

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

introduce any further objection and now move that the bill take its course.

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

On motion by Mr. Milliken of Aroostook, Senate Document No. 180, Resolve in favor of John R. McDonald, was taken from the table.

Mr. MILLIKEN: Mr. President: This resolve was tabled pending the filing of a statement of facts. The statement of facts has been handed to me and I now present it, and move that the resolve take its course.

The statement of facts was received; the resolve received its second reading and was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, House Document No. 473, An Act to amend Chapter 70 of the Public Laws of 1907, entitled "An Act amending Chapter 164 of the Public Laws of 1905, relating to location and assessment of damages for property taken for public uses," was taken from the table.

On further motion by the same senator, the bill was passed to be engrossed.

On motion by Mr. Milliken of Aroostook, House Document No. 393, Bill, An Act to grant certain powers to the Hancock county trustees of public reservations, was taken from the table.

Mr. MILLIKEN: Mr. President: I tabled this bill because it seemed to grant rather sweeping powers to the Hancock county trustees, and I understood the senator from Hancock wished to look into the matter. If he is satisfied in regard to the matter, I move that it take its course.

Mr. MAYO of Hancock: Mr. President: I will say that this matter was intended to cover the whole of Mt. Desert Island, but they have arranged it so that the location is Mt. Desert and Eden, and it is satisfactory to the people in that section.

The motion of the senator from Aroostook was agreed to, and the bill was read a second time and passed to be engrossed.

On motion by Mr. Boynton of Lincoln, Senate Document No. 102, Resolve in favor of the town of Castine, was taken from the table.

Mr. BOYNTON: Mr. President: This resolve comes to this body from the House indefinitely postponed. I move that we non-concur with the action of the House and that the Resolve be referred to the next Legislature.

The motion was agreed to.

On motion by Mr. Kellogg of Penobscot, the vote whereby Senate Document No. 180, Resolve in favor of John R. McDonald, was passed to be engrossed, was reconsidered.

On further motion by the same senator, the resolve was then indefinitely postponed.

On motion by Mr. Farrington of Kennebec.

Adjourned.

HOUSE.

Thursday, March 16, 1911.

Prayer by Rev. Mr. Allen of Jonesboro.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Bill requiring street railways to equip cars with fenders came from the Senate indefinitely postponed.

The House receded from its action in referring the bill to the committee on railroads and expresses and concurred with the Senate in indefinitely postponing the bill.

Bill to amend Section 49 and 51 of Chapter 9 of the Revised Statutes, came from the Senate recommitted to the committee on taxation.

The House reconsidered the vote whereby the bill was passed to be engrossed and concurred with the Senate in its action.

Bill, An Act to amend Section 3 of Chapter 177 of the Public Laws of 1909 relating to the common school fund and the means of providing for and distributing the same, was tabled pending the acceptance of the report "ought not to pass" on motion of Mr. Dow of Plymouth.

Bill An Act defining motor vehicles and providing for the registration of the same, came from the Senate re-committed to the committee on State lands and State roads.

The House accepted the report of the committee and concurred with the Senate in its action.

Bill, An Act to amend Section 34 of Chapter 4 of the Revised Statutes of 1903 of Maine, came from the Senate, re-committed to the committee on legal affairs.

The House concurred with the Senate in its action.

Bill, An Act to amend Chapter 133 of the Public Laws of 1909 relating to the marking of historical sites, came from the Senate indefinitely postponed.

The House concurred with the Senate in its action.

Bill, An Act to amend Section 1 of Chapter 136 of the Revised Statutes, relating to sentences in criminal cases, came from the Senate, indefinitely postponed.

On motion of Mr. Davies of Yarmouth, the bill was laid on the table.

Senate Bills on First Reading.

An Act to incorporate the West-field Light and Power Company.

An Act to incorporate the Bayville Village Corporation. (Tabled pending first reading and Wednesday assigned for its consideration on motion of Mr. Kelley of Boothbay.)

Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds.

Resolve in favor of navigation on Sebec lake.

An Act to render more wholesome the milk supplies of cities and towns.

An Act to regulate the fees for sealing milk bottles.

