

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

ator, was referred to the committee on inland fisheries and game, in concurrence.

On further motion by the same senator, resolve in favor of the Brewer Lake Protective Association, was taken from the table, and on further motion by the same senator, was referred to the committee on inland fisheries and game, in concurrence.

On further motion by the same senator, petitions of C. E. Cragin, F. W. Beal and J. C. Tirrell, for incorporation of the Sandy River Power and Improvement Company, was taken from the table, and upon further motion by the same senator, was referred to the committee on legal affairs in concurrence.

On further motion by the same senator, Bill, An Act to provide for the distribution of the school mill fund, was taken from the table, and upon further motion by the same senator, was referred to the committee on education and sent down for concurrence.

Mr. MILLIKEN: Mr. President: For the purpose of correcting clerical errors in this bill, and in order that the hearing by the committee may not be delayed, I ask permission to offer a new draft of the same bill with an accompanying tabulation of figures, and I move that the new draft and tabulation of figures be laid on the table for printing.

The motion was agreed to.

Mr. MILLIKEN: Mr. President: For Senator Irving, who is not here, I desire to ask permission to introduce a private and special bill at this time, An Act to amend Section 1 of Chapter 231 of the Private and Special Laws of 1909.

Unanimous consent was granted, and upon further motion by the same senator, the bill was referred to the committee on mercantile affairs and insurance, and sent down for concurrence.

Mr. KELLOGG of Penobscot: Mr. President: I move to take from the table resolve in favor of Felix G. Sirois, M. D.

The motion was agreed to, and upon further motion by the same senator,

the resolve was referred to the committee on claims, in concurrence.

On further motion by the same senator, bill, An Act relating to the pay of fish wardens, was taken from the table, and on further motion by the same senator, was referred to the committee on shore fisheries in concurrence.

On further motion by the same senator, bill, An Act to extend the charter of the Waldo Street Railway Company, was taken from the table, and on further motion by the same senator, was referred to the committee on railroads and expresses, in concurrence.

On further motion by the same senator, resolve in favor of Freeman B. Andrews of Oxford, was taken from the table, and upon further motion by the same senator, was referred to the committee on pensions in concurrence.

On motion by Mr. Hill of Penobscot, bill, An Act to create a stallion registration board, tabled for printing, was taken from the table and upon further motion by the same senator was referred to the committee on agriculture and sent down for concurrence.

Under suspension of the rules, Mr. Winslow of Cumberland introduced bill, An Act to incorporate the Brunswick Gas Company, and on further motion by the same senator, the bill was referred to the committee on legal affairs and sent down for concurrence.

On motion of Mr. Fulton of Sagadahoc,

Adjourned.

HOUSE.

Monday, Feb. 20, 1911.

Prayer by Rev. Mr. Steele of Hallowell. Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Bill ratifying and confirming the sale of the railroad and franchises of the Atlantic Shore Line Railway and the incorporation of the Atlantic Shore Railway, came from the Senate amended by Senate Amendment A.

The vote was reconsidered whereby this bill was passed to be enacted.

The question being on the adoption of Senate Amendment A, the amendment was tabled for printing on motion of Mr. Sleeper of South Berwick.

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

Judiciary.

By Mr. Shea of Eden: Petition of Karl Burr and nine others of Bar Harbor, to amend Chapter 133 of Private and Special Laws of 1909.

Also, petition of Eugene H. Dakin of Bangor, and others, for same.

Also, Petition of hotel men of Maine, for same.

Also, Petition of Marion Rich and eight others, for same.

By Mr. Davies of Yarmouth—An Act relating to letters, circulars and posters used in elections.

By Mr. Hersey of Houlton—An Act to amend Section one of Chapter 93 of the Revised Statutes relating to the recording of personal property mortgages and sales.

Also, An Act to amend Section 25, Chapter 125 of the Revised Statutes, relating to the sale of tickets to religious or temperance camp-meetings.

