

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

On further motion by the same senator, the rules were suspended and the resolve was given its two readings and was passed to be engrossed.

Mr. MILLIKEN of Aroostook: Mr. President, I would suggest that the resolve might be printed, if there is no objection.

Mr. ALLAN: Mr. President, I should have stated that the resolve provides for no change in the present apportionment.

On motion of Mr. Boynton of Lincoln, Bill, An Act to provide for the erection of the Portland bridge, was taken from the table.

On further motion by the same senator, the bill was then referred to the committee on ways and bridges in concurrence.

On motion by Mr. Milliken of Aroostook, House Document No. 359, An Act in addition to Chapter 93 of the Revised Statutes, relating to liens on lands, was taken from the table.

Mr. MILLIKEN: Mr. President, and gentlemen, I tabled this because on a hasty examination it seemed to me doubtful whether it was advisable to extend the lien law so much that the man who mows a lawn should have a lien on that lawn for his pay. I am still doubtful about this matter, but as it was passed upon by a committee of lawyers I do not wish to put my judgment against theirs. I now move that the bill take its second reading and passed to be engrossed.

The motion was agreed to, and the bill was given its second reading and was passed to be engrossed.

Bill, An Act to extend the provisions of Chapter 215 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 in this body and amended, and the amendment was in such form that it could not be properly incorporated in the bill.

The vote whereby the bill was passed to be enacted, and the vote whereby the bill was passed to be engrossed, were reconsidered, and the bill was then re-committed to the committee on legal affairs for correction.

Bill, An Act to provide for a Department of Labor and Industry, was found to contain an error.

The action whereby the bill was passed to be engrossed was reconsidered and the bill was then re-committed to the committee on labor.

Bill, An Act to amend Section 1 of Chapter 84 of the Revised Statutes, relating to order of notice by the supreme judicial court.

The action whereby this bill was passed to be enacted and was passed to be engrossed, was reconsidered, and the bill was then re-committed to the committee on legal affairs for correction.

On motion by Mr. Milliken of Aroostook, House Document No. 209, An Act to amend Section 24 of the Revised Statutes of 1903, was taken from the table.

Mr. MILLIKEN: Mr. President, I now move that the bill be re-committed to the committee on legal affairs for the purpose of having the title corrected. I have looked it over and cannot make up my mind what the title should be.

The motion was agreed to.

On motion by Mr. Milliken of Aroostook, House Document No. 247, An Act to amend Sections 59 and 51 of Chapter 9, was taken from the table.

On further motion by the same senator, the bill, was re-committed to the committee on taxation for the purpose of correcting its title.

On motion of Mr. Stearns of Oxford, Adjourned.

## HOUSE.

Tuesday, March 14, 1911.

Prayer by Rev. Mr. Herrick of Lowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

An Act in relation to the regulation and sale of fertilizers, came from the Senate indefinitely postponed in that branch.

The House concurred with the Senate in its action.

#### Senate Bills on First Reading.

Resolve in favor of the town of Peru  
Resolve in favor of the Central  
Maine Fair Company and repealing re-  
solve in favor of the Central Maine  
Fair Association.

This resolve, having been indefinitely postponed in the House, comes from the Senate that branch non-concurring in the action of the House.

The question being, shall the House recede from its action.

The motion was lost.

On motion of Mr. Davies of Yarmouth the resolve was then tabled and assigned for tomorrow morning.

An Act to incorporate the Mopang Dam and Improvement Company.

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

#### Judiciary.

By Mr. MacEride of Mt. Desert—Remonstrance against the use of automobiles in Mt. Desert.

#### Legal Affairs.

By Mr. Wilson of Auburn—An Act to amend Section 28 of Chapter 6 of the Revised Statutes, relating to time of opening and closing polls.

By Mr. Dresser of South Portland—An Act to amend Sections 34 and 35 of Chapter 16 of the Revised Statutes, relating to conveyance of pews in meeting houses to organized parishes or incorporated churches.