An Act to amend Section 2 of Chapter 242 of the Public Laws of 1909 relating to sealing of measures.

Resolve in favor of the State School for Boys.

Mr. TRAFTON of Fort Fairfield: Mr. Speaker, I would like at this time to ask unanimous consent to take from the table the report of the joint spec-

ial committee on the Portland bridge so that the matter may be referred to the committee this afternoon.

The motion was agreed to.

On motion of Mr. Davies of Yarmouth the report of the committee was accepted, and on further motion by the same gentleman the bill was referred to the committee on ways and bridges.

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

Legal Affairs.

By Mr. Stetson of Lewiston: Petition of Ezra H. White of Lewiston for amendment of law relating to registration of dentists;

Also, Petition of Dr. William O. Sullivan of Lewiston for same;

By Mr. Couture of Lewiston: Petition of L. Raoul Lafond of Lewiston for same;

Mr. Mr. Hastings of Auburn; Petition of John W. Robinson of Auburn for same;

By Mr. Files of Gardiner: Petition of E. H. Averill of Gardiner for same;

State Lands and State Roads.

By Mr. Colby of Bingham: Petition of Ira J. Cousins and 35 other of Brooksville Grange for the enactment of a law providing for an annual tax upon automobiles according to horsepower, this tax to be used in the repair of State roads;

Also, 81 other petitions from 81 Granges, containing a total of 1237 additional names, for the same;

Labor.

By Mr. Cronin of Lewiston: An Act to amend Chapter 40 of the Revised Statutes, as amended by Chapter 46 of the Public Laws of 1907, and Chapters 70 and 257 of the Public Laws of 1909, relating to the employment of women and children.

Reported from committee on county estimates: Resolve, laying a tax on the counties of the State for the years 1911 and 1912.

On motion by Mr. Hastings of Auburn, the rules were suspended, the resolve received its first reading. (Tabled for printing pending second reading on further motion by the same gentleman.)

Appropriations and Financial Affairs.

By Mr. Tucker of Wiscasset: Resolve

authorizing the Governor and Council to use any unexpended balance in the treasury for the care and maintenance of bridges.

Reports of Committees.

Mr. Hersey from the committee on the judiciary reported "ought not to pass" on Bill, An Act relating to letters, circulars and posters used in elections.

Mr. Dunn from the committee on legal affairs reported same on Bill, An Act to amend Section 2 of Chapter 105 of the Public Laws of 1909, relating to defining and regulating the practice of optometry.

Mr. Peters from same committee, on Bill, An Act to amend an act relating to the police court of the city of Rockland, reported that the same be referred to the Knox county delegation.

Mr. Wheeler from same committee, on Bill, An Act for the creation of water districts and the control and regulation of water storage and water power companies, reported that the same be referred to the next Legislature.

Mr. Strickland from the committee on appropriations and financial affairs, on Resolve in favor of appropriating money to assist in freeing the Portsmouth bridge, reported that the same be referred to the next Legislature.

Mr. Bisbee from the same committee, on Resolve in aid of the Rumford General hospital, reported that the same be referred to the next Legislature.

Mr. Allen of Jonesboro from the committee on education, reported "ought not to pass" on Resolve in favor of the Farmington State Normal school.

Same gentleman from same committee reported same on Resolve in favor of the Eastern State Normal school at Castine for purchase of equipment and for repairs at said school.

The reports were accepted.

Majority report of the committee on interior waters on Bill, An Act to incorporate the Upper St. John Log Driving Company, reported that the same be referred to the next Legislature.

(Signed) Messrs. Cyr, Emerson, Kellogg, Lawry, Connors.

Minority report of same committee on same Bill, reporting same in a new draft under the title of "An Act to incorporate

the Upper St. John Log Driving Company," and that it ought to pass.

(Signed) Messrs. Stetson, Hastings, Donigan, Davis.

(On motion by Mr. Hastings of Auburn both reports were tabled pending acceptance of either.)

Mr. Bogue from the committee on the judiciary on Bill, An Act to incorporate the Kezar Falls Village Corporation in the town of Parsonsfield, reported the same in a new draft under the title of "An Act to incorporate the Parsonsfield Kezar Falls Village Corporation in the town of Parsonsfield," and that it ought to pass.

