

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.

Saturday, March 20, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Quimby of Gardiner.

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 22, at 4.30 o'clock in the afternoon.

Subsequently this order was returned from the House, that branch concurring in its passage.

Papers from the House disposed of in concurrence.

Bill "An Act to amend Chapter 34 of the Public Laws of 1909, relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases," came from the House passed to be engrossed without reference to a committee. On motion by Mr. Knowlton of Piscataquis, under suspension of the rules, the bill took its two several readings and was passed to be engrossed.

"An Act to incorporate the Brewer Water Company." This bill was by the Senate passed to be engrossed, after having been amended by three Senate Amendments. In the House, the bill was passed to be engrossed as amended by the Senate Amendments and also as amended by two House Amendments. On motion by Mr. Hastings of Oxford, the Senate reconsidered its vote whereby the bill was passed to be engrossed; and on his further motion, House Amendment "A" and House Amendment "B" were severally adopted, and the bill as amended was passed to be engrossed.

Bill, "An Act to incorporate the Brewer Water District." In the House this bill was amended by House Amendment "A" and in the Senate was passed to be engrossed as amended by House Amendment "A."

Subsequently House Amendment "B" was adopted by the House. On motion by Mr. Staples of Knox, the Senate voted to reconsider the vote whereby the bill was passed to be en-

grossed; and on his further motion, House Amendment "B" was adopted, and as amended, the bill was passed to be engrossed.

"Resolve in favor of providing commissioned officers of the National Guard, State of Maine, with full dress uniform," accompanied by report of the committee on military affairs, "ought not to pass." On motion by Mr. Baxter of Cumberland, the bill and accompanying report were tabled.

House Bills Read and Assigned.

An Act to amend the charter of the trustees of the Machiasport bridge.

An Act to amend Chapter 249 of the Private and Special Laws of 1907, relating to the Peaks Island Light and Water Company. (House Amendment A adopted in concurrence.)

An Act to open the lakes and ponds in Kennebec county to ice fishing one day in a week. (On motion by Mr. Reynolds of Kennebec, this bill was tabled pending its second reading.)

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

Legal Affairs.

By Mr. Mullen of Penobscot: An Act to amend Section 2 of Chapter 28 of the Revised Statutes in relation to malicious mischief.

Also: An Act in regard to the arrest of women.

Appropriations and Financial Affairs.

By Mr. Eaton of Washington: Resolve providing for the payment of claims, accounts and demands against the State, approved prior to Jan. 1, 1909, and remaining unpaid by reason of insufficient appropriations.

By Mr. Warren of Cumberland: Resolve in favor of committee on bills in second reading for clerical assistance.

By Mr. Theriault of Aroostook: Resolve in favor of the clerk of the committee on ways and bridges.

By Mr. Hastings of Oxford: Resolve of the clerk, stenographer and messenger to the judiciary committee.

Pensions.

By Mr. Gowell of York: Resolve to provide means for examination of claims for State pensions.

Mr. Reynolds of Kennebec presented

"Resolve in favor of Eddie McCormack of South Bancroft, Maine;"

Alson: "Resolve in favor of John Goode of Benedicta, Maine," and moved that they be referred to the committee on inland fisheries and game.

Mr. MILLIKEN of Aroostook: Mr. President: I wish the senator from Kennebec would state the reason for their introduction at this time.

Mr. REYNOLDS of Kennebec: Mr. President: The two resolves relate to two small damage cases. They did not get in time to draw the money from the State, so they are put in now to reimburse these men.

On motion by Mr. Wyman of Washington, the two resolves took their two several readings under suspension of the rules and were passed to be engrossed.

Read and Assigned.

An Act to amend Chapter 174 of the Public Laws of 1905 relating to the compensation of sheriffs.

An Act to repeal a part of Section 1 of Chapter 116 of the Revised Statutes, relating to the salary of officers of the insane hospital at Augusta.

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.

Resolve to aid in the extension of the Kineo road from the Smith farm to the North East Carry.

Resolve in favor of Lowell E. Bailey.