Remonstrances against any change in the department of shore fisheries were also introduced by the following: Messrs. MacEride of Mt. Desert, Davies of Yarmouth, Otis of Rockland, Jordan of Portland, Boman of Vinalhaven, Mace of Great Pond, Strickland of Bangor, Clark of Portland, Copeland of Thomaston, Peters of Ellsworth, and Goodwin of Biddeford.

#### Inland Fisheries and Game.

By Mr. Sleeper of South Berwick—An Act to regulate the sale and purchase of trout, landlocked salmon, togue, white perch and black bass.

#### Shore Fisheries.

By Mr. Harmon of Stonington—Remonstrance of Stephen S. Sellers and

172 others, residents of Hancock county, against any chance in the present management of the Shore Fisheries Department. (Referred to Committee on Legal Affairs.)

By Mr. Boman of Vinalhaven—An Act to amend Chapter 41, Section 38, of the Revised Statutes.

#### Reports of Committees.

Mr. Hersey from the Committee on the Judiciary reported "ought not to pass" on Bill, An Act to provide for publicity of mercantile partnerships and for identification of individual merchants in certain cases.

Mr. Chase from same committee reported same on Bill, An Act against the danger of the transmission of infection by common drinking cups.

Mr. Trafton from same committee reported same on Bill, An Act to amend Chapter 123 of the Public Laws of 1905 as amended by Chapter 43 of the Public Laws of 1907, relating to the appointment of a State agent for the protection of children.

Mr. Goodwin from same committee reported same on Bill, An Act to amend Section 15 of Chapter 11 of the Revised Statutes, relating to register of deeds.

Majority report of same Committee, reporting "ought not to pass" on Bill, An Act to amend Chapter six of the Revised Statutes, relating to the regulation and conduct of elections.

(Signed) FREDERICK BOGUE,  
L. M. STAPLES,  
JOS. WILLIAMSON,  
GEORGE B. GOODWIN,  
JOSIAH CHASE,  
HERBERT W. TRAFTON.

Minority report of same Committee, reporting "ought to pass" on same Bill.

(Signed) HOWARD DAVIES,  
ALBERT J. STEARNS,  
IRA G. HERSEY,  
E. F. GOWELL.

(Reports tabled pending acceptance of either, and assigned for tomorrow on motion of Mr. Hersey of Houlton.)

Mr. Bogue from same Committee reported "ought not to pass" on Bill, An Act to provide for nomination of candidates of political parties by primary elections.

Same gentleman from same Com-

mittee reported same on Bill, An Act for the protection of life on buildings.

Mr. Hersey from same Committee reported same on Bill, An Act to amend Section 15 of Chapter 132 of the Revised Statutes, relating to limitation of prosecutions.

Mr. Bogue from same Committee reported same on Bill, An Act to amend Chapter 127 of the Revised Statutes.

Mr. Williamson from same Committee, on Bill, An Act to amend an act entitled "An Act to revise and amend the charter of the city of Calais," reported that the same be referred to the Washington County Delegation.

Mr. Bogue from same Committee, on Bill, An Act to amend Chapter 66 of the Private and Special Laws of 1881, being an act to incorporate the Island Cottage Company, reported that the same be referred to the next Legislature.

Mr. Allen from the Committee on Education reported same on Bill, An Act for the purchase of a lot of land for a normal school in Dexter, Maine.

Same gentleman from same Committee reported same on Resolve in favor of the Washington State Normal School, for furnishings.

Same gentleman from same Committee reported same on Resolve in favor of Aroostook Central Institute.

Same gentleman from same Committee reported same on Resolve in favor of Aroostook Institute.

Same gentleman from same Committee, on Resolve in favor of the Madawaska Training School, to provide for a system of sewerage, reported that the subject matter is covered by another bill, and that the same ought not to pass.

Same gentleman from same Committee, on Bill, An Act to incorporate the Maine Institute of Music and Liberal and Fine Arts, reported that the same be referred to the Committee on the Judiciary.

