

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

in cash, or other consideration which in the judgment of the railroad commissioners is equivalent thereto; and provided also that said railroad company shall not enter into any contract for the construction of any extension to said railroad, or any part of its stations or equipments, with any officer, director or stockholder of said railroad, or with any syndicate or partnership in which any officer, director or stockholders of said railroad is either directly or indirectly interested; and provided also that said railroad company shall not issue or dispose of any of its bonds, directly or indirectly, to any person, syndicate or corporation for the purpose of constructing said extensions, stations or equipments, without the approval of the railroad commissioners,' so that said section as amended shall read as follows:

'Section 1. All of the provisions of Sections one, two, three and four of Chapter two hundred and twenty-two of the Private and Special Laws of the year nineteen hundred and three, as amended by Chapter seventy of the Private and Special Laws of the year nineteen hundred and seven, are continued in force and extended for the period of five years from and after the twentieth day of March in the year of our Lord nineteen hundred and thirteen.

'Provided, however, that the Bangor & Aroostook Railroad Company shall not hereafter issue any of its capital stock, or dispose of the same to any person, partnership, syndicate, or corporation, except by public auction as provided in Section 21 of Chapter 51 of the Revised Statutes, for less than the par value thereof in cash, or other consideration which in the judgment of the railroad commissioners is equivalent thereto; and provided also that said railroad company shall not enter into any contract for the construction of any extension to said railroad, or any part of its stations or equipments, with any officer, director or stockholder of said railroad, or with any syndicate or partnership in which any officer, director or stockholder of said railroad is either directly or indirectly interested; and provided also that said railroad company shall not issue, or dispose of any of its bonds, directly or indirectly, to any person, syndicate or corporation for the pur-

pose of constructing said extension, stations or equipments, without the approval of the railroad commissioners.'

Mr. President, before moving that this be tabled and printed with House Document No. 39, I will state that this amendment is for the purpose of providing that no securities shall be issued against the construction of further extensions of the Bangor & Aroostook Railroad beyond the value represented by the actual cash expenditure for the extension. I am offering it in this way first, out of courtesy to the railroad committee, because this amendment was not presented at the hearing on the original bill, and it is my purpose to present it to the committee informally and find out whether they desire to consider it, formally or informally, for it is never courtesy to a committee of this Legislature to present in the Legislature itself an amendment or new form of a measure which they have not had an opportunity to consider. And in this instance, if the committee object to it, although I do not know whether they will or not, it is their due that they have an opportunity to consider it.

I am offering it in this way, also, out of courtesy to the counsel of the Bangor & Aroostook Railroad, in order that if they object to it or desire to make any changes in it they may have an opportunity to present their objections before the committee or to members of the Senate.

I move that the amendment be printed and the bill assigned for consideration on Thursday, March second.

On motion by Mr. Boynton of Lincoln,
Adjourned.

HOUSE.

Monday, Feb. 27, 1911.

Prayer by Rev. Mr. Kearney of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Bill, An Act to amend Chapter 247 of the Public Laws of 1909, relating to the packing and branding of apples, came from the Senate, amended by Senate Amendment A.

The House adopted Senate Amendment A.

Pending its third reading, the bill was tabled by Mr. Bisbee of Rumford.

Senate Bills on First Reading.

Resolve in favor of repairing a highway in the town of Moscow in the plantations of Caratunk and The Forks.

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

Judiciary.

By Mr. Bogue of East Machias—An Act to amend Section 16 of Chapter 86 of the Revised Statutes, relating to the sale of shares of capital stock of a corporation on execution. (Tabled for printing pending reference on motion of Mr. Bogue of East Machias.)

Also, An Act to provide for publicity of mercantile partnerships and for identification of individual merchants in certain cases. (Tabled for printing pending reference on motion of Mr. Bogue.)

Also, An Act to amend Section 28 of Chapter 4 of the Revised Statutes, relating to filling vacancies in town offices. (Tabled for printing pending reference on motion of Mr. Bogue.)

By Mr. Davies of Yarmouth—Petition of Albert G. Stearns and 23 others of Hiram, for Davies Direct Primary Bill under Section 18, part three of article four of the Constitution.

Also, petitions of the following persons, for same:

Fred S. Thompson and 10 others of East Orland.

J. Herbert Gould and 11 others of Camden.

T. H. Hersom and 13 others of Oakland.

H. D. Smith and 13 others of Norway.

Everett Withee and 15 others of Augusta.

C. N. Webber and 26 others of China.

George S. Boutelle and 14 others of Paris.

George H. Fletcher and six others of Madison.

J. L. Gordon and 18 others of Bucksport.

Chester E. Chipman and nine others of New Gloucester.

F. H. Farnham and 26 others of Hartland.

Otis H. Carter and 57 others of Surry.

