

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

MR. NOYES of Kennebec: Mr. President, I should like to resign, with the permission of the Senate, from the committee on labor, for the reason that I have three or four other committees and I cannot attend the hearings of this committee. I think in that case I should resign.

The request of the senator was granted, and Senator Mullen was appointed in his place upon the committee on labor.

On motion by Mr. Gowell of York,
Adjourned.

HOUSE.

Friday, February 10, 1911.

Prayer by Rev. Mr. Coons of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

An Act to incorporate the Worlds Standard Insurance Company, came from the Senate, referred in that branch to the committee on legal affairs.

On motion of Mr. Hastings of Auburn the bill was tabled.

Resolve in favor of Frank W. Bucknam, secretary of the commission of pharmacy, came from the Senate referred in that branch to the committee on appropriations and financial affairs.

On motion of Mr. Murphy of Portland the resolve was tabled for printing pending reference in concurrence.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Goodwin of Biddeford—An Act to amend section 40 of chapter 47 of the Revised Statutes relative to decrease of capital stock of corporations.

Also, An Act to amend chapter 113 of the Public Laws of 1909 in respect to foreign corporations.

By Mr. Williamson of Augusta—Petition of First National Bank of Portland, and others, in favor of uniformity in commercial laws.

By Mr. Cronin of Lewiston—Petition of W. H. Hines and 177 others, in favor of Columbus Day.

Legal Affairs.

By Mr. Scates of Westbrook—An Act to establish a department of fisheries and game and to consolidate existing departments.

(Tabled for printing pending reference on motion of Mr. Austin of Phillips.)

Also, An Act to consolidate the management of State Institution for the Insane and Feeble-Minded.

Also, An Act to consolidate the management of the State Juvenile Institutions.

By Mr. Williamson of Augusta—An Act to facilitate the correct recording of conveyances of real estate.

By Mr. Wilson of Auburn—An Act to repeal chapter 137 of the Private and Special Laws of 1903, relating to the charter of the city of Auburn and the creation of the Board of Public Works.

By Mr. Allen of Jonesboro—An Act to amend sections 18, 20 and 23 of the Revised Statutes of 1903, relating to the registration of dentists.

By Mr. Couture of Lewiston—Petition of Joseph E. Cabana and 60 others of Biddeford, to repeal chapter 151, Private and Special Laws of 1887, and to substitute in its stead an act providing for incorporation of Roman Catholic Parishes.

Also, Petition of Victor Beaudette and 60 others of Biddeford, for same.

Also, Petition of Rose Demars and 33 others of South Berwick, for same.

Also, Petition of Napoleon Langelier and 52 others of Biddeford, for same.

Also, Petition of Amede Valieres and 51 others of Biddeford, for same.

Also, Petition of Donatien Giguere and 112 others of Lewiston, for same.

Also, Petition of Xavier Labelle and 33 others of Biddeford, for same.

Also, Petition of Marcel Dionne and 96 others of Lewiston, for same.

Also, Petition of Joseph Gerrest and 44 others of Lewiston, for same.

Also, Petition of F. F. Beauregard and 29 others of Biddeford, for same.

Also, Petition of Paul Lamothe and 31 others of Biddeford, for same.

Also, Petition of Odule Laplante and 77 others of Lewiston, for same.

Also, Petition of Ed. Renaud and 17 others of South Berwick, for same.

Appropriations and Financial Affairs.

By Mr. Hodgkins of Damariscotta—Resolve in favor of the erection of a suitable monument in favor of Commodore Samuel Tucker.

Education.

By Mr. Gross of Orland—Resolve in favor of the Eastern State Normal School at Castine for the purchase of equipment and for repairs at said school.

Banks and Banking.

By Mr. Perkins of Kennebunk—An Act to amend Section 16 of Chapter 43 of the Revised Statutes.

Agriculture.

By Mr. Allen of Jonesboro—An Act to amend Sections 11 and 13 of Chapter 222 of the Public Laws of 1909, relating to the licensing of dogs.

By Mr. Chase of York—Resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

Military Affairs.

By Mr. Hogan of Portland—An Act to amend Chapter 206 of the Public Laws of 1909, entitled An Act to consolidate and revise the Military Laws of the State of Maine. (Tabled for printing pending reference on motion of Mr. Hogan.)

State Lands and State Roads.

By Mr. Mace of Great Pond—Petition of J. G. Dunham and 44 others, residents of Amherst and vicinity, in favor of a Resolve for the Chick Hill Road, in Penobscot and Hancock Counties.