Same gentleman from same Committee on Bill, An Act to establish a normal school to be located at Dexter in the County of Penobscot, reported that the same be referred to the next Legislature.

Mr. Libby from the Committee on

Agriculture reported "ought not to pass" on Resolve to reimburse owners of domestic animals for damages by destruction by wild animals.

Mr. Skehan from the Committee on State Lands and State Roads reported same on Resolve in favor of authorizing conveyance to Frederick A. Gee of "Thread of Life Island" now called "Crow Island."

Majority report of the Committee on State Lands and State Roads, reporting "ought not to pass" on Resolve to encourage the reforestation of waste lands in the State of Maine,

(Signed) Messrs. KELLOGG,  
DEERING,  
SKEHAN,  
LAWRY,  
BURKETT,  
BEARCE,  
WEYMOUTH.

Minority report of same Committee, reporting "ought to pass" on same Resolve,

(Signed) BUZZELL.

(Reports tabled pending acceptance of either on motion of Mr. Andrews of Norway.)

Mr. Merrifield from the Committee on Pensions, on Petition of James A. Magnussen and 45 others, citizens of Windham, praying that a law be provided for State Aid to all soldiers of the Civil War, reported that the petitioners have leave to withdraw.

The reports were accepted.

Mr. Bogue from the Committee on the Judiciary reported "ought to pass" on Bill, An Act to amend an act authorizing the Penobscot Chemical Fibre Company to generate, use, transmit and sell electricity.

Mr. Hersey from same committee reported same on Bill, An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to the recording of personal property mortgages and sales.

Mr. Chase from same committee reported same on Bill, An Act to amend Section 1 of Chapter 57 of the Revised Statutes, relating to organization of corporations.

Mr. Goodwin from same committee, on Bill, An Act to ratify the organization, acts and doings of the Georges

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

Mr. Trafton from same committee reported "ought to pass" on Bill, An Act to amend Section 42 of Chapter 141 of the Revised Statutes of 1903, relating to the punishment of convicts.

Mr. Bogue from same committee reported same on Bill, An Act granting additional powers, rights and privileges to the Penobscot Chemical Fibre Company.

Mr. Goodwin from same committee reported same on Bill, An Act to amend Chapter 113 of the Public Laws of 1909, in respect to foreign corporations.

Mr. Hersey from same committee reported same on Bill, An Act to amend Section 23, Chapter 125, of the Revised Statutes, relating to the sale of tickets to religious or temperance camp-meetings.

Mr. Trafton from same committee reported same on Bill, An Act to change the corporate name of the Maine Association of Opticians.

Mr. Chase from same committee reported same on Bill, An Act to authorize the city council of the city of Belfast to grant permission to Manufacturing Real Estate Company to construct a wing to its shoe factory on its own land above and across Pleasant street in said Belfast.

Mr. Williamson from same committee reported same on Bill, An Act to regulate procedure in Quo Warranto.

Mr. Hersey from same committee reported same on Bill, An Act to amend Section 49 of Chapter 47 of the Revised Statutes, relative to decrease of capital stock of corporations.

Mr. Bogue from same committee reported same on Bill, An Act to amend Section 29 of Chapter 6 of the Revised Statutes, relating to polling places.

Same gentleman from same committee reported same on Bill, An Act to extend the charter of the Lincolnville Water Power Company.

Mr. Chase from same committee reported same on Bill, An Act to amend Section 57 of Chapter 29, of the Revised Statutes of 1903, relating to the conviction of inebriates.

Same gentleman from same com-

mittee, on Bill, An Act to establish in Cumberland county a farm for inebriates, reported the same in a new draft under the title of "An Act to establish in Cumberland county a county farm," and that it ought to pass.

Mr. Goodwin from same committee reported "ought to pass" on Bill, An Act to amend Section 37 of Chapter 65 of the Revised Statutes, relating to the compensation of executors, administrators, guardians and trustees.

Mr. Williamson from same committee reported same on Bill, An Act to amend Section 43 of Chapter 106 of the Revised Statutes, relating to real actions.