An Act to amend Chapter 4, Section 43, Revised Statutes, relating to duties of town clerks.

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

An Act amending Section 1 of Chapter 350 of the Private and Special Laws of 1907, relating to the time of service of members of fire department of the city of Portland.

An Act to authorize the city of Portland to acquire property and to issue its bonds and notes for municipal purposes.

Resolve to amend a resolve passed for the purpose of establishing a fish hatchery in Knox county.

An Act relating to the transfer of certain trust funds of the Maine Industrial

School for Girls to the State treasury.

An Act to regulate fishing in Big Rattlesnake pond and Panther pond, and the tributaries to same.

An Act to facilitate the identification of criminals.

An Act to repeal Section 3 of Chapter 143 of the Revised Statutes, as amended by Section 1 of Chapter 120 of the Public Laws of 1907, relating to the State School for Boys.

Resolve in favor of free coal. (On motion by Mr. Warren of Cumberland, this resolve was tabled pending its first reading.)

An Act to provide for the transfer of patients in insane hospitals to the Maine School for Feeble Minded. (On motion by Mr. Macomber of Kennebec, this bill was tabled.)

Reports of Committees.

Majority report of the committee on temperance, on Bill, "An Act to repeal Chapter 92 of the Laws of 1905," reporting same "ought not to pass." (Signed) Irving, Howes, Minott, Libby, Nelson, Chase, Whitney.

Minority report of the same committee, on the same bill, that same "ought to pass." (Signed) Allen, Snow, Putnam.

(On motion by Mr. Staples of Knox, both the foregoing reports were tabled and assigned for consideration Wednesday, March 24.)

Mr. Hasting, for the committee on judiciary, on Bill "An Act amendatory of and additional to Chapter 62, Revised Statutes, relating to divorce," reported same ought not to pass.

Mr. Baxter, for the same committee, on Bill "An Act to make uniform the law of warehouse receipts," reported same be left to the next Legislature.

Mr. Looney, for the same committee, on Bill "An Act to make uniform the law relating to the sale of goods," reported that same be left to the next Legislature.

Mr. Knowlton, for the committee on inland fisheries and game, on "Remonstrance of Pearl Sukeforth and 30 others against any change in the deer law in Knox county," reported that same be placed on file, as the subject matter has already been reported by this committee.

Mr. Hill, for the committee on agricul-

ture, on "Resolve for the appointment by the Governor of a committee to inquire into the advisability of reorganizing the agricultural department so that all the agricultural interests and appropriations shall be under the head of the commissioner of agriculture," reported legislation inexpedient.

Mr. Shaw, for the committee on public health, on Bill "An Act to amend Section 19 of Chapter 30 of the Revised Statutes relating to the sale of poisons," reported that the same ought not to pass.

The same senator, for the same committee, on Bill "An Act to amend Section 25 of Chapter 129 of the Revised Statutes, relating to the sale of cigarettes," reported same ought not to pass.

Mr. Gowell, for the same committee, on Bill "An Act authorizing towns to prohibit the sale of cigarettes," reported same ought not to pass.

Mr. Baxter, for the Portland delegation, on Bill "An Act to transfer duties of fire engineers of Portland to inspector of buildings," reported the same ought not to pass.

Mr. Baxter, for the committee on judiciary, on Bill "An Act relating to negotiable instruments," reported that same be referred to the next Legislature.

The foregoing reports were accepted.

Mr. Smith, for the committee on interior waters, on bill, "An Act to authorize the Rangeley Lakes Steamboat Co. to maintain wharves in Rangeley lake," reported same in new draft, under same title, and that it ought to pass.

Mr. Walker, for the committee on sea and shore fisheries, on bill, "An Act to prohibit erecting or maintaining of weirs in the Bagaduce river, county of Hancock," reported same in new draft, under title of "An Act to regulate fishing in the Bagaduce river and its tributaries in the towns of Castine, Penobscot and Brooksville, in the county of Hancock," and that it ought to pass.