By Mr. Williamson of Augusta—An Act to regulate procedure in quo warranto.

Legal Affairs.

By Mr. Allen of Jonesboro: Petition of J. H. Achern of Stickney Corner, for amendment of law relating to registration of dentists.

By Mr. Farnham of Bath: Petition of Maxwell Powers of Bath; for same.

By Mr. Peters of Ellsworth: Petition of H. J. Nooman of Ellsworth, for same.

By Mr. Shea of Eden: Petition of Everett J. Hinckley of Bar Harbor, for same.

By Mr. Dunn of Brewer—An Act additional to Chapter 47 of the Revised Statutes of the State of Maine, relating to the taxation of bank stock.

By Mr. Doyle of Millinocket—An Act relating to the liability of employers to make compensation for personal injuries suffered by employees. (Tabled for printing pending reference on motion of Mr. Descoteaux of Biddeford.)

Appropriations and Financial Affairs.

By Mr. Sleeper of South Berwick—Resolve in favor of the Maine State prison.

Inland Fisheries and Game.

By Mr. Frank of Gray—Petition of Henry J. Lane and 53 others, to repeal Chapter 352 of the Private and Special Laws of 1909, regulating fishing in Big Rattlesnake pond and Panther pond, and the tributaries to same.

Shore Fisheries.

By Mr. Mitchell of Kittery—Petition of E. J. Hutchins and 28 other fishermen of the town of Kittery, asking for the passage of the law to license lobster fishermen.

Also, Petition of A. L. Hutchins and 31 other lobster fishermen of the town of Kittery, for same.

Towns.

By Mr. Ames of Norridgewock—An Act to change the eastern boundary of the town of Anson.

Reports of Committees.

Mr. Hersey from the committee on the judiciary reported "ought not to pass" on Bill, An Act to amend the charter of the city of Old Town and provide for the referendum to the legal votes of the city of Old Town, referred to this committee by the last Legislature.

Mr. Trafton from same committee reported same on Bill, An Act to incorporate the Fort Kent Electric Company.

Mr. Conners from the committee on mercantile affairs and insurance, reported same on Bill, An Act to amend Section 78, Chapter 4 of the Revised Statutes of Maine relating to foreign Mutual Fire Insurance Companies.

Mr. Hodgman from the committee on banks and banking reported same on Bill, An Act to regulate the investment of savings deposits in banks and trust companies.

Mr. Skehan from the committee on State lands and State roads reported same on Resolve authorizing the State land agent to convey to Norman H. Mayo of Bluehill, Hancock county, certain islands in Bluehill bay.

Same gentleman from same commit-

of the sale of certain small ledges in Muscle Ridge channel.

Same gentleman from same committee reported same on Resolve authorizing the State land agent to convey Goose Cove rock in Bluehill bay.

Same gentleman from same committee, on Resolve in favor of the town of Millinocket, reported that same be referred to the committee on appropriations and financial affairs.

The reports were accepted.

Mr. Bogue from the committee on the judiciary reported "ought to pass" on Bill, An Act relating to holidays.

Mr. Chase from the committee on the judiciary reported "ought to pass" on Bill, An Act to amend certain Acts relating to Phillips Village Corporation.

Mr. Goodwin from same committee reported same on Bill, An Act to amend Section 91 of Chapter 23 of the Revised Statutes, relating to towns maintaining guide posts.

Mr. Bogue from same committee reported same on Bill, An Act relating to equity procedure.

Mr. Hodgman from the committee on banks and banking reported same on Bill, An Act relating to the merger of the Portland Trust Company into the Fidelity Trust Company of Portland, Maine.

Mr. Hastings from the committee on taxation reported same on Bill, An Act to amend Sections 49 and 51 of Chapter 9 of the Revised Statutes.

Mr. Trafton from the Committee on the Judiciary, on Bill, An Act to establish the Houlton Municipal Court, reported same in a new draft under the same title, and that it ought to pass.