Mr. Goodwin from same committee, on Bill, An Act relating to the Readfield Light and Power Company, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Trafton from same committee reported "ought to pass" on Bill, An Act to extend the charter of the Weld Water Company.

Mr. Bogue from same committee reported same on Bill, An Act to amend Section 23 of Chapter 4 of the Revised Statutes, relating to filling vacancies in town offices.

Mr. Packard from the committee on Railroads and Expresses reported same on Bill, An Act to authorize the Aroostook Valley Railroad to extend its lines from Washburn to the West line of the State.

Mr. Skehan from the same Committee reported same on Bill, An Act to authorize the Aroostook Valley Railroad Company to acquire the properties of the Canadian Pacific Railway between Presque Isle and Aroostook Junction.

Same gentleman from same Committee reported same on Bill, An Act to incorporate the Eastern Maine Railroad.

Same gentleman from same Committee reported same on Bill, An Act to authorize the Aroostook Valley Railroad Company to extend its line from Washburn to New Sweden and for other purposes.

Mr. Packard from same Committee

reported same on Bill, An Act to authorize the Aroostook Valley Railroad Company to extend its line from Woodland to Caribou.

Mr. Allen from the Committee on Education, on Bill, An Act to amend section 115 of chapter 15 of the Revised Statutes as amended, relating to appropriations for the normal schools, reported the same in a new draft under the title of "An Act to amend section 115 of chapter 15 of the Revised Statutes as amended, relating to appropriations for the normal schools," and that it ought to pass.

Same gentleman from same Committee, on Bill, An Act to amend section 40 of chapter 15 of the Revised Statutes, relating to the union of two or more towns for the employment of a superintendent of schools, reported the same in a new draft under the title of "An Act to amend section 40 of chapter 15 of the Revised Statutes as amended, relating to the union of two or more towns for the employment of a superintendent of schools," and that it ought to pass.

Same gentleman from same Committee, on Bill, An Act to establish a Board of Education in the city of Biddeford, reported the same in a new draft under the title of "An Act to establish a Board of Education in the city of Biddeford," and that it ought to pass.

Same gentleman from same Committee, on Bill, An Act for the proper observance of Longfellow's Birthday, reported the same in a new draft under the title of "An Act to amend section 88 of chapter 15 of the Revised Statutes as amended by chapter 199 of the Public Laws of 1909, to provide for the proper observance in the public schools of the birth of Henry Wadsworth Longfellow," and that it ought to pass.

Same gentleman from same Committee reported "ought to pass" on Resolve in favor of the Washington State Normal School, for balance of contract.

Same gentleman from same Committee reported same on Resolve appropriating money for insurance on the State Normal School buildings.

Same gentleman from same Com-

mittee reported same on Resolve in favor of Lee Normal Academy.

Same gentleman from same Committee, on Resolve in favor of the Washington State Normal School, reported the same in a new draft under the title of "Resolve in favor of the Washington State Normal School," and that it ought to pass.

Same gentleman from same Committee, on Resolve in favor of the Madawaska Training School, for lighting system, reported the same in a new draft under the title of "Resolve in favor of Madawaska Training School, for lighting system," and that it ought to pass.

Same gentleman from same Committee, on Resolve in favor of Wilton Academy, reported the same in a new draft under the title of "Resolve in favor of Wilton Academy," and that it ought to pass.

Mr. Sleeper from the Committee on Inland Fisheries and Game, on Bill, An Act to regulate ice fishing in certain waters in Androscoggin county, reported the same in a new draft under the title of "An Act to regulate ice fishing in Androscoggin county," and that it ought to pass. (Tabled pending acceptance on motion of Mr. Quimby of Turner.)

Mr. Harmon from the Committee on Shore Fisheries, on Bill, An Act to prevent the destruction of smelts in the waters of the towns of Lubec and Trescott in the county of Washington, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Murphy from the Committee on Pensions reported "ought to pass" on Resolve in favor of Susan E. Dumphreys for Pension.