Also, Petition of Charles P. Silsby and four others, residents of Aurora and Amherst, in favor of a Resolve for the Chick Hill Road, in Penobscot and Hancock Counties.

Also, Resolve in favor of Chick Hill Road, in Penobscot and Hancock counties, accompanied by petitions asking for same.

Inland Fisheries and Game

By Mr. Perkins of Mechanic Falls—An Act to prohibit the throwing of sawdust and other mill waste into the lakes, ponds and streams in the State of Maine. (Tabled for printing pending reference on motion of Mr. Perkins.)

By Mr. Morse of Waterford—An Act to amend Chapter 407 of the Private

and Special Laws of 1903, as amended relating to fishing in the tributaries to Bryant pond, so called, which pond is situated in the town of Woodstock, county of Oxford.

Also, Petition of B. R. Billings and 24 others, residents and taxpayers of the town of Woodstock, Oxford county, to remove restrictions from fishing in Village Brook of said Woodstock.

Shore Fisheries.

By Mr. Percy of Bath—Remonstrance of Walter Pierce and 50 others against any law for a close time on lobsters.

By Mr. Kelley of Boothbay—Petition of Samuel E. Bryer and 165 others in favor of a change in the law relating to the catching of smelts in the Damariscotta River.

Also, Petition of D. E. Foster and 90 others in favor of a change in the law relating to the catching of smelts in the Damariscotta River.

Also, Petition of Samuel C. Murphy and 161 others in favor of a change in the law relating to the catching of smelts in the Damariscotta River.

By Mr. Mace of Great Pond—Remonstrance of Ernest Rice and 41 others, residents of Gouldsboro, against the passage of a law making the legal length of lobsters nine inches.

Also, Remonstrance of Raymond D. Bickford and 19 others, residents of Gouldsboro, against the passage of a law making the legal length of lobsters nine inches.

Also, Remonstrance of Fred L. Bartlett and 31 others against the change in the law relative to the taking of smelts, in so far as said change relates to West Bay and West Bay stream.

Also, Remonstrance of J. M. Gerrish and 38 others, residents of Winter Harbor, against the passage of a law making the legal length of lobsters nine inches.

Claims.

By Mr. Hodgkins of Damariscotta—Resolve in favor of the town of Nobleboro.

By Mr. Mace of Great Pond—Resolve in favor of Plantation Number 33, Hancock County.

By Mr. Strickland of Bangor—Re-

solve in favor of R. H. Palmer, Agent of the Mansur Estate, of Bangor, Maine.

By Mr. Munroe of Brownville—Resolve in favor of M. P. Colbath of Seboomcook.

Mr. AUSTIN of Phillips—Mr. Speaker, I rise to a point of order. Are not those Resolves asking for appropriations, referred to the committee on claims, matters of private and special legislation?

The SPEAKER—They are, and this is the 10th of February. By order of the House all resolves carrying money should be put in not later than the 10th. As to those not carrying appropriations the time would expire on the first day of February.

Reports of Committees.

Mr. Hodgman from the Committee on Banks and Banking reported "ought not to pass" on Bill, An Act to amend section 16 of chapter 48 of the Revised Statutes, relating to trustees of savings banks giving bonds.

Same gentleman from same Committee reported same on Bill, An Act to extend the charter of the Belfast Banking Company.

Mr. Skehan from the Committee on State Lands and State Roads reported same on Resolve authorizing the State Land Agent to release the claims of the State to Turnip Island, in Bristol, in Lincoln County.

Mr. Clark from the Committee on Inland Fisheries and Game reported same on Bill, An Act relating to taking fish from Trout Brook, in the towns of Burnham and Pittsfield.

Same gentleman from same Committee reported same on Bill, An Act to amend chapter 32 of the Revised Statutes as amended by chapter 181 of the Public Laws of 1907, relating to the taking of black bass in Damariscotta Lake, so called, in the county of Lincoln.

Mr. Wilkins from the Committee on Towns reported same on Bill, An Act to divide the town of Bristol and incorporate the town of South Bristol. (Tabled pending acceptance of report on motion of Mr. Otis of Rockland.)

Mr. Wilson from the Committee on Maine State Year Book reported

"ought not to pass" on Resolve in favor of the purchase of the Maine Official and Classified Business Directory for the years 1911, 1912.

Mr. Clark from the Committee on Inland Fisheries and Game, and Petition of W. S. Whitmore and others for prohibiting shooting of rifles and pistols above .22 around the shores of Lake Cobbosseecontee, reported that petitioners have leave to withdraw.

