

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

SENATE.

Saturday, March 27, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Evans of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act to amend Chapter 240 of the Private and Special Laws of 1907, entitled 'An Act to incorporate the Stonington Water Company.'" (This bill came from the House, in that branch having taken its three several readings and passed to be engrossed under suspension of the rules and without reference to a committee. On Motion by Mr. Eaton of Washington, under suspension of the rules, the bill took its two several readings and was passed to be engrossed.)

"An Act to amend the Private and Special Laws pertaining to the appointment of chief of the Police Department of the City of Portland." (This bill was by the Senate passed to be engrossed. By the House the bill was passed to be engrossed as amended by House Amendment A. On motion by Mr. Baxter of Cumberland, the Senate voted to reconsider the 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.)

"An Act to amend Section 1 of Chapter 350 of the Private and Special Laws of 1907, relating to time of service of members of the Fire Department of the City of Portland." (This bill was by the Senate passed to be engrossed. By the House the bill was passed to be engrossed as amended by House Amendment A. On motion by Mr. Baxter of Cumberland, the Senate voted to reconsider the 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.)

"An Act to make permanent the tenure of office of the City Electrician of the City of Portland." (This bill was

by the Senate passed to be engrossed. By the House the bill was passed to be engrossed as amended by House Amendment A. On motion by Mr. Baxter of Cumberland, the vote whereby the Senate passed this bill to be engrossed, was reconsidered. On his further motion, House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.)

"Resolve in favor of the screening of Biscay pond, so called, in the town of Damariscotta, Lincoln County." (This resolve was by the Senate passed to be engrossed. By the House the resolve was passed to be engrossed as amended by House Amendment A. On motion by Mr. Boynton of Lincoln, the vote whereby the resolve was passed to be engrossed was reconsidered; and on his further motion, House Amendment A was adopted in concurrence, and the resolve as amended was passed to be engrossed.)

Bill, "An Act to protect the rights of holders of preferred stock of telephone companies." (Majority report of the Committee on Telegraphs and Telephones "ought not to pass" was accepted.)

House Bills on First Reading.

"An Act to amend Section 55 of Chapter 88 of the Revised Statutes relating to trustee process." (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 incorporate the fire insurance company of Portland, Maine." (This bill took its first reading and Senator Baxter of Cumberland presented Senate Amendment A and moved its adoption. The Amendment was adopted, and, on motion by Mr. Hamilton of York, under suspension of the rules, the bill took its second reading and was passed to be engrossed.)

"An Act to incorporate the Machigonne Insurance Company." (On motion by Mr. Hamilton of York, under suspension of the rules, the bill took its second reading and was passed to be engrossed.)

Senate Bills on First Reading.

Resolve to provide means for ex-

amination of claims of State Pensions. (On motion by Mr. Therriault of Aroostook, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

Resolve in favor of a screen at the outlet of Squa Pan lake, in Aroostook County. (On motion by Mr. Therriault of Aroostook, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

An Act to amend Chapter 40 of the Revised Statutes, relating to inspector of factories, workshops, mines and quarries. (On motion by Mr. Therriault of Aroostook, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

Resolve in favor of screening China Lake, in Kennebec County. (On motion by Mr. Therriault of Aroostook, under suspension of the rules, this resolve took its second reading and was passed to be engrossed.)

An Act to amend Section 1 of Chapter 128 of the Revised Statutes in regard to malicious mischiefs. (On motion by Mr. Lowe of Androscoggin, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

An Act to amend Section 11 of Chapter 32 of the Revised Statutes relating to the taking of beaver. (On motion by Mr. Lowe of Androscoggin, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

Memorial to Congress relating to the requirement of wireless telegraphy on passenger steam ships and tug boats on ocean voyages. (On motion by Mr. Lowe of Androscoggin, under suspension of the rules, this memorial took its second reading and was passed to be engrossed.)

An Act to amend Section 56 of Chapter 40 of the Revised Statutes relating to the hours of labor, as amended and renumbered Section 55 of said Chapter, by Chapter 46 of the Laws of 1907. (On motion by Mr. Walker of Hancock, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

An Act to create a State Water

Storage Commission. (On motion by Mr. Walker of Hancock, under suspension of the rules, this bill took its second reading and was passed to be engrossed.)

A short recess was here taken, at the close of which the Senate was called to order by the President.

A communication was received from the Secretary of State transmitting the report of the Principal of the Maine School for the Deaf for 1908. (On motion by Mr. Eaton of Washington, the same was referred to the committee on Appropriations and Financial Affairs.)

A communication was received from the Secretary of the State transmitting the report of the Military and Naval Orphan Asylum at Bath. (On motion by Mr. Eaton of Washington, the same was referred to the Committee on Appropriations and Financial Affairs.)

A communication was received from the Secretary of State transmitting the report of the Trustees, Superintendent, Treasurer and Teachers of the State School for Boys. (On motion by Mr. Milliken of Aroostook, the same was referred to the Committee on State School for Boys.)