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

#### First Reading of Printed Bills and Resolves.

Resolve in favor of the erection of a suitable monument to Commodore Samuel Tucker. (Tabled pending second reading on motion of Mr. Peters of Ellsworth.)

Resolve in favor of John Holden Company.

Resolve in favor of H. P. McKenney.

Resolve in favor of the Maine Industrial School for girls, for maintenance and deficiency.

An Act to amend chapter 80 of the Revised Statutes of 1903 relating to expenses of county commissioners of Cumberland county. (Recommended to the Portland County Delegation on motion of Mr. Murphy of Portland.)

An Act to repeal chapter 276 of the Private and Special Laws of 1907 entitled "An Act for the better protection of shellfish in the town of Yarmouth in the county of Cumberland."

An Act to amend section 6, 7 and 11 of chapter 15 of the Public Laws of 1907 relating to 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 Ogunquit Sewerage Company.

An Act to extend and amend the charter of the Lincoln county street railway.

An Act to amend section 12 of chapter 53 of the Revised Statutes relative to locations for street railroads.

An Act to amend Chapter 13 of the Public Laws of 1907 as amended by chapter 68 of the Public Laws of 1909.

Resolve in favor of Maine Industrial School for Girls for permanent improvements and general repairs.

Resolve in favor of the Maine Industrial School for Girls, for water supply.

Resolve, in favor of maintaining lights and buoys on Upper and Lower Richardson lakes, with statement of facts.

(Tabled pending second reading for printing statement of facts on motion of Mr. Austin of Phillips.)

Resolve in aid of navigation on Rangeley Lake, Mooselucmaguntic Lake and Cupsuptic Lake.

(Tabled pending second reading on motion of Mr. Austin of Phillips.)

An Act to confirm the organization of the Farmington Power Company and amend its charter extending its corporate powers and purposes.

An Act to amend Section 48 of Chapter 40 of the Revised Statutes as

amended by Chapter 70 of the Public Laws of 1909, relating to the hours of employment of women and children.

An Act to amend Section one of Chapter 146 of the Private and Special Laws of 1895, relating to the Commissioner of Public Works of the city of Portland.

An Act to incorporate the Nigger Brook Power Company.

An Act to repeal Chapter 142 of the Public Laws of 1905, relating to support of alien paupers.

An Act to revive and amend Chapter 154 of the Private and Special Laws of 1885 as amended by Chapter 157 of the Private and Special Laws of 1907, relating to the charter of the Wiscasset Water Company.

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

An Act to amend Chapter 116, Section two, of the Revised Statutes of 1903 as amended by Chapter 119 of the Public Laws of 1905, to increase salary of assistant county attorney of Cumberland county. (Recommended to the Cumberland County Delegation, on motion of Mr. Murphy of Portland.)

An Act to repeal Chapter 225 of the Public Laws of 1909 relating to expenses of the inspector of boilers and engines and their appurtenances of steamboats upon inland waters.

An Act to prevent collisions on inland waters.

An Act additional to Chapter 144 of the Revised Statutes.

An Act to amend Chapter 206 of the Public Laws of 1909, entitled An Act to consolidate and revise the Military Laws of the State of Maine.

**Passed to Be Engrossed.**

Senate Resolve, No. 172, in favor of Plantation 33.

House Resolve, No. 205, in favor of Maine State Prison.

Senate Bill, No. 66, An Act to incorporate Moxie Dam Company.

Senate Bill, No. 173, An Act to amend Section 1 of Chapter 231 of the Public and Special Laws of 1909.

Senate Bill No. 147, An Act relating to the erection of wharves and fish weirs.

Mr. Plummer of Lisbon moved to



amend the bill by striking out Section 3.

Mr. PETERS of Ellsworth: Mr. Speaker, I think it should be pointed out that this is the same amendment presented by the gentleman from Lisbon on Friday and voted upon by the House. Also it should be understood that if this amendment is adopted it would practically nullify the action of the House in regard to the matter.