Mr. Irving, for the committee on temperance, on bill, "An Act to amend Section 47 of Chapter 29 of the Revised Statutes in relation to the possession of liquor," reported same in new draft, under title of "An Act to amend Section 47 of Chapter 29 of the Revised

Statutes in relation to the possession of liquor," and that it ought to pass.

Mr. Gowell, for the committee on legal affairs, on bill "An Act additional to and amendatory of Section 22, Chapter 27 of the Revised Statutes, in regard to support of minor children," reported same in new draft, under same title, and that it ought to pass.

Mr. Shaw, for the committee on public health, on bill "An Act to amend Section 17 of Chapter 30 of the Revised Statutes relating to the sale of poisons," reported same in new draft, under same title, and that it ought to pass.

Mr. Gowell, for the committee on pensions, on "Resolve in favor of Susan Baker," reported that same ought to pass.

Mr. Howes, for the committee on agriculture, on bill "An Act for the licensing of dogs and for the better protection of sheep," reported same in new draft under same title, and that it ought to pass.

Mr. Milliken, for the committee on interior waters, on bill "An Act authorizing George R. Ketchum, his heirs and assigns, to erect and maintain a dam across Big Machias stream on lots numbered 55 and 56, in the town of Ashland, and to maintain piers and booms in Big Machias stream in the town of Ashland, and in Garfield plantation," reported same in new draft under same title, and that it ought to pass.

Mr. Looney, for the committee on judiciary, on bill "An Act to revive Chapter 138 of the Public Laws of 1905," reported the same ought to pass.

Mr. Hastings, for the same committee, on bill "An Act to further define and enlarge the duties of the commissioner of the Bureau of Industrial and Labor Statistics," reported same in new draft, under same title, and that it ought to pass.

Mr. Baxter, for the same committee, on bill "An Act relating to free transportation," reported same in new draft, under same title, and that it ought to pass.

The foregoing reports were accepted and the bills and resolves were tabled for printing under the joint rules.

Passed To Be Engrossed.

An Act to extend the charter of the Kittery Electric Light Co.

Resolve, in favor of screening Taylor lake, in Androscoggin county.

Resolve, in favor of screening Estes lake, so-called, situated partly in the town of Sanford and partly in the town of Alfred, in York county.

Resolve, in favor of a screen at the outlet of Messalonskee lake, or Snow pond, so-called, in Kennebec county.

Resolve, in favor of screening Worthley pond, so-called, in the town of Peru, in the county of Oxford.

Resolve, in favor of screening Toddy pond, in the town of Orland, in Hancock county.

Resolve, in favor of screening Biscay pond, so-called, in the town of Damariscotta, in Lincoln county.

Resolve, in favor of screening Spring River lake, situated partly in Washington county and partly in Hancock county.

Resolve, in favor of the State School for Boys.

An Act to amend the charter of the Portland Water District.

An Act in relation to the records of the supreme judicial court.

An Act to amend Chapter 116, Section 1, Revised Statutes, relating to the payment of salaries of public officers.

An Act to provide for the better collection of inheritance taxes. (On motion by Mr. Baxter of Cumberland, this bill was tabled pending its passage to be engrossed).

An Act to provide for a bounty on bears in Washington county. (On motion by Mr. Macomber of Kennebec, this bill was indefinitely postponed).

Passed To Be Enacted.

An Act to amend Chapter 509 of the Private and Special Laws of 1885, relating to commissioners of cemeteries and public grounds.

An Act to incorporate the Maine Boiler Inspection Co.

An Act to regulate the taking of white perch.

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

An Act to amend Section 63 of Chapter

15 of the Revised Statutes, relating to the payment of tuition in secondary schools.

Finally Passed.

Resolve in favor of the town of Rumford.

Resolve, that there be paid to Harry R. Coolidge for services as assistant clerk at the organization of the House, the sum of \$25, and for mileage the sum of eight dollars.

Resolve in favor of the University of Maine.

Resolve in favor of Machiasport bridge.

Resolve in favor of Aroostook Central Institute.

Resolve in aid of navigation on Rangeley lake, Mooselucmeguntic lake and Cap-suptic lake.

