

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

the next report ending June 30, 1910. And the difference between the two reports, 84.60 miles, is the difference reported.

Mr. MULLEN: Mr. President, and all the mileage under construction the previous summer was finished up then?

Mr. MILLIKEN: Mr. President, I so understand it.

The question being on the adoption of the amendment presented by the senator from Aroostook, the yeas and nays were ordered, and the secretary called the roll. Those voting yea were: Messrs. Blanchard, Boynton, Dodge, Donigan, Fulton, Kellogg, Leach, Mayo, Milliken, Moulton, Osborn, Pendleton, Stearns—13.

Those voting nay were: Messrs. Al-Jan, Chandler, Edwards, Farrington, Foss of Androscoggin, Foss of Cumberland, Gowell, Hill, Mullen, Noyes, Sanborn, Smith, Staples, Theriault, Winslow—16.

So the motion to adopt the amendment was lost.

The bill was then given its second reading and was passed to be engrossed.

On motion by Mr. Mayo of Hancock, Senate Document No. 134, An Act to amend Chapter 4 of the Revised Statutes in relation to the erection of wharves and fish weirs, was taken from the table. On further motion by the same senator Amendment A was adopted and the bill as amended was read and the second reading assigned for tomorrow morning.

On motion by Mr. Gowell of York, Senate Document No. 145, An Act to constitute nine hours a day's work for public employes, was taken from the table, and on further motion by the same senator was referred to the committee on labor, in concurrence.

On motion by Mr. Boynton of Lincoln,
Adjourned.

HOUSE.

Thursday, March 2, 1911.

Prayer by Rev. Mr. Nichols of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An Act to authorize the city of Lewiston to take ice from the Androscoggin river, Lake Auburn and other ponds in Androscoggin county, and sell the same at cost to its inhabitants.

Mr. Williamson of Augusta, moved that the rules be suspended and the bill be given its third reading at the present time.

Mr. WILSON of Auburn: Mr. Speaker, I wish to say one word in regard to this bill for the information of the House. About 1860 the first company to harvest and distribute ice for the citizens of Lewiston was founded. From that time down to the present there have been six companies doing business in the cities of Lewiston and Auburn. Each company has survived but a short time. The latter company has absorbed them and driven them out of business, and during this time they have been acquiring the rights along the banks of the Androscoggin river; they have gone out to Lake Auburn and acquired the rights there; they have gone to Sabattus and acquired rights there, so that today the ice company doing business there practically controls all the shore rights in and around the city of Lewiston where it would be practical to procure the supply of ice for municipal purposes. Two years ago the citizens of Lewiston decided that they wanted the privilege of cutting or harvesting their own ice, and in less than two days they secured a petition signed by more than 4000 people of the city of Lewiston and came down here before the Legislature and asked for that privilege. The matter was given a hearing before the judiciary committee, if I remember correctly, and an adverse report was brought into the House of Representatives. Notwithstanding that adverse report the House voted to grant them their request. It then went to the Senate and was there

killed by two or three votes. That, in brief, is the history of the ice proposition in the city of Lewiston. Now there is no reason why the citizens of Lewiston situated as they are—their ice being harvested cheaper than any other place in the State of Maine—there is no reason why they should not have the right to operate and cut ice for their own benefit. There is no question but what at the present time we are not paying an exorbitant price. But, gentlemen, in acquiring that property that ice company that tried to do business at Lake Auburn were forced to purchase the ice company in the city of Lewiston for its own protection. They were being driven out of business, and now with the property acquired at Lake Auburn they have got an immense amount of money invested, I don't know how much, and there is no doubt but what they have got invested in that ice proposition twice its actual value. They would not have invested their money in that business without expecting to get a fair return on the money invested, and I have no doubt but if the city of Lewiston is given the right of self-protection that the gentlemen who control this proposition—and they are shrewd business men—I have no doubt but you will find they will get a fair return, if not a large one, on the amount of money invested. We have before had questions of a similar nature. The city of Auburn, of which I am a representative, a few years ago had some complaint about their municipal water, and they claimed they were not being used fairly. They agitated the question and they were told that it was unconstitutional for the city of Auburn to go to Lake Auburn and get their water, but they came down to the Legislature 300 strong, and today we own the best water system in the State of Maine. They have argued that the idea of the city of Lewiston having a municipal ice plant is unconstitutional. The advocates of this measure are perfectly willing to submit the question of constitutionality to the proper authority. They don't want to rob anybody, they simply

want their rights, rights which nature has blessed them, as I have said, as no other city in the State of Maine is blessed with. This is no party measure. This is a local issue, and, gentlemen, it gives me pleasure to second the motion of the gentleman from Augusta; and I move that the rules be suspended and that the bill have its several readings and pass to be engrossed at the present time.

Mr. PLUMMER of Lisbon: Mr. Speaker, is the bill open for discussion now?

The SPEAKER: Yes.

Mr. PLUMMER: Mr. Speaker, I have no objection to the passage of this bill. I was unable to hear all that the gentleman from Auburn said about the matter, and I noticed that both he and the gentleman from Augusta looked towards the setting sun rather than the rising sun when making their remarks. I don't know whether that was for the reason that we on this side of the House need no instructions, or whether instructions would be wasted upon us. However, it may be, those are the facts of the case. As I said before, I have no objection to the passage of this bill. I would like, however, to call the attention of the House to one point in particular that I think was raised by the gentleman from Auburn. I have here a clipping from one of the Lewiston papers which I would like to read:

"The city of Lewiston's fight for a municipal ice plant which was started two years ago was renewed Thursday before the judiciary committee. By rights and titles dating back many years it is claimed that one company now has a monopoly of all the available or practical ice fields on the Androscoggin river and thus is able to absolutely control competition in the business."