Same gentleman from same committee on Bill, An Act to incorporate the Kezar Falls Village Corporation in the town of Porter, reported the same in a new draft under the title of "An Act to incorporate the Porter-Kezar Falls Village Corporation in the town of Porter," and that it ought to pass.

Mr. Chase from same committee on Bill, An Act to ratify and confirm the organization of the Yarmouth Manufacturing Company, reported the same in a new draft under the same title, and that it ought to pass. (Tabled pending acceptance on motion by Mr. Scates of Westbrook.)

Mr. Williamson from same committee on Bill, An Act to amend Chapter 526 of the Private and Special Laws of 1881 entitled an act to confirm the doings of the Maine Missionary Society and to incorporate said society, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Peters from the committee on legal affairs reported "ought to pass" on Bill, An Act to extend the charter of the Ocean and Northern Railroad Company.

Mr. Dunn from same committee reported same on Bill, An Act to amend Chapter 108 of the Private and Special Laws of 1887 entitled "An Act to incorporate the Liberty and Belfast Telegraph Company."

Mr. Scates from same committee reported same on Bill, An Act to repeal Chapter 23 of the Public Laws of 1903, relating to a sewer commission in Bath.

Majority and minority reports of the committee on legal affairs on resolve

amending the constitution to increase the municipal indebtedness. (Tabled pending acceptance of either report on motion by Mr. Scates of Westbrook.)

Mr. Pattangall from same committee reported same on Bill, An Act to amend Section 50 of Chapter 18 of the Revised Statutes, relating to the public health and contagious diseases.

Mr. Peters from same committee reported same on Bill, An Act to amend Section 10 of Chapter 12 of the Revised Statutes as amended by Chapter 40 of the Public Laws of 1907, relating to support of law libraries.

Mr. Pattangall from same committee reported same on Bill, An Act to amend Chapter 42 of the Public Laws of 1907, entitled "An Act to prevent desertion and non-support of families," as amended by Chapters 54 and 178 of the Public Laws of 1909.

Mr. Wilson from same committee reported same on Bill, An Act relative to the election of the city clerk of the city of Brewer.

Mr. Pattangall from same committee reported same on Bill, An Act to amend the charter of the Central Power Company.

Mr. Scates from same committee, on Bill, An Act to incorporate the World Standard Insurance Company, reported that the same ought to pass in new draft accompanying.

Mr. Wilson from same committee, on Bill, An Act to supply the town of North Haven with pure water, reported that the same ought to pass in new draft accompanying.

Mr. Dunn from same committee, on Bill, An Act fixing the liability of a bank to its depositors for payment of forged or raised checks, reported that the same ought to pass in new draft accompanying.

Mr. Allen of Jonesboro, from the committee on education reported "ought to pass" on Resolve in favor of the Aroostook State Normal School.

Majority report of same committee, reporting "ought to pass" on Resolve in favor of Aroostook State Normal school at Presque Isle.

(Signed) Messrs. Blanchard, Milliken, Murphy, Robinson, Thompson, Sawyer.

Minority report of same committee, reporting "ought not to pass" on same Resolve.

(Signed) Messrs. Fulton, Miller.

(Tabled pending acceptance of either report on motion of Mr. Thompson of Presque Isle.)

Mr. Allen of Jonesboro, from the same committee, reported "ought to pass" on Resolve in favor of the Western State Normal School.

Majority report of same committee, on Resolve in favor of Western State Normal School at Gorham, reporting the same in a new draft under title of "Resolve in favor of the Western State Normal School at Gorham" and that it ought to pass.

(Signed) Messrs. Milliken, Blanchard, Murphy, Robinson, Thompson, Sawyer.

Minority report of same committee, reporting "ought not to pass" on same Resolve.

(Signed) Messrs. Fulton, Allen, Miller.)

((Tabled pending acceptance of either report on motion of Mr. Murphy of Portland.)