L. L. Merton and 13 others of Washington.

L. H. Grace and 15 others of Cherryfield.

George B. Dow and 22 others of East Dover.

A. S. Whitcomb and 52 others of Blaine.

David F. Adams and 22 others of Littleton.

A. H. Anderson and 10 others of New Sweden.

F. C. Meader and four others of Chelsea.

L. H. Junkins and 21 others of Lebanon.

C. C. Pierce and nine others of East Hebron.

A. N. Goodwin and six others of China.

C. L. Tibbetts and six others of Levant.

F. Leavitt and 11 others of Island Falls.

R. S. Simmons and 18 others of West Rockport.

F. E. Peavey and 13 others.

F. D. Weymouth and 24 others of Charleston.

F. B. Gidney and six others of Augusta.

W. T. Graham and 14 others of Durham.

L. N. Walter and 29 others of Waldoboro.

L. L. Cromwell and 12 others of Wassasset.

J. R. Achorn and 17 others of Calais.

C. E. Taylor and 15 others of Freeport.

C. A. Nason and 13 others of Hampden.

B. F. Foster and 13 others of Freedom.

F. L. Wyman and 25 others of West Paris.

George V. Brown and 23 others of Caribou.

F. Demeritt and 39 others.

W. O. Paul and 16 others of East Madison.

R. E. Davis and six others of Ellsworth.

W. E. Leland and 11 others of West Minot.

J. S. Warren and 13 others of Benton.

E. E. Bennett and 21 others of South Sangerville.

L. E. Palmer and 15 others of Nobleboro.

E. E. Abbott and 10 others of Shapleigh.

T. D. Thompson and 14 others of East Sangerville.

H. T. Crockett and 12 others of North Haven.

L. C. Selwood and nine others of Perry.

B. E. Sylvester and 12 others of South Bluehill.

Ezra Keene and 32 others of Union.

John Hatch and seven others.

Roland Pierce and 20 others of Buckfield.

B. F. Clark and six others of Kenduskeag.

L. C. Humphrey and six others of Auburn.

Roy F. Leach and 28 others of Penobscot.

A. M. Spaulding and 12 others of Belgrade.

Frank P. Blanchard and nine others of Lebanon.

W. A. Monroe and 16 others of Belfast.

George E. Sparrow and eight others of Pittston.

J. E. Norris and 16 others of Wayne.

Willard Weston and 20 others of Houlton.

J. L. Witham and 19 others of Smithfield.

Henry Smith and nine others of Bingham.

J. C. Hewitt and six others of Belgrade.

Nathaniel Wiggin and eight others of Etna.

Ralph W. Calderwood and 12 others of Vinalhaven.

E. L. Tarbell and 21 others of Mapleton.

S. F. Emerson and 57 others of Skowhegan.

G. W. Beckler and 12 others of Leeds.

A. T. Powers and 20 others of Newry.

A. W. Bradbury and 15 others of Lowell.

Patrick Hayes and 22 others of Chelsea.

Legal Affairs.

By Mr. Hersey of Houlton—An Act amendatory of and additional to Chapter 46 of the Revised Statutes of Maine, relating to interest on loans.

By Mr. LeBel of Westbrook—Petition of A. H. Tetrault and 49 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 the following persons of Biddeford for same:

Alfred L. Lambert and 43 others.

A. F. Letellier and 19 others.

Antonio Landry and 24 others.

Edouard Desmarais and 73 others.

Camille Garon and 51 others.

Louis Chagnon and 49 others.

Joseph Lafole and 62 others.

Appropriations and Financial Affairs.

By Mr. Littlefield of Bluehill: An Act to amend Section 23 of Chapter 18 of the Revised Statutes, relating to the State Laboratory of Hygiene.

Also, Resolve in favor of the State Board of Health.

By Mr. Williamson of Augusta—Resolve, providing for an epidemic or emergency fund for the year 1911.

Education.

By Mr. Emerson of Island Falls—Petition of John R. Main and 13 others of Island Falls for change in distribution of mill tax for schools.

By Mr. Stinson of Woolwich—Petition of E. E. Buker and 19 others of Bowdoin, for same.

By Mr. Monroe of Brownville—Petition of C. P. Hare and 17 others of Atkinson, for same.

Shore Fisheries.

By Mr. Harmon of Stonington—Remonstrance of J. K. Collins and 45 others of Isle au Haut against a license law for lobster fishermen.

Also, Remonstrance of B. S. Thurlow and 54 others of Stonington, against same.

Labor.

By Mr. Skehan of Augusta—An Act to constitute nine hours a day's work for public employes.

Taxation

By Mr. Pattangall of Waterville—An Act relating to taxing insurance in companies not authorized to do business in Maine.