That is the point to which I wish to direct your attention for just a minute. Of course I appreciate the fact that perhaps a few of us here may be considered extremely radical on some points and hold views that

are considered by many of the members to be fantastic, and perhaps they are, but they seem to be borne out to some extent by the remarks of the gentleman from Auburn and by the clipping from the paper, that the foundation of monopoly consists in the holding of land under our present tenure and that nobody else is able to get at it to use it. I merely want to call attention to one remedy which will always exist unless we alter or amend our constitution, and which can be invoked by the people of this State to suspend or put an end to monopoly at any time that it sees fit, and to compel people either to cut ice on the places that they hold or else to get off and let other people cut ice who may wish to do so, thus bringing into play the force of competition. Section nine of Article nine of the Constitution of Maine says "The Legislature shall never in any manner suspend or surrender the powers of taxation." As I said before, when you get ready to tax those things you can get ice or any other product at a fair price without bothering with any such proposition which in the long run I am inclined to think will be a failure as municipal ownership and operation of any enterprise which in its nature is open to competition.

The bill then received its third reading and was passed to be engrossed.

An Act to amend public laws in relation to marking of historical sites, came from the Senate recommitted to the committee on legal affairs.

The House voted to concur with the Senate in recommitting this bill to the committee on legal affairs.

An Act to provide for a departrment of labor and industry, prescribing its powers and duties, regulating the employment of labor and providing for factory inspection and to provide generally for violations of this act.

This bill was passed to be engrossed in the House, and in the Senate was amended by Senate amendments A and B.

Tabled and specially assigned for tomorrow morning on motion of Mr. Otis of Rockland.

An Act to amend Chapter 630 of the Special and Private Laws of 1909 to regulate fishing in Bagaduce river in Hancock county.

In the Senate this bill was recommitted to the committee on shore fisheries and the House voted to recommit in concurrence.

An Act to regulate the number and also the number of pounds of land-locked salmon, trout, togue, white perch which can be taken or had in possession in any one day by one person.

Tabled and assigned for tomorrow morning on motion of Mr. Bogue of Machias.

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

The Senate non-concurred with the House in the adoption of House amendments.

Tabled on motion of Mr. Allen of Jonesboro.

An Act authorizing the merger of the Somerset Railway Company, the Washington County Railway Company and the Sebasticook & Moosehead Railway Company with the Maine Central Railroad Company.

An Act for the protection of deer in York county.

This bill was amended in the House and comes from the Senate amended by Senate amendment A.

Mr. SLEEPER of South Berwick: Mr. Speaker, this bill has been amended so many times that I doubt if it would be thoroughly understood, and I therefore move that it be recommitted to the committee on inland fisheries and game.

Mr. CHASE of York: Mr. Speaker, I hope the motion of the gentleman from South Berwick will not prevail. The first bill that was introduced was to protect deer in the town of York. The town of York is simply a summer resort, and is second in size to Bar Harbor. We find that the people who come there in the good old summer time are very much interested in seeing wild life in the woods. It has been requested of me to have an

amendment to the law so that deer would be protected in the town of York. I tried to get an amendment of this kind through the legislature two years ago, but under some complication that happened at that time it did not get through. My friend, the gentleman from Kittery (Mr. Mitchell) which is an adjoining town, told me he wanted an amendment to include Kittery and Eliot, those towns constituting his class, and that his people there desired it. I of course was very much pleased to have him do so. I was then informed by the gentleman from South Berwick that if we undertook to extend that matter he would have the whole matter indefinitely postponed. My friend, the gentleman from Wells, (Mr. Littlefield) which is also an adjoining town, wanted this protection extended to that town, and he claimed that the people there wanted it, and several prominent gentlemen have talked with me about it, and they have very magnanimously offered to withhold the amendment for fear it would kill the bill. I told them to go ahead and if they wanted the deer protected in that town there was no reason why they should not have it, and so we have met this opposition and now this thing is referred back, a motion made to refer the matter back to the committee on Inland Fisheries and Game, of which the gentleman from South Berwick is a member, and the purpose of that motion is to kill the bill. I think it is entirely unnecessary. It does not affect the town of South Berwick where the gentleman lives, nor does it affect the people of that town. We do not want them over the lines into the towns of York, Kittery, Eliot or Wells, and we don't propose to have them either. I hope the motion offered by the gentleman from South Berwick will not prevail.

Mr. SLEEPER: Mr. Speaker, I hope the House will bear with me for just a moment while I explain my attitude in regard to this matter, and I will endeavor to give my reasons for making this motion. My motion to re-

commit was made for no other purpose except that the interest of all people concerned in this matter might be consulted. I have no other motive. I disclaim any motive which has been imputed to me by the gentleman from York. We want more light upon the question, and I simply want to find out whether the people in these various towns desire to have a close time in those towns or not.

Mr. CHASE: Mr. Speaker, the gentleman from South Berwick has already had three or four weeks to get all the light upon the subject he wanted, he has talked the matter over with me and he has talked the matter over with the gentleman from Wells, and he talked it over with the gentleman in the Senate who introduced this amendment. We understood and expected this thing was coming and he said he would bring it in here, and it is an effort to defeat the bill. I do not think it is right.

Mr. LITTLEFIELD of Wells: Mr. Speaker, as far as the people in my town are concerned I will say that I consulted them before I had this amendment put on, and I talked with the selectmen of the town and they were very much in favor of the measure. Some of my people were down here, people from the towns of Wells Eliot and York. It is not on my own account that I had it put on.

The question being on the motion of Mr. Sleeper of South Berwick, that the bill be recommitted.

The motion was lost.

The amendment was adopted, the bill received its third reading and was passed to be engrossed as amended in concurrence.

An Act to amend Section 37 of Chapter 8 of the Revised Statutes, relating to the taxation of telephone and telegraph companies, came from the Senate recommitted to the committee on taxation.

The House voted to recommit the bill to the committee on taxation in concurrence.

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

Judiciary.

By Mr. Hartwell of Old Town—Remonstrance against Peter Nicholas and others.

Also, Petition to amend Paragraph 111, Section 15, of Chapter 13, of the Revised Statutes.

Legal Affairs.

By Mr. Hartwell of Old Town—An Act additional to Chapter 92, Revised Statutes of 1903, referring to discharge of mortgages.