The SPEAKER: If this is the same amendment acted upon by the House it is not in order.

Mr. PLUMMER: That is the case, Mr. Speaker.

Mr. PETERS: If necessary I will raise the point of order.

Mr. PLUMMER: Mr. Speaker, I understood that an amendment might be offered again on a different reading of the bill.

The SPEAKER: Not the same amendment. The Chair rules that the amendment is not in order.

Mr. HARMON of Stonington: Mr. Speaker, I wish to offer amendment B to Senate Document 147. Amend Section 1 by adding after the word "describe" in line nine, the following words, "and provided further that he will sell herring caught in such traps to fishermen for bait at the same price he sells other parties and that he will not discriminate against fishermen in the sale of herring."

On motion of Mr. Peters of Ellsworth the amendment was tabled.

Mr. DAVIES of Yarmouth: Mr. Speaker, my understanding is that in effect the bill and amendment both lie on the table?

The SPEAKER: The amendment carries the bill with it. It is on the table pending third reading.

Mr. EOMAN of Vinalhaven: Mr. Speaker, I desire to ask a question of the Chair. Would that amendment be constitutional, offered by the gentleman from Stonington?

The SPEAKER: The Chair is especially prohibited from passing on constitutional questions. That is the rule laid down and I am glad of it.

Passed to be Enacted.

An Act to incorporate the town of Eagle Lake.

An Act relating to the assessment of taxes in organized plantations included in the Maine forestry district.

An Act to provide for the weekly payment of wages.

An Act to amend Chapter 359 of the Special Laws of 1909, relating to maintenance of a dam across Big Machias Stream, in the town of Ashland.

An Act to incorporate the Maine Title Insurance Company.

An Act in relation to the Rumford Falls Municipal Court.

An Act to incorporate the Winter Harbor Light Company.

An Act relative to the Bangor and Brewer bridge.

An Act relating to the board of overseers of the poor of city of Portland.

An Act to provide for the State certification of all teachers of public schools.

An Act to appropriate moneys for the payment of salaries fixed by law for the year 1911.

An Act to incorporate the Dean Hill Cemetery Improvement Association.

An Act to authorize the removal of the bodies of deceased persons from the old cemetery in the plantation of Elllettsville.

An Act to authorize the mayor of the city of Portland to appoint commissioners of cemeteries and public grounds.

An Act giving the Rumford Falls Village Corporation additional powers to raise money.

An Act to establish the Lubec, East Machias and Machias Railway Company.

An Act to incorporate the Knox County Central Railroad.

An Act granting certain powers to the Pennamaganan Power Company.

An Act to amend Section 10 of Chapter three of the Revised Statutes, relating to the powers and duties of the Maine Library Commission.

An Act to regulate the investment of deposits in banks and trust companies.

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

An Act to prohibit the removing of waste or packing from the journal box or boxes of locomotives and railroad cars.

An Act for the better protection of forests from fire.

An Act granting certain powers to the Eastport Water Company.

An Act to prevent the throwing of refuse or mill waste into the Baskobegan stream.

An Act to regulate ice fishing in Pitts pond, sometimes called Little Pitts pond, in the town of Clifton, in the county of Penobscot.

An Act to incorporate the Sangerville Village Corporation.

An Act to incorporate the Norridge-wock Water Company.

An Act to protect striped or sea bass, in the waters of the Sheepscot river and its tributaries.

An Act to regulate the transportation of fish and game beyond the limits of the State of Maine for breeding, scientific and advertising purposes.

An Act to repeal Chapter 332 of the Private and Special Laws of 1907, relating to fishing in Wesserunsett stream and tributaries, in the county of Somerset.

An Act relating to the Vassalboro, China and Windsor Light and Power Company.

An Act to repeal Chapter 137 of the Private and Special Laws of 1903, relating to the charter of the city of Auburn and the creation of the Board of Public Works.

An Act to ratify the change of name of Brunswick Power Company.

An Act to incorporate the Franklin Water Company.