Same gentleman from the same committee reported same on Bill, An Act to amend Section 13 of Chapter 117 of the Revised Statutes, relating to fees of witnesses.

Mr. Emerson from the Committee on Interior Waters, on Bill, An Act to incorporate the Cold Stream Dam and Improvement Company, reported same in a new draft under the title of "An Act to incorporate the Cold Stream Dam and Improvement Company," and that it ought to pass.

Mr. Davis from the same committee, on Bill, An Act to incorporate the Carleton Stream Dam Company, reported same in

a new draft under the title of "An Act to incorporate the Carleton Stream Dam Company," and that it ought to pass.

Mr. Boman from the Committee on Shore Fisheries, on Bill, An Act relating to the protection of smelts along the coast of Maine, reported same in a new draft, under the title of An Act relating to the protection of smelts along the coast of Maine," and that it ought to pass.

Mr. Trafton from the Aroostook delegation, on Bill, An act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905, relating to the salary of Judge of Municipal Court of Caribou, reported same in new draft under the title of "An Act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905, relating to salary of Judge of Municipal Court of Caribou," and that it ought to pass.

Mr. Skehan from the Committee on State Lands and State Roads, on Resolve in favor of repairing Mattawamkeag bridge, reported same in new draft under the title of "Resolve in favor of repairing the Mattawamkeag Bridge," and that it ought to pass.

Mr. Kelley from the Committee on Claims reported "ought to pass" on Resolve in favor of the town of Phillips.

Same gentleman from the same committee reported same on Resolve in favor of the town of Wiscasset.

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

First Reading of Printed Bills and Resolves.

Resolve in favor of Albion Moody.

Resolve in favor of O. M. Davis of Hersey, Aroostook county, Maine.

Resolve in favor of Lettie Whittier of Mt. Vernon.

Resolve in favor of Annie Jones.

An Act to incorporate the Maine Power Company.

An Act to amend Chapter 313 of the Private Laws of 1909, entitled "An Act to abolish Rines hill grade crossing in Augusta.

An Act relating to the Mt. Desert Transit Company.

An Act to regulate the opening of streets in cities.

An Act to provide for the weekly payment of wages.

Mr. Clearwater of Hallowell moved that

the bill be recommitted to the committee pending its second reading.

Mr. DOYLE of Millinocket: Mr. Speaker, as a member of the committee that reported this bill I desire to briefly voice my objection to a reassignment. I am not unmindful of the fact that in many cases, under extraordinary circumstances, it is expedient and very often necessary to recommit a bill; but I do not believe that in this case those circumstances exist.

When this bill was introduced into the House it was regularly referred to a committee. The committee assigned a date for hearing and it was properly advertised. At that hearing a great many people both for and against the measure appeared before the committee, and I think between three and four hours were given by the committee on the first day of this hearing and it was left open for another hearing and practically the greater part of two days was given to the consideration of this measure. I do not believe anybody has been injured by it, and I think it is unfair to the committee and unfair to a great many who are interested in this measure that this should be recommitted. If we have rules I think we should consistently live up to them. Therefore, Mr. Speaker, I sincerely hope that the motion of the gentleman will not prevail.

Mr. CLEARWATER: Mr. Speaker, I would say to the gentlemen present and also to the gentleman from Millinocket that personally I am not particularly interested in this bill. As I understand it, the bill before the House now is in a new draft, and some of my people simply asked me to hold the bill up temporarily until some of those who are interested in it could be gotten at to see if the bill was all right from their point of view; and I understood that the committee were perfectly willing to go back to them. But if there is any question about its going back to the committee at this time from this House, all I ask is a little time on it, and instead of moving to recommit it I would be perfectly willing to table it temporarily and assign a date for a hearing in regard to it. There may be no change necessary. I move that its consideration be assigned for a week from next Tuesday.