By Mr. Bisbee of Rumford—An Act authorizing the use of a check list at special town meetings.

By Mr. Weymouth of Saco—An Act to amend Section 2 of Chapter 105 of the Public Laws of 1909, relating to defining and regulating the practice of Optometry.

Education.

By Mr. Fenderson of Limerick—An Act to amend Section 63 of Chapter 15 of the Revised Statutes as amended by Chapter 73 of the Public Laws of 1907, relating to tuition in High schools. (Tabled for printing pending reference on motion of Mr. Murphy of Portland.)

By Mr. Allen of Columbia Falls—Petition of Webster H. Joy and 14 others of Addison for change in distribution of mill tax for schools.

By Mr. Manter of Parkman—Petition of G. H. Hamilton and 14 others of East Dover, for same.

By Mr. Wheeler of Paris—Petition of F. L. Wymann and 30 others of West Paris, for same.

Also, Petition of Roland Pierce and 22 others of Buckfield, for same.

Also, Petition of George S. Boutelle and 14 others of Paris, for same.

By Mr. Burkett of Union—Petition of B. F. Jones and 13 others of Union, for same.

Pensions.

By Mr. Soule of Windham—Petition of James A. Magnussen and 45 others, citizens of Windham, in favor of a law providing for State aid to all soldiers of the Civil War.

York County Delegation.

By Mr. Pike of Cornish—An Act to amend Chapter 173 of the Laws of 1905, relative to the clerk hire of the register of deeds in York county.

Reports of Committees.

Mr. Dunn from the committee on legal affairs reported "ought not to pass" on Bill, An Act to amend Chapter 84 of the Public Laws of 1907, relating to employment agencies.

Mr. Hastings from the committee on appropriations and financial affairs reported same on Bill, An Act to amend Paragraph 4 of Section 1 of Chapter 116 of the Revised Statutes of 1903, relating to salaries of public officers.

Mr. Otis from same committee reported same on Bill, An Act relative to the retirement of certain veterans in the service of the State.

Mr. Hodgman from the committee on banks and banking reported same on Bill, An Act additional to Chapter 43 of Revised Statutes, relating to savings banks, providing for a thorough audit of liabilities as well as assets. (Report tabled pending acceptance on motion of Mr. Goodwin of Biddeford.)

Same gentleman from same committee reported same on Bill, An Act to amend Section 16 of Chapter 43 of the Revised Statutes.

Same gentleman from same committee reported same on Bill, An Act to amend Section 23, Sub-Division 6, clause "d," of Chapter 43 of the Revised Statutes as amended by Section 6 of Chapter 69 of the Public Laws of 1907, relating to investments legal for savings banks.

Mr. Harmon from the committee on shore fisheries reported same on Bill, An Act to regulate the standard measurement of herring for smoking purposes.

Mr. Wilkins from the committee on towns reported same on Bill, An Act to set off a certain estate and the inhabitants thereof from the Norway Village Corporation.

Mr. Otis from the committee on appropriations and financial affairs reported "ought not to pass" on Resolve in favor of the York County Children's Aid Society.

Mr. Mallet from same committee reported same on Resolve in favor of the Holy Rosary School at Frenchville, in the county of Aroostook.

Mr. Shea from same committee reported same on Resolve to provide

for the completion of old plans of towns in Knox county.

Mr. Kelleher from same committee reported same on Resolve in favor of the city of Waterville for reimbursement for State paupers. (Report tabled pending acceptance on motion of Mr. Pattangall of Waterville.)

Mr. Strickland from same committee, on Resolve to provide for the payment of bounties on bears killed in Washington and Hancock counties, as provided by Chapter 249, Public Laws of 199, for the year 1911 and for the year 1912, reported that an appropriation for the purpose is required to be made by the public law cited, and the amount of \$1000 per year for the years 1911 and 1912 will be carried in the appropriation bills for those years; the resolve is unnecessary, and ought not to pass.

The majority report of

The committee on federal relations reported "ought not to pass" on Resolve of reciprocity with Canada.

(Signed)

Messrs. CHANDLER,
SANBORN,
PINKHAM,
KNIGHT
THERIAULT
DOW

The minority report of the committee on federal relations, on Resolve in favor of reciprocity with Canada, reported "ought to pass in new draft accompanying."

(Signed) Messrs. WILKINS,

MOWER,
WOODSIDE.

(Report tabled pending acceptance and ordered printed, and assigned for Tuesday, on motion of Mr. Hogan of Portland.)

Mr. Skehan from the committee on State lands and State roads reported same on Resolve authorizing the State land agent to sell Ram island to Albert Norton.

Mr. Harmon from the committee on State School for Boys and Industrial School for Girls reported same on Resolve in favor of the Maine Industrial School for Girls, for land and buildings.

Mr. Dow from the committee on

federal relations, on Resolve relating to conquest of territory by the United States, reported that legislation thereon is inexpedient.

Mr. Stetson from the committee on interior waters, on Petition of Bert Chandler and four others for a law to prevent the flooding of their lands by Carleton stream, Waldo county, reported that the petitioners have leave to withdraw.

Mr. Clark from the committee on inland fisheries and game, on Petition of Harry Farnham and 42 others, residents of Sagadahoc county, asking that the duck law in Sagadahoc county be amended so that it shall be lawful to hunt ducks in said county from March 15 to April 15, in addition to the open season now provided by law, reported that the petitioners have leave to withdraw.

Mr. Harmon from the committee on shore fisheries, on Petition of George T. Mansfield and others of Jonesport praying for the privilege to erect and maintain a fish weir in the waters of Chandler's River bay in Jonesport, reported that the petitioners have leave to withdraw.

Same gentleman from same committee, on Petition of Andrew M. Gray and 240 others praying that Chapter 360 of the Laws of 1909 be repealed, and substitute therefor enclosed bill relating to taking of smelts in Bagaduce river, reported that the petitioners have leave to withdraw.

The reports were accepted.