Reports of Committees.

Mr. Chase from the committee on the judiciary reported "ought not to pass" on Bill, An Act for the better protection of investors.

Mr. Trafton from same committee reported same on Bill, An Act to amend Chapter 165 of the Public Laws of 1909, entitled "An Act to define and regulate the practice of Optometry."

Mr. Hersey from same committee reported same on Bill, An Act creating a State board of charities and corrections.

Mr. Berry from the Kennebec county delegation reported same on Bill, An Act to fix the compensation of the judge of probate for the county of Kennebec.

Mr. Kelley from the committee on claims reported same on Resolve in favor of the plantation of Cary.

Mr. Murphy from the committee on pensions reported same on Resolve in favor of Sarah A. Smith for pension.

Mr. Farnham from the committee on ways and bridges, on petitions of C. A. Judkins, Joseph Morrow and 34 others for the building of a bridge across Moose river near its mouth, praying that a bridge be built across Moose river, near the mouth of the same, where it empties into Moosehead lake, as it would serve a large community located on the north-west side of Moose river, reported that same be referred to the next Legislature.

Mr. Davies from the committee on the judiciary on Bill, An Act relating to the salary of the judge of probate for the county of Cumberland, reported that same be referred to the Cumberland county delegation.

The reports were accepted.

Mr. Williamson from same committee reported "ought to pass" on Bill, An Act to repeal an act relative to party caucuses in the city of Augusta.

Mr. Chase from same committee on Bill, An Act to incorporate the Ogunquit Sew-

erage Company, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Farnham from the committee on ways and bridges on Bill, An Act in aid of bridge across Holmes' stream, in the town of Whiting, Washington county, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Plummer from the committee on taxation on Bill, An Act to amend Chapters eight and nine of the Revised Statutes, relating to the duties of the State and local assessors, reported the same in a new draft, under the title of "An Act to amend Chapters eight and nine of the Revised Statutes, relating to the duties of the State and local assessors," and that it ought to pass.

Mr. Farnham from the committee on ways and bridges reported "ought to pass" on Resolve in favor of the town of Whitneyville for extra expense in connection with building and repair of bridge across Machias river.

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

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

Mr. Kelley from the committee on claims reported same on Resolve in favor of the town of Oxford.

Mr. Foss from the same committee reported same on Resolve in favor of the city of Biddeford, for reimbursement for support of insane pauper.

Mr. Mace from the same committee reported same on Resolve in favor of the town of Island Falls.

Mr. Kelley from the same committee reported same on Resolve in favor of the town of Paris.

Mr. McCreedy from the same committee reported same on Resolve in favor of the city of Biddeford for reimbursement for support of insane pauper.

Mr. Mace from the same committee reported same on Resolve in favor of the town of Island Falls.

Mr. Kelley from the same committee reported same on Resolve in favor of the town of Woodstock.

Mr. Mace from the same committee

reported same on Resolve in favor of the town of Buxton.

Mr. Kelley from the same committee reported same on Resolve in favor of the city of Biddeford for reimbursement for support of insane pauper.

Mr. Strickland from the committee on appropriations and financial affairs on Resolve in favor of the Maine State prison reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Skehan from the committee on State lands and State roads on Resolve in favor of road from Brownville to Katahdin Iron Works, reported the same in a new draft, under title of "Resolve in favor of road from Brownville to Katahdin Iron Works" and that it ought to pass.

Mr. Farnham from the committee on ways and bridges, on Resolve in favor of the Eastport bridge, reported the same in a new draft, under the same title, and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of the city of Gardiner and town of Randolph, reported the same in a new draft, under the same title, and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of raising and repairing bridge over Garland's brook in town of Mariaville, accompanied by statement of facts, reported the same in a new draft, under the same title, and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of repairing highway in the town of Greenbush, reported the same in a new draft, under the same title, and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of the town of Roque Bluffs, reported the same in a new draft, under the same title, and that it ought to pass. (Report tabled pending its acceptance on motion of Mr. Tucker of Wiscasset.)

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

First Reading of Printed Bills and Resolves.

An Act to amend Section 27 of Chap-

ter 15 of the Revised Statutes relating to public school attendance.

An Act to amend Section 6 of Chapter 345 of the Special Laws of 1909 relating to the creation of a board of trustees for the Sullivan-Franklin bridge across the Narrows so-called.

An Act to amend Section 2 of Chapter 38 of the Public Laws of 1905.

An Act to extend the powers, rights and privileges of the Hancock-Sullivan Bridge Company.

An Act to incorporate the Monmouth Electric Company.

An Act to authorize the Bangor Railway and Electric Company to take water from Brewer pond and its tributaries.

An Act to provide for the State certification of all teachers of public schools. (Tabled pending first reading on motion of Mr. Wilson of Auburn.)