An Act to extend the charter of the Scarborough and Cape Elizabeth Railway Company.

An Act to incorporate the Cherryfield Water Company.

An Act in relation to the appointment of guardians by consent.

An Act to extend the charter of the Rangeley Lakes and Megantic Railroad Company.

#### Orders of the Day.

On motion of Mr. Murphy of Port-

land, Bill, An Act to amend Section 6 of Chapter 123 of the Revised Statutes relating to malicious mischief and trespass on property, was taken from the table, and on further motion by the same gentleman it was referred to the committee on judiciary.

On motion of Mr. Hersey of Houlton, Bill, An Act to amend Section 8 of Chapter 62 of the Revised Statutes relating to divorce, was taken from the table, and on further motion by the same gentleman it was referred to the committee on judiciary.

On motion of Mr. Weymouth of Saco, Bill, An Act relating to safeguards for the protection of persons employed in manufacturing establishments and providing civil remedies for such persons in case of injury, 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. Trim of Islesboro, Bill, An Act for the better protection of herring in Penobscot bay, was taken from the table, and on further motion by the same gentleman it was referred to the committee on shore fisheries.

On motion of Mr. Otis of Rockland, the rules were suspended and that gentleman introduced a resolve that the land agent be authorized to convey an unnamed ledge locally called Mink island located in Mussel Ridge Channel, and on further motion by Mr. Otis it was referred to the committee on State lands and State roads.

On motion of Mr. Miller of Hartland the rules were suspended and he introduced a bill relating to Chapter 93 of the Revised Statutes concerning liens, and on further motion by the same gentleman it was referred to the committee on judiciary.

On motion of Mr. Hogan of Portland the rules were suspended and he introduced a remonstrance against any consolidation of the shore fisheries department, and on further motion by the same gentleman it was referred to the committee on legal affairs.

On motion of Mr. Davies of Yarmouth,

Ordered, that the committee on taxation is hereby directed to lay before this House on Wednesday, March 13, its report on the resolution proposing an amendment to the Federal Constitution authorizing Congress to impose a tax on incomes.

On motion of Mr. Pattangall of Waterville the order was tabled and assigned for Thursday.

On motion of Mr. Chase of York the rules were suspended and he introduced two remonstrances against any change in the consolidation of the department of shore fisheries, and on further motion by the same gentleman they were referred to the committee on legal affairs.

On motion of Mr. Plummer of Lisbon, Bill, An Act relating to the use of seals, was taken from the table.

Mr. PLUMMER: Mr. Speaker, I move to substitute the bill for the report of the committee which was "ought not to pass." Inasmuch as this was on the table I thought it had better be taken off the calendar. I wish to say in regard to this matter that this bill applies to those little red sticker seals to which some of the legal fraternity pretend to attach great importance which as a matter of fact in the courts of this State so far as I can learn are prima facie if not conclusive evidence that a consideration has passed between the parties to a contract which contract, without the use of the seals, it might be proved, or might be questioned at least, whether any consideration had been paid. Now the seal of course dates back into the dark ages and perhaps farther when almost everybody had some kind of a mark to distinguish his signature from that of other people; and in fact for the most of people perhaps that was the only mark that they did have, and the impression was made in wax and at that time on a document it signified something and really took the place of a signature. At the present time it has become merely a form. As one gentleman before the judiciary committee stated, it had become a legal fiction. I

suppose he used the words inadvertently, but he inadvertently told the truth as people do sometimes. Now it seems useless at this time to require anything of that kind to continue further as a part of our common law, for as I understand it there is no written statute that requires it; and a great many of the legal fraternity, I am informed by them directly, are in favor of its abolition. I will say further that it is generally taken for granted that a person signing a document notices whether there is a seal on there or not, but in some cases, it was brought out before the committee, it was proved, that the party at least denied that the seal was on there when he made his signature, although of course he might have denied that anyway, but it is customary I think for lawyers in making out papers to stick on this seal when they make the papers, and it signifies no more than it would to stick on any other kind of paper or to make a blot of ink. In fact in many states something of that kind serves equally well, and these have been abolished in a great many states of this Union, perhaps one-third of them, and I think it is time that Maine moved along in that direction. If there are those of the fraternity who still stick to the use of the seal and wish to see that little red sticker on their documents, I suggest that we might enact a law that all papers shall contain a certain amount of them and they could be used in their offices.

