay the cost of building a town landing.

An Act to amend Chapter 183 of the Public Laws of 1907 relating to time of payment of members of the government.

An Act relating to police court of the City of Belfast.

Resolve in favor of a monument for the late Commodore Samuel Tucker at Bremen, Maine.

Resolve authorizing the land agent to make a deed for the purpose of curing defects in the title to Dog Fish Island in the Penobscot Bay.

An Act for the prevention of tuberculosis among cattle.

An Act relating to the issuance of capias by magistrates.

An Act to amend chapter 88 of the Public Laws of 1907, entitled "An Act to encourage the compiling and teaching of local history and local geography in the public schools."

An Act relating to the Probate Records of Cumberland County.

Resolve in favor of the Town of Island Falls in the County of Aroostook in aid of building a bridge across the West Branch of the Mattawamkeag River. (On motion by Mr. Hamilton of York, this bill was tabled pending its passage to be engrossed. On further motion by the same Senator, the bill was assigned for hearing, Friday, March 19.)

Resolve in favor of aid in building a highway bridge across the Kennebec River near the towns of Fairfield and

Clinton in the counties of Somerset and Kennebec. (On motion by Mr. Hamilton of York, this resolve was tabled pending its second reading, and was assigned for consideration, Friday, March 19.)

An Act relative to school outhouses. (On motion by Mr. Knowlton of Piscataquis, this bill was tabled pending second reading.)

An Act to authorize the construction of a bridge across the Ogunquit River, in the town of Wells. (On motion by Mr. Gowell of York, this bill was tabled pending its passage to be engrossed.)

Resolve in favor of the town of Smyrna, appropriating \$258.64 to reimburse the town of Smyrna for money paid out on account of State paupers. (On motion by Mr. Irving of Aroostook, this resolve was tabled pending its second reading.)

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. (On motion by Mr. Gowell of York, this bill was tabled pending its second reading.)

An Act to abolish the office of auditor of State printing. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its second reading.)

An Act to incorporate the Northeastern Insurance Company. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its second reading.)

Passed To Be Enacted.

An Act to define and regulate the practice of optometry.

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 the State Normal school.

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

An Act to amend Section 294 of the Private and Special Laws of 1901, relating to a bridge over the tide waters of Boothbay Harbor.

An Act to provide for ice fishing

in accordance with the general law of the State in Spectacle, the Stanleys, Trafton and Jay Bird ponds in Oxford County.

An Act to authorize Cora B. Norris to build and maintain wharves and piers in Cochnewagan Lake in Monmouth.

An Act to amend Section 61 of Chapter 41 of the Revised Statutes of 1903, relating to sea and shore fisheries.

An Act relating to the taxation of railroads.

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

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

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

An Act to regulate fishing in Pleasant pond, in Somerset county.

An Act to prohibit ice fishing in the Prestile Stream, in Aroostook county.

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

An Act to incorporate the Aroostook Mutual Fire Insurance Company.

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

An Act to confirm the title of Ram Island in Hancock county.

An Act creating a lien on shovel handle blocks.

An Act for the protection of deer in York county.

An Act to provide for a bounty on wild cats.

Finally Passed.

Resolve in favor of the town of Sebec.

Resolve in favor of Mary A. Goodwin of Kittery.

Resolve in favor of Drew Plantation.

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

Resolve in favor of Stacyville Plantation in Penobscot county.

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

Resolve in favor of the town of Concord in Somerset county.

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

Resolve relating to documentary history of Maine.

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

Resolve in favor of Maine school for feeble minded. (On motion by Mr. Wheeler of Cumberland, this resolve was tabled pending its final passage.)

The following bills, containing the emergency clause, were severally passed to be enacted, 25 Senators voting in favor of their passage and there being no votes opposed, namely:

"An Act to appropriate money for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

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

Orders of the Day.

On motion by Mr. Baxter of Cumberland, the Senate reconsidered the vote whereby it passed to be engrossed, Senate Documents No. 351 "An Act to amend the Private and Special Laws pertaining to appointments to the police department of the city of Portland," and No. 352, "An Act to make permanent the tenure of office of the city electrician of the city of Portland," and on his further motion, the bills were tabled.

On further motion by the same Senator, the Senate voted to reconsider the vote whereby it passed to be engrossed House Document No. 479, "An Act for the protection of deer in Cumberland County; and on his further motion, Senate Amendment A was adopted and the bill as amended was passed to be engrossed.)

On motion by Mr. Kellogg of Penobscot, Senate Document No. 292, "Resolve in favor of a highway bridge over St. John River, between Van Buren and St. Leonard's, N. B." was taken from the table; on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Looney of Cumberland, Senate Document No. 254, "An Act to amend Section 48 of

Chapter 8 of the Revised Statutes relating to taxation of insurance companies" was taken from the table; and on his further motion, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, House Document No. 429, "An Act to permit certain plantations to assume the maintenance of their roads and bridges," was taken from the table; and on his further motion, the report of the Committee was accepted. The bill took its first reading and was assigned for second reading.

On motion by Mr. Baxter of Cumberland, House Document No. 415, "House Amendment "A" to House Document 210" was taken from the table.

Mr. Howes of Somerset thereupon moved that the same be indefinitely postponed.

The PRESIDING OFFICER: The Chair will state, for the information of the Senate, that House Document 415 is House Amendment "A" to House Document 210. The matter before the Senate for consideration is Senate Document 210.

On motion by Mr. Howes of Somerset, House Document 210, "An Act to amend Section 11 of Chapter 39 of the Revised Statutes, relating to the sale of milk," took its second reading, and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 506, "Resolve in favor of repairing the road between Patten and Trout Brook Farm, in Penobscot County," was taken from the table; and on his further motion, the bill took its second reading and was passed to be engrossed.

On motion by the same Senator, House Document 501, "Resolve in

favor of the town of Dresden in aid of the repair and maintenance of bridges," was taken from the table; and on his further motion, the same was assigned for consideration, Thursday, March 18.

On further motion by the same Senator, House Document No. 306, "Resolve in favor of road for Town of Brownville to Katahdin Iron Works," was taken from the table; and on his further motion, was assigned for consideration Friday, March 19.

On further motion by the same Senator, House Document No. 377, "Resolve in favor of the towns of Solon and Embden in Somerset County," was taken from the table; and on his further motion was assigned for consideration Friday, March 19.

On motion by Mr. Staples of Knox, Senate Document No. 334, "An Act to amend Section 13 of Chapter 4 of the Revised Statutes, relating to choice of road commissioner in towns," was taken from the table; and on his further motion, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Gowell of York, Senate Document No. 411, "An Act to amend Sections 69 and 70 of Chapter 8 of the Revised Statutes relating to the taxation of collateral inheritances," was taken from the table; and on his further motion, the same was passed to be engrossed. (Subsequently on motion by Mr. Wheeler of Cumberland, the Senate voted to reconsider the vote whereby this bill was passed to be engrossed; and on further motion by the same Senator, the bill was recommitted to the Committee on Taxation.)

On motion by Mr. Donigan of Somerset, the Senate adjourned.