Mr. Peters from the committee on legal affairs reported "ought to pass" on Bill, An Act to incorporate the Winter Harbor Light Company.

Mr. Skehan from the committee on railroads and expresses reported same on Bill, An Act for the better protection of the forests from fire.

Same gentleman from same committee reported same on Bill, An Act to establish the Lubec, East Machias and Machias Railway Company.

Same gentleman from same committee reported same on Bill, An Act to incorporate the Knox County Central Railroad.

Same gentleman from same committee reported same on Bill, An Act to prohibit the removing of waste of

packing from the journal box or boxes of any locomotive or car.

Same gentleman from same committee reported same on Bill, An Act to extend the charter of the Rangeley Lakes and Megantic Railway Company.

Same gentleman from same committee reported same on Bill, An Act regulating the use of rights and locations in public streets.

Mr. Wilkins from the committee on towns reported same on Bill, An Act to incorporate the town of Eagle Lake.

Mr. Wilson from the committee on legal affairs, on Bill, An Act relating to liens on lands, reported that the same ought to pass in new draft accompanying.

Mr. Peters from same committee, on Bill, An Act to grant certain powers to the Hancock county trustees of public reservations, reported that the same ought to pass in new draft accompanying.

Mr. Dunn from same committee, on Bill, An Act to create a cemetery association in the town of Orrington, reported that the same ought to pass in new draft accompanying.

Mr. Skehan from the committee on railroads and expresses, on Bill, An Act to amend and extend the charter of the Belfast and Liberty Electric Railroad Company, reported the same in a new draft, under the title of "An Act to amend and extend the charter of the Belfast and Liberty Electric Railroad Company," and that it ought to pass.

Mr. Hodgman from the committee on banks and banking, on Bill, An Act amendatory of and additional to Chapter 48 of the Revised Statutes, relating to annual examinations of savings banks and trust companies and verification of savings deposits, reported the same in a new draft, under the title of "An Act amendatory of and additional to Chapter 48 of the Revised Statutes, relating to annual examinations of savings banks and trust companies and verification of savings deposits, and that it ought to pass. (Tabled pending acceptance and new draft ordered printed, on motion of Mr. Goodwin of Biddeford.)

Same gentleman from same committee, on Bill, An Act to regulate the investment of deposits in banks and trust companies, reported the same in a new draft, under the title of "An Act to regulate the investment of deposits in banks and trust companies," and that it ought to pass.

Mr. Stetson from the committee on Interior Waters, on Bill, An Act to prevent the throwing or refuse or mill waste into the Baskahegan Stream, reported the same in a new draft, under the title of "An Act to prevent the throwing of refuse or mill waste into the Baskahegan Stream," and that it ought to pass.

Mr. Lawry from same committee, on Bill, An Act granting certain powers to the Eastport Water Company, reported the same in a new draft, under the title of "An Act granting certain powers to the Eastport Water Company," and that it ought to pass.

Mr. Emerson from same committee, on Bill, An Act granting certain powers to the Pennamaquam Power Company, reported the same in a new draft, under the title of "An Act granting certain powers to the Pennamaquam Power Company," and that it ought to pass.

Mr. Harmon from the committee on shore fisheries, on Bill, An Act to protect striped and sea bass in the waters of the Sheepscot river and its tributaries, reported the same in a new draft under the title of "An Act to protect striped and sea bass in the waters of the Sheepscot river and its tributaries," and that it ought to pass.

Mr. Wilkins from the committee on towns on Bill, An Act to amend Section 89 of Chapter 94 of the Public Laws of 1909, relating to the compensation of selectmen, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Hastings from the committee on appropriations and financial affairs reported "ought to pass" on Resolve providing for carrying on the work of the State Survey Commission.

Mr. Kelleher from same committee reported same on Resolve in favor of the Children's Protective Society of Portland.

Mr. Bisbee from same committee report-

ed same on Resolve in favor of the Bar Harbor Medical and Surgical hospital, located at Bar Harbor, Maine.

Mr. Macomber from the committee on agriculture reported same on Resolve in favor of the Maine Seed Improvement Association.

Mr. Skehan from the Committee on State Lands and State Roads reported same on Resolve in favor of selling to actual settlers certain public lots in Cary Plantation, Aroostook County.

Mr. Mallett from the Committee on Appropriations and Financial Affairs, on Resolve in aid of Trull Hospital Aid Association, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Hastings from same Committee, on Resolve in favor of the Woman's Christian Temperance Union Temporary Home for Children, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Kelleher from same Committee on Resolve in favor of the Augusta General Hospital, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Strickland from same Committee, on Resolve in favor of Eastern Maine General Hospital, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Otis from same Committee, on Resolve in favor of the Good Samaritan Home Association of Bangor, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Mallet from same committee, on Resolve in favor of the Children's Aid Society of Maine, reported the same in a new draft under the title of "Resolve in favor of the Children's Aid Society of Maine, located at Belfast," and that it ought to pass.

Mr. Hastings from same committee, on Resolve in favor of the Maine Mission for the Deaf, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Kelleher from same committee, on Resolve in favor of the Healey Asylum, reported the same in a new

draft, under the title of "Resolve in favor of the Healey Asylum, located at Lewiston," and that it ought to pass.

Mr. Otis from same committee, on Resolve in favor of the Bath City hospital, reported the same in a new draft under the same title and that it ought to pass.

Mr. Shea from same committee, on Resolve in favor of the York hospital, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Mallet from same committee, on Resolve in favor of the Maine Children's Home Society, reported the same in a new draft under the title of "Resolve in favor of the Maine Children's Home Society of Augusta," and that it ought to pass.

Mr. Hastings from same committee, on Resolve in favor of the Old Town hospital, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Otis from same committee, on Resolve in favor of the Children's Heart Work Society of Maine, 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 Knox County General hospital, reported the same in a new draft under the same title, and that it ought to pass.