Reports of Committees.

Mr. Hastings, for the Committee on Judiciary, on Bill "An Act to prohibit corporations from transmitting electric power beyond the confines of the State," reported same in new draft under same title and that it ought to pass.

Mr. Baxter, for the same Committee, on Bill "An Act to prevent the pollution of water supplies and their sources," reported that same be referred to the next legislature.

Mr. Osgood, for the Committee on Appropriations and Financial Affairs, on "Resolve in favor of W. G. Fuller," reported that same ought to pass. (On motion by Mr. Eaton of Washington, under suspension of the rules, this resolve took its several readings and was passed to be engrossed.)

Mr. Eaton, for the same Committee, on "Resolve in favor of the Clerk and Stenographer to the Committee on Railroads and Expresses," reported same ought to pass. (On motion by

Mr. Eaton of Washington, under suspension of the rules, the resolve took its several readings, and was passed to be engrossed.)

Mr. Osgood, for the same committee, on "Resolve in favor of stenographers to the presiding and recording officers of the Senate and House," reported same ought to pass. (On motion by Mr. Eaton of Washington, under suspension of the rules, the resolve took its several readings and was passed to be engrossed.)

Mr. Irving, for the same Committee, on "Resolve in favor of L. S. Lippincott," reported same ought to pass. (On motion by Mr. Eaton of Washington, under suspension of the rules, the resolve took its several readings and was passed to be engrossed.)

The following Committees submitted their final report, that they have acted on all matters referred to them, namely:

The Committee on Public Buildings and Grounds.

The Committee on Public Health.

The Committee on Mercantile Affairs and Insurance.

The foregoing reports were accepted, and bills and resolves reported "ought to pass," except those passed to be engrossed under suspension of the rules, were tabled for printing under the joint rules.

Passed To Be Enacted.

An Act to prohibit the throwing of sawdust and other mill waste into Ferguson stream in the town of Wellington, in the county of Piscataquis and the town of Cambridge in the county of Somerset.

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

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

An Act to amend paragraph V, of Section 4 of Chapter 109 of the Revised Statutes of Maine relating to depositions.

An Act in amendment of Section 16, of Chapter 440 of the Private and Special Laws of 1901, in regard to the

establishment of the municipal court of Pittsfield.

An Act relating to the transfer of certain trust funds of the Maine Industrial School for Girls to the State treasury.

An Act to increase the salary of the commissioner of sea and shore fisheries.

An Act to prohibit certain persons from advertising as State detectives.

An Act to regulate the dumping of waste material within the limits of any public way.

An Act to amend Section 72 of Chapter 4 of the Revised Statutes relating to towns.

An Act to change the name and enlarge the powers of the municipal court of Skowhegan.

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

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

An Act to amend Section 6 of Chapter 80 of the Revised Statutes relating to the designation of the clerk of county commissioners.

An Act to extend the Charter of the Weld Water Company.

An Act to incorporate the Farmington Falls Water Company.

An Act to incorporate the Stratton Water Company.

An Act to incorporate the Maine Collateral Loan Company.

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

An Act to authorize the appointment of deputy sealers of weights and measures.

An Act to make valid the doings of certain municipal and administrative officers of the city of Eastport.

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

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. (Subsequently on motion by Mr. Baxter of Cumberland, the Senate voted to reconsider the vote whereby the bill was passed to be enacted; and on his further motion, it was voted to reconsider the vote

whereby the bill was passed to be engrossed. The same Senator offered Senate Amendment A, and pending its adoption, the bill was tabled on motion by the same Senator.)

An Act to incorporate the Belfast and Liberty Electric Railroad Company.

An Act relating to the solemnization of marriages.

An Act to amend Section 12 of Chapter 126 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1905, relating to gambling devices.

An Act to authorize the town of Southport to build and maintain a wharf or public landing on the easterly shore of Dog Fish Head, in the town of Southport.

An Act to amend Section 5 of Chapter 44 of the Public Laws of 1907, to provide for the care and education of the feeble minded.

An Act to amend Sections 52, 58 and 59 of Chapter 7 of the Revised Statutes relating to forest commissioner and protection of forests.

An Act concerning the protection of children, and defining certain acts which shall be considered as causing, encouraging or contributing to the delinquency or distress of infants.

An Act to facilitate the identification of criminals.

An Act to incorporate the Gregory sanitorium.

An Act to amend Chapter 31 of the Private and Special Laws of 1905, entitled "An Act to authorize the Houlton Water Company to generate, sell and distribute electricity."

An Act to amend Section 8 of Chapter 117 of the Revised Statutes, as amended by Section 1 of Chapter 59 of the Public Laws of 1905, relating to the fees of constables in serving venires.

An Act to amend Chapter 93, Section 55, of the Revised Statutes of Maine, relating to liens for pressing hay.