Mr. WILLIAMSON of Augusta: Mr. Speaker, I will not take up a great deal of the time of the House in this matter. This bill came before the judiciary committee and was very fully considered by that committee and the committee voted unanimously that it would not be wise at the present time to make the change which is advocated by the gentleman from Lisbon. It is true that a large number of states, I don't remember exactly how many, do not now use the seal upon their instruments. The reason for that is largely this: Our State, together with the other New England states, are all practicing under what is known as the common law procedure. We do business under the law of the land except

so far as it is modified by statute. A great many of the Western states have had all their laws codified and put into statute law, and many of those states practice under a code as it is called and do not use a seal. Now a seal has a well known significance in matters of contract. Under that significance the law has grown up relative to sealed instruments, and should we now abolish the seals it might lead to great confusion with reference to well-settled principles of law. Of course if we were going to make a new world, to make order out of chaos, there are a great many things that we might perhaps better. We might perhaps abolish the system of measurements and we might have a metric system. We might abolish the system of weights, we might make a decree that all physicians in their prescriptions should weigh out everything by drams or by the metric system of kilograms—I don't remember the notations—but according to the metric system, but probably it would not be advisable. Now the committee considered the matter with a great deal of care, gave quite a long hearing to it, it was opposed by such lawyers as Judge Stevens of Bangor and by several others who were present, and was advocated I think by the gentleman from Lisham; and on the whole the committee decided not to make this change at the present time.

Mr. TRAFTON of Fort Fairfield: Mr. Speaker, it seems to me if we should pass this law to abolish seals it would become necessary to codify our laws to a greater or less extent, and certainly that is a matter we do not want to consider at this time. We have neither the time nor the opportunity to do it, and in my opinion it would be too much to do even if we thought the thing was desirable.

Mr. OTIS of Rockland: Mr. Speaker, I am sorry that I cannot quite comprehend the objection to this bill. It is undoubtedly my own fault, but I cannot understand why a provision that leads to increased simplicity in the transaction of business should create any trouble. It seems to me the bill is very clearly in the direction of simplicity and an aid to people in the

transaction of their business. I can understand why it might mix up the lawyers a little bit because the use of the seal is one of the things that they are frequently consulted for, and I can see that if they did not have the seals upon a great many instruments they would not have to explain in regard to them, and in that way it might create some confusion, but I cannot see why the people would not be bettered if they did not have to put those little pieces of paper after their names in any instances so they would not be obliged to trouble the lawyers. It may be my own fault but I must say that I cannot understand the point of the argument.

The question being on the substitution of the bill for the report of the committee,

The motion was lost.

Mr. DRESSER of South Portland: Mr. Speaker, by request and under suspension of the rules I ask that I may be allowed to present the report of the joint standing committee on Portland bridge.

The rules were suspended and the report was received.

On motion by Mr. Trafton of Fort Fairfield, the report was tabled for printing pending its acceptance.

On motion by Mr. Murphy of Portland, Bill, An Act to provide for the appointment of a State sealer of weights and measures and to define his duties, was taken from the table, and on further motion by the same gentleman the bill received its second reading and was assigned for tomorrow.

On motion by Mr. Williamson of Augusta, bill, An Act to incorporate the Guilford Water District, was taken from the table and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion by Mr. Davis of Guilford, Bill, An Act to incorporate the Carleton Stream Dam Company, was taken from the table, and on further motion by the same gentleman the vote was reconsidered whereby this bill was passed to be engrossed.

Senate Amendments A and B were then adopted in concurrence, and the bill received its third reading and was passed to be engrossed as amended.

On motion of Mr. Couture of Lewiston, Adjourned.