Same gentleman from same committee, on Resolve making an appropriation for the purpose of obtaining information in regard to wild lands for the purpose of taxation, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Strickland from same committee, on Resolve in favor of the Maine State Sanatorium Association, 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 Bangor Children's Home, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Shea from same committee, on Resolve in favor of the Webber Hospital Association of Biddeford, reported the

same in a new draft under the same title and that it ought to pass.

Mr. Bisbee from same committee on Resolve in favor of the Bath Military and Naval Orphan Asylum, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Mallet from same committee on Resolve in favor of the hospital of the Daughters of Wisdom of St. Agatha, in the county of Aroostook, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Kelleher from same committee on Resolve in favor of the town of Trescott reported the same in a new draft under the same title, and that it ought to pass.

Mr. Hastings from same committee on Resolve in favor of the town of Norridge-wock reported the same in a new draft under the same title, and that it ought to pass.

Mr. Kelleher from same committee on Resolve in favor of the Androscoggin Anti-Tuberculosis Association reported the same in a new draft under the same title, and that it ought to pass.

Mr. Strickland from same Committee, on Resolve in favor of the Central Maine Association for the Relief and Control of Tuberculosis, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Kelleher from same Committee, on Resolve in favor of the Maine School for the Deaf, 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 repairing the road known as the Lake Road in Township C and C Surplus in Oxford County, with a statement of facts, reported the same in a new draft, under the title "Resolve in favor of repairing the road known as the Lake Road in Township C and C Surplus in Oxford County, with a statement of facts," and that it ought to pass.

Same gentleman from same committee, on Resolve in favor of roads in Indian Township, reported the same in a new draft under the title of "Resolve in favor of roads in Indian

Township" and that it ought to pass.

Mr. McCready from the committee on claims, on Resolve in favor of the town of Danforth, reported the same in a new draft under the title of "Resolve in favor of the town of Danforth," and that it ought to pass.

Mr. Kelley from same committee, on Resolve in favor of Frank H. Sterling, reported the same in a new draft under the title of "Resolve in favor of Frank H. Sterling," and that it ought to pass.

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

First Reading of Printed Bills.

Resolve in favor of repairing the road across townships numbered five (5) range seven (7), six (6) range seven (7), six (6) range six (6) and six range eight (8) in Penobscot county.

Resolve in favor of aid in building a highway bridge across Moose river, in Jackman plantation in the county of Somerset.

Resolve in favor of aid in repairing road from The Forks to Lake ^{Maria} station.

An Act to extend the provisions of Chapter 361 of the Private and Special Laws of 1907, relating to fishing in the Fenderson brook, and its tributaries, in the town of Parsonsfield.

An Act to amend Section 1 of Chapter 117 of the Public Laws of 1909, relating to the taking of white perch.

An Act to amend Chapter 407 of the Private and Special Laws of 1903, as amended, relating to ice fishing in Eagle lake, in the town of Eden, county of Hancock.

An Act to prohibit the catching or taking of eels in Saint Georges river, in Warren, in the county of Knox, in any other way or manner than by hook and line or with spears.

An Act to repeal Chapter 326 of the Private and Special Laws of 1909, relating to fishing in Webbs river and its tributaries, in the town of Carthage, in the county of Franklin.

An Act to prohibit the throwing of sawdust and other mill waste into the South Branch of the Piscataquis river, in the town of Kingsbury, and in the tributaries to said South Branch of Piscataquis river in said town of Kingsbury, and in Thorn Brook, so-

called, and its tributaries, in the towns of Abbot, Kingsbury and Blanchard, in the county of Piscataquis.

An Act to prohibit the throwing of sawdust and other mill waste into Duck Puddle pond, so-called, Pemaquid pond, so-called, Biscay pond, so-called, and Boyds pond, so-called, all in the country of Lincoln.

An Act to repeal Chapter 393 of the Private and Special Laws of 1909, relating to fishing in Royals river.

An Act to regulate fishing in Whetstone pond, so-called, situated in the town of Kingsbury in the town of Blanchard, in the county of Piscataquis.

An Act to regulate fishing in Hall pond, in the town of Paris, county of Oxford.

An Act to amend Chapter 160 of the Private and Special Laws of 1909, relating to fishing in Spear stream and its tributaries, in the town of Peru, in the county of Oxford.

An Act to regulate fishing in the tributaries of Big Concord pond, in the town of Woodstock, in the county of Oxford, and to repeal Chapter 347 of the Private and Special Laws of 1905.

An Act to regulate ice fishing in Fitts pond, sometimes called Little Fitts pond, in the town of Clifton, in the county of Penobscot. (Tabled pending second reading on motion of Mr. Bearce of Eddington.)

An Act relatives to the Bangor and Brewer bridge.

Passed to Be Enrolled.

An Act to provide for the weekly payment of wages.

An Act to incorporate the Ogunquit Sewerage Company.

Mr. DUTTON of China: Mr. Speaker, as a member of the committee on bills in the third reading I would say that your committee believes that in House bill No. 307 there is a mistake, and they would therefore recommend that it be recommitted to the committee on judiciary.

The motion was agreed to.

An Act to repeal An Act relative to party caucuses in the city of Augusta.

Passed to Be Enacted.

An Act to incorporate the town of Merrill.

An Act to incorporate the Westfield water Company.

An Act relating to the Mount Desert Transit Company.

Finally Passed.

Resolve in favor of the town of Baileyville.

Resolve in favor of the town of Porter.

Resolve in favor of the town of Hermon.

Resolve in favor of Arlington J. Day.

Orders of the Day.

On motion of Mr. Pattangall of Waterville, Bill, An Act for the creation of water districts and the control and regulation of water storage and water companies, 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. Williamson of Augusta, Bill, An Act to amend Section 20 of Chapter 6 of the Revised Statutes relative to polling places, was taken from the table, and on further motion by the same gentleman it was referred to the committee on judiciary.

Today assigned: An Act to remove the office of the register of deeds for the Northern Aroostook Registry District from Madawaska to Van Buren.