Mr. PLUMMER of Lisbon: Mr. Speaker, I have no objection to the bill being assigned for a week from tomorrow if it is proper to put it so far along, but it strikes me that by that time the work is going to be accumulating here and the more of these matters that can be gotten rid of without unreasonable trouble to anybody at an earlier date than that suggested, the more time we shall have for the consideration of important matters which will come along later. I would like to suggest that the gentleman assign an earlier date if it is agreeable to him.

Mr. CLEARWATER: Mr. Speaker, I wish to be perfectly fair in the matter, and in suggesting a week from tomorrow it seemed to me very reasonable to get at the information which we want. As I say, I wish to be fair. I feel that I really must insist upon that date.

Mr. DESCOTEAUX of Biddeford: Mr. Speaker, the gentleman from Hallowell claims that his people wants to have a chance to look over this bill. There were people from all parts of the State at that hearing and I don't see why his people of Hallowell could not have been here as well as others; and I as one of the committee would not be in favor of having it laid over. I think the people of Hallowell had a chance to come here if they wanted to. People were here from Portland and Bangor; why couldn't they come from Hallowell? I would not be in favor of deferring action on this matter.

Mr. CLEARWATER: Mr. Speaker, I dislike to be taking up the time over what seems to me really a very small matter, but for the information of the gentleman from Biddeford I will say that it is not my people in Hallowell—Hallowell is only two miles down the river—that I speak for entirely, but for some other interests out of the State, men I mean who are out of the State and interested in this bill, and I do not think it would be possible to get the information from them to know what their position would be, whether the bill is all right from their viewpoint or not, before that time. That is simply why I suggested a week from tomorrow.

The question being on the assignment of the bill for a week from tomorrow.

The motion was agreed to.

Resolve in favor of O. W. Cole.

Resolve, in favor of Helen B. Hobart for State pension.

Resolve, in favor of the town of Baileyville.

An Act to extend the provisions of Chapter 315 of the Private and Special Laws of 1909, being "An Act to incorporate the Penobscot Bay Water Company" to March 26, 1913.

An Act to repeal Chapter 127 of the Public Laws of 1909 relating to the powers of the board of prison and jail inspectors.

An Act to amend Section 34, Chapter 4, of the Revised Statutes, 1903, of Maine. (Tabled pending first reading on motion of Mr. Murphy of Portland.)

An Act to extend the charter of the Fairfield & Skowhegan Railway Company.

An Act to improve certain State lands.

An Act to authorize the Virginia Spring Water Company to take land for the purposes of its incorporation.

An Act to repeal Chapter 340 of the Private and Special Laws of 1907, regulating the use of a certain road in the town of Readfield.

An Act additional to Chapter seventeen of the Public Laws of nineteen hundred and five, as amended by Chapter eighty-nine of the Public Laws of nineteen hundred and seven, regulating the practices of veterinary surgery, medicine and dentistry.

An Act to repeal Section seventy-five of Chapter two of the Revised Statutes relating to compensation of clerks in office of State treasurer.

An Act relating to the compensation of the trustees of the University of Maine and the trustees of the State Normal schools.

An Act to revive and extend the charter of the Lily Water Company.

An Act to amend Chapter 219 of the Private and Special Laws of 1903 relating to the appointment of a recorder of the Eastport municipal court.

An Act in favor of the Brewer Water Company.

An Act to authorize Walter Hadlock and his assigns to erect, extend and maintain a wharf into the tide waters at Hadlock's Cove at Islesford, town of Cranberry Isles.

An Act to extend and amend the charter of the Waterville and Winslow Bridge Company.

An Act to amend Section 23 of Chapter 114 of the Revised Statutes as amended by Chapter 249 of the Public Laws of 1909 relating to the relief of poor debtors.

An Act to extend the close time on caribou.

An Act in relation to the Belfast and Liberty Electric Railroad Company.