Mr. Descoteaux from the committee on labor reported "ought to pass" on Bill, An Act in relation to accidents and requiring them to be reported to the commissioner of labor; requiring investigation thereof, and providing penalties for the violation of this act.

The committee of conference having under consideration An Act to amend Chapter 247 of the Public Laws of 1909, providing for the uniform grading, packing and branding of apples, (being Senate Document No. 89) reported that the same be recommitted to the committee on agriculture.

(Signed) Messrs. HILL,
BOYNTON,
STEARNES,
QUIMBY,
LIBBY,
WHEELER.

An Act relating to insurance on public buildings and other State property.

This bill came from the Senate with the following indorsement, "Referred to the committee on insurance without being advertised."

On motion of Mr. Davies of Yarmouth, the bill was tabled for printing pending its reference.

First Reading of Printed Bills and Resolves.

Resolve, making appropriations for the Passamaquoddy Tribe of Indians.

Resolve in favor of Wilton Academy.

(Tabled pending first reading on motion of Mr. Murphy of Portland.)

Resolve in favor of George H. Wilbur and Son, contractors of Old Town, Me.

Resolve in favor of the Madawaska Training School.

Resolve in favor of the Washington State Normal School.

Resolve in favor of Lee Normal Academy.

Resolve to provide for the insurance of Normal school buildings.

Resolve in favor of Susan E. Dumphe, widow of Charles Dumphe, late of Company G, Sixth Regiment of Infantry, Maine Volunteers, Civil War.

An Act to amend Chapter 85, Section 6, of the Revised Statutes relating to municipal and police courts, their jurisdiction and proceedings in civil actions.

An Act to incorporate Phillips Electric Light & Power Company.

An Act to extend the charter of the Eastport Street Railway Company.

An Act relating to the charter of the Hancock County Railway Company.

An Act to establish the Northern Arcostook municipal court.

An Act to amend the charter of the Livermore Falls Sewer District, for the better collection of taxes.

An Act to provide for the better preservation of township plans.

An Act to incorporate the Wiscasset Electric Light & Power Company.

An Act to amend Section 27 of Chapter 6 of the Revised Statutes, relating to distinguishing marks on ballots.

An Act to amend Chapter 613 of the Private and Special Laws of 1893, as amended by Chapter 100 of the Private and Special Laws of 1903, entitled "An Act to establish the Western Hancock municipal court."

An Act to incorporate the Rumford General hospital.

An Act to amend Chapter 407 of the Private and Special Laws of 1903, as amended, relating to ice fishing in Wood pond, sometimes called Big Wood pond, situated in Jackman plantation and in Township No. 1, Range 5, N. B. K. P., known as Attean township, and in Township No. 5, Range 2, N. B. K. P., known as Dennistown, in the county of Somerset.

Mr. Sleeper of South Berwick offered House amendment A, to amend by striking out the word "trust" in the third line of Section 1 and substitute therefor the word "trout;" and by inserting after the word "togue" in said third line of said section the words "on Saturday of each week."

The amendment was adopted, and the bill as amended assigned for tomorrow morning.

An Act authorizing the State land agent to sell certain property of the State at the Belgrade fish hatchery, in the county of Kennebec.

An Act to regulate fishing in the tributaries to Lake Sebasticook, so called, in the town of Newport, in the county of Penobscot.

An Act to amend Chapter 32 of the Revised Statutes, as amended by section 8 of Chapter 90 of the Public Laws of 1909, relating to ice fishing in the lakes and ponds in the town of Chesterville, in the county of Franklin.

An Act to amend Section 1 of Chapter 179 of the Private and Special Laws of 1905, relating to fishing in Marble brook, and Marble pond, so called, tributary waters to the Piscataquis river, situated partly in the town of Blanchard, county of Piscataquis, and in Chase brook, sometimes called Blackstone brook, also situated partly in said Blanchard.

An Act to regulate fishing in Abbott pond, so called, in the town of Sumner, county of Oxford.

An Act to regulate the hunting of mink, sable, fisher, otter and muskrat

An Act to amend Chapter 407 of the Private and Special Laws of 1903, as amended, relating to fishing in the tributaries to Bryant pond, so called, which pond is situated in the town of Woodstock, county of Oxford.