Mr. Cyr of Fort Kent offered an amendment, by striking out and inserting the following: "Section 1. Section 7 of chapter 11 of the Revised Statutes is hereby amended by striking out the word 'thirteen' in line thirteen and inserting the word 'fourteen,' and striking out the word 'Madawaska' in the last line of said section and inserting the words 'Fort Kent or Van Buren as shall be designated as hereinafter provided.' "

Mr. CYR of Fort Kent: Mr. Speaker, and gentlemen, I realize that the hour is getting late and I will be as brief as possible. Now I do not want to accuse the gentlemen of the Aroostook delegation of unfairness in dealing with this subject but I contend that they were made to believe by some able attorney presenting the

Van Buren interest that they were interested in this matter. I had placed upon the desks of the members yesterday morning a map, and I see this morning on the desks another map. I think some of the members of the Aroostook delegation have been talking so much railroad that they cannot make anything out of my map except railroad. Now I want to explain that this heavy line on my map does not indicate a railroad but indicates a State highway. The reason I prepared my map was so that you could distinguish on the map the northern district from the southern district. I want the members to understand that the lower half of Aroostook county had been provided with an office years ago and it is still there at Houlton. When this northern district was established years ago it was established to accommodate the people of that district and not of the whole county; and if it was at that time to accommodate the people of that district, why is it to-day a question of whether it accommodates the whole county or not? I would like to ask through the Chair a few questions of some of the members of the Aroostook Delegation in regard to this matter. I would like to interrogate the gentleman from Caribou.

The SPEAKER: The gentleman may ask his question.

Mr. CYR: I want to ask whether or not if the gentleman bought a piece of land from his neighbor or sold a piece to his neighbor, if he would not be required to record that title in the registry at Houlton or at Madawaska?

Mr. POWERS: I would.

Mr. CYR: And if the gentleman sold a piece of land or bought a piece of land in Caribou, where would he register the title, the deed that he got?

Mr. POWERS: At Houlton.

Mr. CYR: I desire to ask a question of the gentleman from Fort Fairfield. If you had a piece of land and you got a deed, where would you register your deed?

Mr. TRAFTON: Mr. Speaker, I think all the members who desire

information in regard to those matters can get it better perhaps by referring to the map which is upon our desks. I would say that all deeds of land in the section indicated by the Northern District of course should be recorded in the Northern District, the registry which is at present located at Madawaska; all deeds in Aroostook county of land in the Southern District would be recorded of course in the Southern District located at Houlton.

Mr. CYR: Mr. Speaker, from the replies of the gentlemen I am satisfied that this Northern District was established for the benefit of the people of that special district and not for the people of the Southern District; and I believe that if it was established for those people it should be left for those people to choose where to place the building. That is the reason I have offered my amendment. When this Northern registry was established in 1845, 66 years ago, the Aroostook delegation consisted of only three members, and I do not believe the matter was left to them to choose where to put the registry of deeds; if it had been, I believe they would have placed it on the southern line of that district near Caribou. The Legislature of 1845 deemed it wise to place the office at Madawaska. The idea appealed to them that in the future that territory would be settled; and, gentlemen, today we have a population in Madawaska of almost two to one over what would go to Van Buren. We are doing a larger part of the business up there and we have a majority of the population up there and we certainly have the territory. Let me cite one instance. You are all acquainted with the company known as the Bangor & Aroostook Railroad that has reason to employ some very able attorneys. Last summer it became necessary for them to employ somebody to look up titles in the registry of deeds in the Northern District. They were buying rights of way from Van Buren to Fort Kent. If it had been wise for them to employ an attorney they would have done so, but they would not trust their

case in the hands of attorneys in this instance, they hired a man who formerly held the office up there and placed him there for a week or ten days making an abstract of different titles. This goes to show that if the office was in Van Buren or Fort Kent, the business going to the attorneys from that office in that direction would not amount to very much. And when people want to look up titles I don't believe they want to pay attorneys for looking them up when the officer himself can make an abstract and only charge fifty cents or \$1.50, whereas of they employed an attorney they would have to pay \$4 or \$5 a day and then he would have to have the assistance of the work done by the officer.

According to their map which they have produced here the case would appear to be favorable to Van Buren, but on the other hand by reference to our map you can see for yourselves where the population is today, and whether or not this question should be decided by the delegation more or less tied up by different combinations against us. I have drawn the line on our map and divided the territory between the Fort Kent district and the Van Buren district to show the situation in case the office was placed at Van Buren or at Fort Kent.

Now they claim that the offer of \$3000 is worthy of consideration. Van Buren offers \$3000. I admit that, I do not deny it; I am willing they should. Why shouldn't they? They have got lots of money. We haven't got any money up there to give. My constituents did not send me here to buy the people to vote for my cases. I have no pet measures. If this measure has got merit I want you to support it and I am willing to rest my case on its own merits. Now, Mr. Speaker, I move that my amendment be adopted.

Mr. PELLETIER of Van Buren: Mr. Speaker, the question of the removal of the registry of deeds from Madawaska to Fort Kent was brought about by the introduction of a certain bill in the present Legislature asking this Legislature to authorize the county commissioners of Aroostook county to expend the sum of

\$10,000 for the building of a fireproof building and a fireproof vault for the records of the northern district. The commissioners came down and appeared before the county delegation. They testified that they had made a thorough investigation of the office and vault in Madawaska and also had employed a vault expert to make a thorough examination of the vault to see whether it was safe or not. The result was that the vault at the present time is found to be very unsafe. They testified that there was an opening below the door of the vault of some one-half inch in width through which the flames might enter in case of a fire and destroy or damage the records in the vault. Now what was true in that respect three weeks ago when they made their examination up there must be true today and will be true as long as the records are stored in that vault. The county commissioners, realizing the danger to our records, have asked that the emergency clause be attached to this bill in order that they may be able to start upon the new building as quickly as possible. What will be the effect of this amendment? The effect of this amendment will be delay of construction of this new fireproof vault and office until September, until the people can have a chance to vote upon this question, and so subject the records to danger in the meantime. I say that the safety of these records in the northern district is the vital question before us. We cannot afford to allow our records to remain in that vault until September. I say that whoever votes to adopt this amendment votes in the first place to delay the construction of the new fireproof vault until September, whoever votes for the amendment will vote to say to the people of the State of Maine that they do not care whether our records are destroyed or not. That is the objection I have to this amendment. I want to say just a word to the gentleman from Fort Kent. I want to tell him that the attorneys from Van Buren, when they come to the registry of deeds there, do not charge simply \$4 or \$5. I don't know of a case where they charge less than \$20 a day. The reason they employed the gentleman from Fort Kent, Joseph F. Cyr of