Resolve in favor of the town of Weston, Aroostook county.

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

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

An Act to revise and consolidate the laws relating to collection, examination, inspection and analysis of agricultural seeds, concentrated feeding stuffs and commercial fertilizers and foods and drugs.

The PRESIDENT: This act was finally passed in the House on March 9. It was also finally passed in the Senate on March 10. It has not received the signature of the Governor, and it is desired that it be re-enacted on this date, by the Senate, so that the Governor may sign the act within five days of its enactment.

Thereupon, on motion by Mr. Milliken of Aroostook, the Senate voted to reconsider the vote whereby the bill was passed to be enacted; and on his further motion the bill was passed to be enacted at the present time.

Orders of the Day.

Mr. Baxter of Cumberland presented bill "An Act relating to fenders in street cars," and moved that the same be tabled for printing pending reference.

The bill was received and the motion prevailed, and the bill was tabled for printing pending reference.

On motion by Mr. Staples of Knox, House Document No. 625, "An Act to amend Section 23 of Chapter 114 of the Revised Statutes, as amended by Chapter 2 of the Public Laws of 1907, relating to the relief of poor debtors," was taken from the table. On further motion by the same senator Senate Amendment "A" was adopted. The bill took its second reading and, on motion by Mr. Hastings of Oxford, the bill was tabled pending its passage to be engrossed. Subsequently, on motion by the same senator, the bill was taken from the table; and on his further motion the vote was reconsidered whereby Senate Amendment "A" was adopted; and on his further motion the bill, together with the amendment, was tabled.

On motion by Mr. Macomber of Kennebec, Senate Document No. 431, "An Act to amend Section 22 of Chapter 32 of the Revised Statutes, as amended by Section 5 of Chapter 132 of the Public Laws of 1905, relating to payment of damage done to growing crops by deer," was taken from the table; and on his further motion the same was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, Bill "An Act to increase the authority of the Fort Halifax Power Company" was taken from the table; and on his further motion the same was indefinitely postponed.

Mr. MILLIKEN of Aroostook: Mr. President, in explanation I will say that this bill came in after the time limit for the introduction of special legislation.

On motion by the same senator, House Document No. 238, "An Act to incorporate the Maine Power and Light Company," was taken from the table.

Mr. MILLIKEN: Mr. President, I further move that this bill be indefinitely postponed, and in explanation I wish to say that it was tabled under the impression that it had been introduced after the time limit for the introduction of special legislation. The fact was, however, that it was introduced on the last day provided by such time limit, but was tabled in the House. I have consulted with friends of the bill and they say that, as there is some probability of opposition to the bill, they do not desire to press it;

and I therefore renew my motion that the bill be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed.

On further motion by the same senator, House Document No. 440, "An Act to incorporate the Calais Power Company," was taken from the table; and on further motion by the same senator the bill was indefinitely postponed, the same having been introduced after the time limit for the reception of special legislation.

On motion by the same senator, Bill "An Act to incorporate the Steuben Railroad Company," was taken from the table; and on his further motion the same was indefinitely postponed.

On further motion by the same senator, "Resolve for land agents to make a deed conveying Spruce island in Meddybemps, Washington county, to F. L. Chilson of Woonsocket, Rhode Island," was taken from the table; and on further motion by the same senator the same was indefinitely postponed.

On motion by the same senator, House Document No. 576, "An Act to amend Section 89 of Chapter 4 of the Revised Statutes, relating to taking land for certain municipal purposes," 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. Knowlton of Piscataquis, House Document No. 306, "Resolve in favor of road for town of Brownville to Katahdin Iron Works," was taken from the table. On further motion by the same senator Senate Amendment "A" was adopted, and the bill as amended took its second reading and was passed to be engrossed.

On motion by the same senator House Document No. 579, "An Act to amend Section 11 of Chapter 32 of the Revised Statutes, relating to the taking of beaver," was taken from the table; and on his further motion the same was recommended to the committee on fish and game.

On motion by Mr. Eaton of Washington, the Senate adjourned.