An Act to amend Section 44 of Chapter 41 of the Revised Statutes, relating to the taking of smelts.

An Act to amend Chapter 522 of the Laws of 1897, establishing the Sanford municipal court.

An Act to authorize the city of Gardiner, in the county of Kennebec and State of Maine, to create a sinking fund for the purpose of paying the bonded debt of said city.

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 authorize the removal of bodies of deceased persons from an old abandoned cemetery in the town of Lisbon to Lisbon cemetery, so called, in said town.

An Act in relation to equity procedure.

An Act incorporate the North Jay Electric Company.

An Act to create a board of trustees for the Sullivan-Franklin bridge.

An Act authorizing trial justices to issue warrants for offences committed in Biddeford in the county of York.

An Act to amend and extend the charter of the Westbrook Gas Company.

An Act to amend Section 5 of Chapter 79 of the Revised Statutes, relating to the signing of writs and other papers by deputy clerks of court.

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.

An Act to amend Chapter 198 of the Private and Special Laws of 1907, relating to records of real estate in the county of Waldo.

An Act to amend the Private and Special Laws of 1901, Chapter 401, Section 2, relating to the taking of smelts in Pleasant river, in Washington County.

An Act to amend Section 10 of Chapter 249 of the Private and Special Laws of 1905, entitled "An Act to authorize the Maine and New Brunswick Electrical Power Company, limited, of New Brunswick, to exercise certain powers in this State."

Finally Passed.

Resolve in favor of the county commissioners of Franklin county, for permanent improvement on road in Jerusalem and Crocker townships.

Resolve in favor of navigation on Lewy, Long and Big lakes.

Resolve urging action of the United States in removing the hulk of the battleship Maine from Havana harbor, and the decent burial of the 63 bodies of American seamen therein contained.

Resolve relating to the purchase of a photograph of General Joshua L. Chamberlain, and an oil portrait of Governor Alonzo Garcelon, to be hung in the State House.

Orders of the Day.

On motion by Mr. Milliken of Aroostook, it was—Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, March 29, at 4.30 P. M.

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

On motion by Mr. Milliken of Aroostook, House Document No. 636, "Resolve in favor of Parker Pineo," was taken from the table; and, on his further motion, the resolve took its second reading and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, House Document No. 663, "Resolve in favor of F. H. Hoar, special messenger to the Speaker of the House," was taken from the table.

Mr. MILLIKEN of Aroostook: Mr. President: This resolve in favor of F. H. Hoar is to pay him for services as special messenger to the speaker of the House. This office was created for him by the House at the first of the session, after he had been defeated for the office of messenger. None of the officials or members of the House, except the messenger of the House and the Speaker of the House, receive more than three hundred dollars. My idea, in tabling this resolve, was that, under the circumstances, he should be contented with three hundred dollars, the amount which the other officials and members receive. I hardly think that the sober judgment of the House, later in the session, would have approved the creating of the special new office simply to take care of a member of the House who had been defeated in a fair contest for one of its offices. I am advised, however, by the Com-

mittee, and by members of the House, that the agreement was practically made that he should receive this amount, it being the same amount he would have had as messenger of the House, had he been elected to that office. I see nothing, therefore, that we can do about it and I move that the resolve have its second reading, and passed to be engrossed.

Mr. EATON of Washington: Mr. President: I would say for the information of the Senate, that this matter was referred to the Committee on Appropriations and Financial Affairs, and the Committee felt at the time, that it was too much to be given for the services rendered, but as the office was created because he was defeated from election to an office which he had held two years before, there seemed to be nothing to do in the matter, as they had practically agreed upon his salary. We called in the Speaker of the House and asked him about it and it was finally agreed that we should have to pass that amount, and you will find by reference to the statement of facts that the office is to be abolished at the adjournment of the Legislature.

The motion being put, the resolve took its second reading and was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, House Document No. 219, "An Act to amend Section 11 of Chapter 39 of the Revised Statutes, relating to the sale of milk," was taken from the table.

The PRESIDENT: The Chair will state that a motion was made for the indefinite postponement of this bill by the Senator from Waldo, Mr. Colcord; and that Mr. Howes, the Senator from Somerset, thereupon asked for the Yeas and Nays. Pending the ordering of the Yeas and Nays, the Senator from Kennebec, Mr. Macomber, moved that the bill be tabled, and the bill, in accordance with that motion, was laid on the table. The pending question now before the Senate is that the bill be indefinitely postponed.

Mr. COLCORD of Waldo: Mr. President: I withdraw the motion to indefinitely postpone.

Thereupon, upon motion by Mr. Howes of Somerset, the Senate voted to reconsider the vote whereby the bill was passed to be engrossed. On further motion by the same Senator, Senate Amendment A was adopted, and, on his further motion, the bill as amended was passed to be engrossed. On motion by Mr. Milliken of Aroostook, the Senate adjourned to meet on Monday, March 29, at 4.30 o'clock in the afternoon.