Fort Kent, was because he was a very good man, not from the fact that he belongs in Fort Kent or in Van Buren. (Laughter.) Mr. Cyr has been register of deeds there for quite a long time and he is thoroughly well posted in regard to the records and he is a very good man and he was employed not because he belonged in Fort Kent at all.

Mr. HERSEY of Houlton: Mr. Speaker, I asked the patience of the House yesterday morning for a little while to explain this matter and I am not going over it again. I have no interest in the special interests between Van Buren and Fort Kent as to which one of them has a county building in their village. They have looked upon this matter, both those little villages, as a football to be kicked back and forth between them as to which one shall have it. My county is interested because it is a county building that is to be built. It is a county registry, and if there is to be any referendum put upon this bill it should be a referendum of the county of Aroostook. I do not think that Van Buren or Fort Kent either should have the say about it as to where it should be. I don't think that either Fort Kent or Van Buren should divide up their inhabitants and say that whichever one had the most inhabitants should have the registry and the rest of the county look on and have nothing to say about it.

Now this amendment is for a referendum in the northern district and to my mind it is child's play. The referendum is a good thing. I approve of it, but it should not be made a plaything. A hundred measures go from this Legislature where men differ, where you have minority reports and majority reports; and every time that a majority report is accepted in this Legislature is the minority coming in and putting on a referendum? It is nonsense. The nine members of the Aroostook county delegation outside of Van Buren and Fort Kent unanimously decided where the registry of deeds should be in Aroostook county for the northern registry, and yesterday morning this House unanimously adopted

that report. Now do you want to thresh over the old straw that was threshed out at midnight before the committee and threshed out here yesterday morning? Do you want to say to the country of Aroostook that you are going to take the referendum and put it on to the northern district and let these two towns play shuttlecock in the matter of the northern registry, or are you going to say that that matter having been settled by the committee and having been accepted by the acceptance of the majority report in this House, that now the county of Aroostook will take care of their matters without taking any further time of this Legislature? I hope the amendment will not prevail.

Mr. PETERS of Ellsworth: Mr. Speaker, it is difficult for me to get any exact idea of the merits of this matter, but it occurred to me that we could not do better than to leave the question to abide by the decision of the majority of the representatives from Aroostook county. It is a matter which concerns them far more intimately than it does any other section of the State, and in matters like this I believe in acceding to the judgment of the local representatives; and in this case it is so large a majority that I have no hesitation in saying that I hope the House will vote against this amendment and in favor of the report of the majority of the Aroostook delegation.

Mr. WILLIAMSON of Augusta. Mr. Speaker, I want to take the time of the House to say just a word on this matter: If I understand it correctly, in the district to be affected by this registry there are in this Legislature four gentlemen representing the district, three in the House and one in the Senate. They are evenly divided as to party I believe. If I understand the report correctly the minority report is signed by three of those gentlemen. In other words, three of the gentlemen who live up there in the northern part of the county, want this registry at Fort Kent. One who lives at Van Buren wishes it to be at Van Buren. I have no doubt they are all equally honest in their desires

in the matter. Now it seems to me that this is a pretty good question to leave to the people that live right there in that northern district where there are 21,000 people. It is larger than several of the counties; and I believe they are just as capable up there in the northern part of the county of Aroostook to decide their affairs as we are down here or in any other part. If the State of Maine should make an appropriation to some city here they would not want a referendum of the whole State to decide just where that appropriation in that particular city should be expended. If you granted an appropriation for a hospital in this city, you would not want the whole state to vote whether the hospital should be on one side of the river or the other. You would let us settle that. It is just the same in Aroostook county. I do not believe the southern part of Aroostook county cares anything about that question I believe they would be willing that this matter should be left to the people who live up there. I believe that is the fair thing. Van Buren is a little more accessible to the southern part of the county but I believe Fort Kent is pretty well situated, but aside from the question of situation it seems to me that we ought to let them settle it by their own vote and I think everybody will be satisfied.

Mr. PELLETIER: Mr. Speaker, I want simply to add a word. You will notice on the map here the line of the Bangor & Aroostook Railroad from Houlton. From Houlton you go to Ashland Junction and thence you go to Fort Kent. That is the line of the Bangor & Aroostook Railroad. Then we have a road from Caribou across to Fort Kent. That is a highway road; they have no railroad. Van Buren is far more accessible to the vast majority of the people all over the county than is Fort Kent. They can go to Van Buren and get back the same day from any direction.

Mr. POWERS of Caribou: Mr. Speaker, that statement is true. Van Buren will accommodate all of the people in the southern district or southern part of the county very

much more than will Fort Kent. You take the towns of Fort Fairfield, Limestone, Presque Isle, Caribou, and all of those towns south, and they can get to Van Buren with very much less inconvenience by taking the old line than they can by going to Ashland Junction and then up to Fort Kent in that way. That is certainly so and all of the delegates from Aroostook county south of Presque Isle voted in favor of Van Buren. A great deal of the business in Presque Isle is done in the northern registry. Caribou used to belong to the northern district, that is, the northern part of Caribou was in the northern district before it was annexed to Caribou. The gentleman from Fort Kent has stated correctly in relation to the question of ease of access. Van Buren is much more easy of access than is Fort Kent.