Same gentleman from same Committee, on Petition of James E. Mulligan and 76 others, residents of Lincoln county, asking for the passage of An Act providing for free fishing for black bass in Damariscotta Lake and the right to ship them out of the State; also remonstrance of Henry E. Baldwin and 70 other citizens of Lincoln county, against the passage of a law permitting the taking of black bass in Damariscotta Lake to be shipped out of the State; also remonstrance of A. W. Nash and 46 other citizens of Lincoln county against same, reported that the petitioners have leave to withdraw.

Mr. Bisbee from the Committee on Appropriations and Financial Affairs, on Resolve in favor of Maine Industrial School for Girls, for permanent improvements and general repairs, reported that same be referred to committee on State School for Boys and Industrial School for Girls.

Mr. Clark from the Committee on Inland Fisheries and Game on Resolve in favor of O. N. Davis of Hersey, Aroostook County, Maine, with statement of facts, reported that same be referred to the Committee on Appropriations and Financial Affairs with the recommendation that the same ought to pass.

The reports were accepted.

Mr. Skehan from the Committee on State Lands and State Roads reported "ought to pass" on Bill, An Act defining the Maine Trunk Line of Highway through the State.

Mr. Clark from the Committee on Inland Fisheries and Game reported "ought to pass" on Bill, An Act to regulate the hunting of deer in Waldo county.

Same gentleman from same Committee reported same on Bill, An Act to

prohibit the hunting of ducks and other water fowl in Saco Bay, in York and Cumberland counties, by use of steam, naphtha or gasoline boats.

Same gentleman from same Committee reported same on Bill, An Act to amend Chapter 233 of the Private and Special Laws of 1909, entitled "An Act for the protection of deer in York County."

Same gentleman from same Committee reported same on Bill, An Act to regulate fishing in Crosbyville Stream, so called, in the towns of Avon, Phillips, Freeman and Strong in the county of Franklin.

Same gentleman from same Committee reported same on Bill, An Act to provide for the trapping of bobcats, Loupervier and Canada Lynx in the townships known as Letter A and Leavitt, in the county of Aroostook, without a trapping license, during the open season on mink, sable, muskrat and fisher.

Mr. Mace from the Committee on Taxation reported same on Bill, an Act relating to the taxation of telegraph companies.

Mr. Mallet from the Committee on Appropriations and Financial Affairs, on Bill, An Act to amend Section 12 of Chapter 112 of the Public Laws of 1907, as amended by Chapter 69 of the Public Laws of 1909, relating to the appropriation for State highways, reported same as an emergency measure in a new draft and that it ought to pass.

Mr. Kelleher from the same Committee, on Bill, An Act to amend Section 88 of Chapter 206 of the Public Laws of 1909, relating to the appropriation of money for military purposes, reported same in a new draft under the same title and that it ought to pass.

Mr. Clark from the Committee on Inland Fisheries and Game on Bill, An Act to regulate fishing in Tom Pond, sometimes called Thomas Pond or Lake Keoka, in the town of Waterford, county of Oxford, reported same in a new draft under the title of "An Act to regulate fishing in Tom Pond, so called sometimes called Thomas Pond or Lake Keoka, in the town of

Waterford, county of Oxford," and that it ought to pass.

Mr. Clark from same committee reported a new draft a Bill, An Act to regulate fishing in the town of Durham in the county of Androscoggin and to repeal Chapter 150 of the Private and Special Laws of 1909, and that it ought to pass.

Mr. Clark from same committee reported a bill in anew draft, An Act to prohibit trout fishing in all the brooks so called in the towns of Island Falls and Hersey and in Dyer brook so called in the towns of Island Falls and Dyer Brook and in Merrill Plantation in Aroostook county, and that it ought to pass.

Mr. Stetson from the Committee on Interior Waters, on Bill, An Act to extend the charter of the Parlin Stream Dam and Improvement Company, reported a bill in a new draft under the same title and that it ought to pass.

Mr. Clark from the Committee on Inland Fisheries and Game, on petition reported a Bill, An Act to regulate fishing in Little Pushaw Pond so called in the town of Hudson, Penobscot county, and that it ought to pass.

Mr. Clark from the same committee on petition reported a Bill, An Act to regulate ice fishing in Lake Wassokeag so called in the town of Dexter, county of Penobscot, and that it ought to pass.

The reports were accepted and bills and resolves ordered printed under joint rules.