An Act to amend Section 96 of Chapter 15 of the Revised Statutes as amended by Chapter 87 of the Public Laws of 1909, relating to agents for schools in unorganized townships.

An Act to extend the charter of the Winter Harbor and Eastern Railway Company.

An Act to incorporate L'Association d'Epargnes de Waterville.

An Act relating to fishing in the tributaries of Jim pond and Jim brook, in Township No. 1, Range 5, W. B. K. P. or Jim pond township, so-called, in the county of Franklin.

An Act to prohibit the throwing of sawdust or other mill waste in the outlet of Worthley pond, in the town of Peru in the county of Oxford.

An Act to incorporate the Fort Kent and Clairs Toll Bridge Company.

Resolve in favor of the Central Maine Fair Company and repealing resolve in favor of the Central Maine Fair Association.

Resolve in favor of providing plans for school building.

Passed to Be Engrossed.

An Act to establish the Piscataquis municipal court. (Tabled on motion of Mr. Bogue of Machias.)

An Act to provide a charter for the city of Gardiner.

An Act relating to the the registration of physicians and surgeons. (Tabled pending second reading on motion of Mr. Plummer of Lisbon.)

An Act to incorporate the New Sharon Water Company.

An Act relating to the appointment and fees of masters in chancery.

An Act relating to a way across tide waters of Barrell's mill pond, York harbor.

An Act to incorporate Kennebec Water District.

porate the Penobscot Bay Water Company to March 26, 1913.

An Act to extend the charter of the Fairfield and Skowhegan Railway 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 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 repeal Chapter 126 of the Public Laws of 1909, relating to the powers of the board of prison and jail inspectors.

An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, relative to clerk hire in the office of register of deeds in Kennebec county.

An Act to abolish the office of assistant attorney general.

An Act to provide for increasing the capital stock of the Somerset Farmers' Co-operative Telephone Company.

An Act to improve certain State lands.

An Act additional to Chapter 17 of the Public Laws of 1905, as amended by Chapter 89 of the Public Laws of 1907, regulating the practices of veterinary surgery, medicine and dentistry.

An Act to repeal Section 75 of Chapter 2 of the Revised Statutes, relating to compensation of clerks in the office of the State treasurer.

An Act to extend the close time on caribou.

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

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

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

An Act in favor of the Brewer Water Company.

Passed to Be Enacted.

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

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

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

An Act concerning trespass.

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

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

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

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 to authorize the York Light and Heat Company to acquire additional properties.

An Act to abolish the State agency for the sale of intoxicating liquors.

An Act to incorporate the Maine Power Company.

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

An Act to extend the provisions of Chapter 315 of the Private and Special Laws of 1909, being An Act to incor-

Finally Passed.

Resolve authorizing the land agent to release the State's interest in a certain ledge or reef near Bar Harbor, in Hancock county.

Resolve proposing a memorial to Congress in favor of the Sulloway pension bill. (Tabled pending final passage on motion of Mr. Plummer of Lisbon.)

Resolve in favor of the town of Bridgton in the county of Cumberland.

On motion by Mr. Morse of Belfast, the vote was reconsidered whereby bill, 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, was passed to be enacted, and on further motion by the same gentleman the bill was tabled.

Orders of the Day.

On motion of Mr. Chase of York the vote was reconsidered whereby the House committed to the committee on engrossed bills, resolve providing for an appropriation for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, and on further motion by the same gentleman the resolve was recommitted to the committee on agriculture.

On motion of Mr. Buzzell of Fryeburg House Bill 158, An Act defining the Maine trunk line of highway through the State, was taken from the table, and on further motion by the

same gentleman it was assigned for Wednesday.

Mr. WILLIAMSON of Augusta: Mr. Speaker, I move that the rules be suspended and that the House receive at this time a resolve in favor of the acceptance of gifts from Ex-Governor Frederick Robie.

I will state that Ex-Governor Robie has given 20 shares of the stock of the First National Bank of Portland to the Eastern Maine Insane hospital for an amusement fund, and the same amount of the same stock to the Maine Insane hospital at Augusta for a library fund. Governor Robie is very ill. It is his desire that these gifts be accepted at once, and for many reasons it seems to me desirous that they should be accepted at once; and I move that the rules be suspended and the resolve be received without reference to a committee and that it take its two readings and be passed to be engrossed at this time.

The motion was agreed to, the resolve received its two readings and was passed to be engrossed.

On motion of Mr. Chase of York, House Bill No. 233, bill relating to the protection of trees and shrubs, was taken from the table, and on further motion by the same gentleman it was recommitted in concurrence with the Senate to the committee on agriculture.

On motion of Mr. Hodgkins of Damariscotta,
Adjourned.