Mr. PATTANGALL of Waterville: Mr. Speaker, if I understand the effect of this amendment offered by the gentleman from Fort Kent, if it is adopted this debate will be adjourned from here up to the St. John river and the whole matter will be fought out there where the people know something about it, and it seems to me the matter is getting a little complicated here for us folks who live outside of Aroostook and don't know much about things up there, and that it would not be a bad idea, considering the fact that the matter is complicated and that it is getting along pretty well towards dinnertime, that we adopt the amendment and let them finish the debate at home.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I would like to inquire how many there are in this House who can vote intelligently on this matter? I am sure I cannot. It seems to me that the proposition of the amendment is a fair one and that the people in that section can vote intelligently in regard to the matter and that they should be allowed to do so.

Mr. LITTLEFIELD of Bluehill: Mr. Speaker, it seems to me when these gentlemen from that section come here and ask for a referendum in this question that we should grant it to them. There is nothing fairer than the

referendum. The gentleman who spoke in favor of Van Buren said that their records are in danger from fire and damage. I want to suggest that if we make this a law, under the State referendum that law would not take effect until about the first of July; it would only be a delay of about two months.

Mr. AUSTIN of Phillips: Mr. Speaker, I rise simply to ask a question. I see that the time of this proposed vote is set for the second Monday of September, 1911, and I believe that is the date set for the special election in regard to resubmission. I do not want to bring up that question, though, (laughter) I simply was wondering whether or not this date might conflict with the date set for the special vote on resubmission in September. I think if it did it might have nothing whatever to do with it, still it might be well to set some other date.

Mr. POWERS: Mr. Speaker, I would have no objection to a referendum of the whole county but for that question I think it would be unfair.

Mr. CYR: Mr. Speaker, I claim that it has not been necessary for people to go to the registry of deeds to look up titles to any great extent. The record shows that only two persons were there last year from Bangor, two from Houlton, one from Augusta, and I believe that most of those parties could have reached Fort Kent just as well as they could have gone to Van Buren. In fact we live nearer Bangor by about 19 miles.

In regard to the date of the special vote, we made that date because we wanted to save the expense of a special call. Now we do not want to leave this matter to the whole county, because you see what the feeling of the delegation from Aroostook is. We do not want to have to make a canvass of the whole county; we want simply to leave it to those people up there.

The question being on the adoption of the amendment, a division was had and the amendment was adopted by a vote of 65 to 33.

The bill then received its two readings as amended and was assigned for tomorrow morning.

On motion of Mr. Otis of Rockland, Bill No. 251 was taken from the table.

On motion of Mr. Otis Senate amendments A and B were adopted.

The bill then received its third reading and was passed to be engrossed as amended.

On motion of Mr. Pattangall of Waterville, Bill, An Act to appropriate moneys for the payment of salaries fixed by law of the year 1911, was taken from the table.

On motion of Mr. Pattangall the report of the committee was then accepted.

Mr. Pattangall offered House amendment A by striking out salaries of such officials as may be changed under bills now before the Legislature.

The amendment was adopted and the bill then received its two readings, and on motion by Mr. Pattangall the rules were suspended, the bill received its third reading was passed to be engrossed as amended.

On motion of Mr. Wilson of Auburn, Bill, An Act to provide for a State certification of all teachers of public schools, was taken from the table.

On motion of Mr. Wilson the rules were suspended, the bill received its three several readings and was passed to be engrossed.

On motion of Mr. Hogan of Portland, Ordered, that there be printed the usual number of copies of bills relative to collateral inheritance taxes recently referred to the judiciary committee.

On motion of Mr. Plummer of Lisbon, bill relating to the registration of physicians and surgeons was taken from the table.

The bill then received its third reading and was passed to be engrossed.

On motion of Mr. Pattangall of Waterville,

Ordered, that the clerk of the House cause to be prepared for the use of the members a schedule showing the appropriations already passed by the Legislature, the pending appropriations which have been favorably reported from committees, and appropriations still pending before committees and not yet reported; that said schedule may be brought up to the date of March 8 and be presented to

the House at the opening of the session on that day.

On motion of Mr. Hersey of Houlton, Bill, An Act regulating the sale of agricultural seeds and fertilizers, etc., was taken from the table.

Mr. Hersey offered an amendment to the bill, and pending its adoption on his motion the bill and amendment were laid on the table and the amendment ordered printed.

On motion of Mr. Peters of Ellsworth the rules were suspended and he introduced bill in relation to the Ellsworth municipal court, and on his further motion it was referred to the committee on legal affairs.

On motion of Mr. Wheeler of Paris, Bill, An Act to incorporate the Lincoln Water Company, was taken from the table, and on further motion by Mr. Wheeler the report of the committee was accepted.

Mr. TRAFTON of Fort Fairfield: Mr. Speaker, I move a suspension of the rules to introduce a resolve. I wish to say in relation to the matter that this resolve is in favor of Fred A. Thurlough, former sheriff of Aroostook county, to reimburse him in the sum of \$313.98 for expenses incurred by him in defending suits brought by the Boston wholesale liquor dealers against the sheriffs of the State of Maine. Mr. Thurlough was

selected as defendant in this matter to contest these cases. The reason that this matter has not been presented to this House before is because the case has only just been decided or disposed of in the United States Circuit Court. On the 23rd of February the case was disposed of and Mr. Thurlough is now bringing this resolve here and requests that it be received at this time. I hope the House will consent to receive it.

The motion was agreed to and on motion by Mr. Trafton the resolve was referred to the committee on claims.

On motion of Mr. Sleeper of South Berwick, bill, An Act to incorporate the Clark Power Company, was taken from the table and on further motion by Mr. Sleeper it was recommitted to the committee on judiciary.

On motion of Mr. Kelleher of Portland, resolve in favor of the city of Waterville, was taken from the table, and on further motion by Mr. Kelleher it was recommitted to the committee on appropriations and financial affairs.

To-day Assigned: An Act for the regulation of herring fisheries.

On motion of Mr. Heffron of Eastport this bill was reassigned for Thursday of next week.

On motion of Mr. Hersey of Houlton, Adjourned.