An Act requiring proprietors, managers and persons having charge of establishments or places where women or girls are employed to permit the use of chairs, stools or other contrivances for the seating of such employes, for rest when not actively engaged in duties inconsistent with such requirement, and providing penalties for the violation thereof. (Tabled pending second reading on motion of Mr. Plummer of Lisbon.)

An Act to amend Section six, seven and 11 of Chapter 15 of the Public Laws of 1907 relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, as amended by Chapter 34 of the Public Laws of 1909.

An Act to incorporate the Westfield Water Company. (Tabled pending second reading on motion of Mr. Plummer of Lisbon.)

An Act to protect striped of sea bass, in the waters of the Sheepscot river and its tributaries. (Re-committed to the committee on shore fisheries on motion of Mr. Tucker of Wiscasset.)

An Act to prohibit the use of automobiles and motor vehicles on one of the ways of the town of Waterford, for two years.

An Act to incorporate the town of Merrill. (Tabled for amendment on motion of Mr. Breen of Smyrna.)

Passed to be Engrossed.

An Act relating to the Southwest Harbor Water Company.

An Act to provide for the purchase of supplies for the State through a system of competitive bids.

An Act to incorporate the Sawtelle Brook Dam and Improvement Company.

An Act to repeal Section 2 of Chapter 148 of the Public Laws of 1905 relating to the construction of booths at polling places.

An Act to extend the charter of the Central Aroostook Electric Company.

An Act to ratify, confirm and make valid the proceedings of the special town meeting of the inhabitants of the town of Presque Isle, held May 3, 1909, and the bonds issued by said town in aid of the Aroostook Valley Railroad Company.

An Act concerning trespass.

An Act to amend that part of Section 5 of Chapter 80 of the Revised Statutes of Maine, relating to the regular sessions of the county commissioners of Oxford county.

An Act to extend the charter of the Northern Aroostook Electric Company.

Passed to be Enacted.

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

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 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 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 repeal Chapter 92 of the Public Laws of 1905 entitled "An Act to provide for the better enforcement of the laws against the manufacturer and sale of intoxicating liquors.

Resolve providing for an amendment to the Constitution by abrogating and annulling the 26th amendment adopted on the eighth day of September A. D. 1884. (Tabled on motion of Mr. Wilson of Auburn.)

Orders of the Day.

Mr. Sleeper of South Berwick presented the following order:

Ordered, the Senate concurring, that the Governor shall appoint three attorneys at law, citizens of this State, who shall constitute a committee and who during the recess of the Legislature shall examine carefully into the matter of municipal courts throughout the State and of trial justice courts therein, and by bill or otherwise report to the next Legislature to the end that a law or laws may be enacted making more uniform the jurisdiction, practice and procedure in such municipal courts and determine and define the jurisdiction of trial justices in localities where municipal courts exist.

On motion of Mr. Pattangall of Waterville, the order was tabled.

On motion of Mr. Phillips of Shirley, the rules were suspended and that gentleman introduced Bill, An Act to incorporate the Monson Water Company, accompanied by statement of facts, and on further motion by the same gentleman the bill was referred to the committee on judiciary.

Mr. Trafton of Fort Fairfield, announced the attendance of Mr. Hedman, representative-elect from New Sweden, and was appointed a committee to escort him to the Governor and Council to take and subscribe the oaths necessary to qualify him to enter upon the discharge of his official duties.

On motion of Mr. Percy of Bath, the rules were suspended and that gentleman introduced Bill, An Act to repeal Chapter 22 of the Private and Special Laws of 1903, entitled an Act to establish a street and sewer commission for the city of Bath, and on further motion by the same gentleman the bill was referred to the committee on legal affairs.

Mr. COLBY of Bingham: Mr. Speaker, I understand there is an agreement between the two Houses whereby we may present private bills tonight. If that is the case I have one that I would like to present at this time.

Mr. HERSEY of Houlton: Do I understand it to be the ruling of the

Chair that there is such an agreement?