First Reading of Printed Bills and Resolves.

An Act to amend an act entitled An Act to authorize extensions of the Bangor and Aroostook Railroad in Aroostook, Piscataquis and Penobscot counties, being Chapter 222 of the Private and Special Laws of 1903 as amended by Chapter 70 of the Private and Special Laws of 1907.

Mr. Trafton of Fort Fairfield moved that the rules be suspended and that this bill receive its third reading at the present time and be passed to be engrossed.

Mr. DUNN of Brewer: Mr. Speaker: I am not familiar with the bill and I would like to have it laid on the table.

Mr. TRAFTON: Mr. Speaker: I will withdraw my motion.

The bill then received its second reading and was assigned for Monday afternoon at 4.30 o'clock.

Subsequently Mr. Dunn stated that he withdrew his objection to the bill, and on his motion the vote was reconsidered whereby it was assigned for Monday afternoon, and on further motion by Mr. Dunn the rules were suspended, the bill received its third reading and was passed to be engrossed.

An Act to amend Section 95 of Chapter 49 of the Revised Statutes of 1903 as amended by Chapter 121 of the Public Laws of 1905 as amended by Chapter 170 of the Public Laws of 1907, relating to notice of injury to casualty insurance companies.

An Act to amend Chapter 123 of the Public Laws of 1905, as amended by Chapter 43 of the Public Laws of 1907.

An Act to authorize the Wiscasset, Waterville & Farmington Railway Company to dispose of a part of the property of said company.

An Act to amend Section 56 of Chapter 32 of the Revised Statutes relating to the disposal of money received for fines and penalties for violations of the fish and game laws.

An Act to extend the charter of the Jonesport Central Railroad Company.

Resolve in favor of William R. Roix.

Resolve in favor of Louis Mitchell, representative of the Passamaquoddy tribe of Indians.

Resolve for the introduction of the Hungarian partridge in the State of Maine.

Orders of the Day.

On motion of Mr. Murphy of Portland—Bill, An Act in relation to the termination of contracts for the sale or transfer of real estate, was taken from the table, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Murphy—Bill, An Act to provide for recording tax on mortgages and for exemption of double taxation of mortgages on real estate, was taken from the table, and on further motion by the same gentleman

it was referred to the committee on taxation.

The following amended order came from the Senate:

Ordered, the House concurring, that the time for introducing private and special legislation be extended from February 1st to Tuesday February 7th. Amendment A: Strike out the word "seven" and insert the word "fourteen."

The SPEAKER—This matter came before the House, having been passed by the Senate, and the House refused to concur in its passage. The matter went back to the Senate and comes again to the House this morning with amendment A, to strike out the word "seven" and insert the word "fourteen." The Chair rules that inasmuch as the order which came from the Senate, passed by the Senate, came in here and was refused a passage, no committee of conference being asked for, the amendment now sent in cannot be entertained—that is, that the order is killed and the amendment sought to be introduced would be simply a revival of an order in a form that is not in accordance with the rule. The Chair therefore rules that the amendment is not germane, that we cannot consider this question; it is out of order in the form in which it is in here now.

Mr. Peters of Ellsworth presented the following order:

Ordered, the Senate concurring, that the joint special committee appointed to investigate and report upon the financial condition of the State under the order which passed the House January 27, be authorized and directed to investigate and report as to whether any dishonest practices or violations of law have existed in any department of the State which may be the subject of its investigation under said order previously passed; and to facilitate its investigations said committee is authorized to employ such expert assistance as it may be necessary.

Mr. PETERS—Mr. Speaker, the order is of course largely self-explanatory. It seems that the scope of the original order was limited to the investigation and report as to the fi-

nancial condition of the State. It is not well in my judgment to limit the scope of the authority of the committee to that extent. If in its investigation the committee finds evidence of any violations of law it should certainly follow the investigation along those lines, and it is the right of the legislature and of the State to know the result; and therefore, Mr. Speaker, I move that the order receive a passage.

Mr. WILLIAMSON of Augusta—Mr. Speaker, it seems to me that we should have an opportunity to examine the order a little more carefully. I do not

approve of putting matters of that importance through without an opportunity for every one to examine them. I move that the order lie on the table for printing and that its consideration be assigned for next Tuesday morning.

The motion was agreed to.

On motion of Mr. Kelley of Boothbay,

Ordered, that the Clerk be ordered to have printed three hundred extra copies of House Bill 55 for the use of the members.

On motion of Mr. Davies of Yarmouth,

Adjourned.