The SPEAKER: I myself have thought there was such an arrangement, but I am not sure there is. I wish to make sure and will ascertain in a moment.

Mr. COLBY: Mr. Speaker, I will say that I learned that while in the Senate chamber only a few moments ago.

Mr. GOODWIN of Biddeford: Mr. Speaker, I have a resolution which I wish at this time to present for the consideration of the House:

Whereas, The Legislature of Maine has learned with profound sorrow that the Honorable Amos L. Allen, for six consecutive terms representative of this State in the Congress of the United States, died this morning in the city of Washington; and

Whereas Mr. Allen has given the best years of his life in the service of his State and country, and being universally recognized as an honest, zealous and able legislator;

Therefore, Be it resolved by the Seventy-fifth Legislature of Maine that in the demise of the Honorable Amos L. Allen the State and the people therein have lost a valuable public servant and suffered a distinct loss; and be it

Further Resolved by the House, the Senate concurring, that a copy of these resolutions be forwarded to the family of the deceased, and that the same be spread upon the records of the Senate and House.

A rising vote being taken on the adoption of the resolution,

It was unanimously agreed to.

The SPEAKER: Any bill that is in the possession of any member of the House, by agreement with the Senate, can be received at this time.

Mr. HERSEY of Houlton: Mr. Speaker, I have a bill at my room which I would like to present if I could have time to get it here.

The SPEAKER: The gentleman may present his bill to the Clerk of the House tonight.

On motion of Mr. Colby of Bingham, the rules were suspended and that gentleman introduced bill, An Act to amend Chapter 526 of the Private and

Special Laws of 1871 entitled "An Act to confirm the doings of the Maine Missionary Society and to incorporate said society," and on further motion by the same gentleman the bill was referred to the committee on judiciary.

On motion of Mr. Clark of Portland, the rules were suspended and that gentleman introduced bill, An Act relating to the salary of the judge of probate for the county of Cumberland, and on further motion by the same gentleman the bill was referred to the committee on judiciary.

Mr. MACE of Great Pond: Mr. Speaker, I have a bill in my room, and shall I give it to the Clerk this evening?

The SPEAKER: Yes.

On motion of Mr. Hastings of Auburn, bill, An Act to incorporate the Northern Penobscot Water Company was taken from the table, and on further motion by the same gentleman it was referred to the committee on interior waters in concurrence.

On motion of Mr. Hastings of Auburn, bill, An Act to incorporate the World Standard Insurance Company, was taken from the table, and on further motion by the same gentleman it was referred to the committee on legal affairs in concurrence.

On motion of Mr. Williamson of Augusta, resolve in favor of S. C. W. Simpson was taken from the table, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.

On motion of Mr. Andrews of Norway, Bill, An Act to amend Section 8 of Chapter 20 of the Revised Statutes, relating to burying grounds, 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. Wheeler of South Paris, the rules were suspended and that gentleman introduced Bill, An Act to extend the charter of the South Paris Light and Power Company, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion by Mr. Wheeler of South Paris, the rules were suspended and

that gentleman introduced Bill, An Act to amend the charter of the South Paris Village Corporation, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Weymouth of Saco, Bill, An Act to amend Section 25 of Chapter 125 of the Revised Statutes, relating to observance of Lord's day 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 the same gentleman Bill, An Act to amend Section 44 of Chapter 40 of the Revised Statutes relating to fortnightly payment of wages was taken from the table, and on further motion by the same gentleman

it was referred to the committee on labor.

On motion of Mr. Farnham of Bath, Bill, An Act to regulate the investment of deposits in banks and trust companies was taken from the table, and on further motion by the same gentleman it was referred to the committee on banks and banking.

On motion of Mr. Dunn of Brewer, the rules were suspended and that gentleman introduced resolve with reference to printing a new edition of Walter Wells' work "The Water Power of Maine," and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Mace of Great Pond,

Adjourned.