An Act to regulate the number of ruffed

grouse (commonly called partridge) and woodcock which may be taken or had in possession by one person in any one day during open season.

An Act to protect Eider ducks; also to amend Section 7 of Chapter 32 of the Revised Statutes relating to game birds, to amend Section 12 of Chapter 132 of the Public Laws of 1905 relating to wild birds, and to repeal Section 5 of Chapter 90 of the Public Laws of 1909 relating to loons.

An Act to amend Chapter 213 of the Private and Special Laws of 1909 relating to fishing in Belgrade stream, in Kennebec county.

An Act to amend Section 31 of Chapter 32 of the Revised Statutes, relating to the penalty for trapping fur-bearing animals in any of the unorganized townships or on wild lands, and for operating a sporting camp, without first procuring a license therefor.

An Act relating to the trapping of beaver and muskrat.

An Act to regulate the taking of muskrats in Lake Sebasticook in the county of Penobscot, and in the tributaries to said lake in the town of Newport, also in the outlet stream of said lake Sebasticook known as the East Branch of the Sebasticook river.

An Act to amend Section 41 of Chapter 32 of the Revised Statutes relating to fishways.

An Act to regulate the disposal of fish and game seized by the commissioners of inland fisheries and game or any officials empowered so to do.

An Act to regulate the sale and purchase of game birds.

An Act to amend Section one of Chapter 173 of the Public Laws of 1905 relating to the compensation of registers of deeds.

(Recommended to Cumberland county delegation pending second reading on motion by Mr. Murphy of Portland.)

An Act relating to the salary of the judge of probate for Cumberland county.

(Recommended to Cumberland county delegation pending second reading on motion by Mr. Murphy of Portland.)

An Act to provide for the propagation and cultivation of clams.

An Act to protect lobsters in the waters adjacent to the shores of the towns of Lubec and Trescott as amended by Chapter 379 of the Special Laws of 1907 be repealed.

(Tabled pending second reading for correction of title on motion by Mr. Williamson of Augusta.)

An Act to amend Chapter 360 of the Special and Private Laws of 1909 to regulate fishing on the Bagaduce river in the towns of Castine, Penobscot and Brooksville in the county of Hancock.

An Act to annex Fryeburg Academy Grant in the county of Oxford to the town of Monson in said county.

Mr. Hastings of Auburn, offered House Amendment A, to amend by striking out the word "Monson" in the title of said bill and insert in place thereof the word "Mason;" also to strike out the word "Monson" in the third line of Section 1 and inserting in place thereof the word "Mason."

The amendment was adopted.

Resolve in favor of Hannah E. Hodsdon for pension, widow of Aaron Hodsdon, late of Seventeenth Maine Regiment, Company E.

An Act additional to Chapter 144 of the Revised Statutes.

An Act relating to the criminal insane.

An Act to change the eastern boundary of the town of Anson.

An Act additional to Chapter 17 of the Revised Statutes.

Resolve in favor of Frank W. Colby

An Act to amend Section 20 of Chapter 6 of the Revised Statutes relating to polling places.

An Act to amend Section 57 of Chapter 29 of the Revised Statutes of 1903 relating to the conviction of inebriates.

An Act to amend Section 28 of Chapter 4 of the Revised Statutes, relating to filling vacancies in town offices.

An Act to authorize the Aroostook Valley Railroad Company to extend its lines from Washburn to the west line of the State.

An Act to authorize the Aroostook Valley Railroad Company to extend its line from Woodland to Caribou.

An Act to authorize the Aroostook

Valley Railroad Company to acquire the properties of the Canadian Pacific Railway between Presque Isle and Aroostook Junction.

An Act to authorize the Aroostook Valley Railroad Company to extend its line from Washburn to New Sweden and for other purposes.

An Act to extend the charter of the Weld Water Company.

An Act relating to the Readfield Light and Power Company.

An Act to amend Section 43 of Chapter 106 of the Revised Statutes relating to real actions.

An Act to amend Section 37 of Chapter 65 of the Revised Statutes relating to the compensation of executors, administrators, guardians and trustees.

An Act to establish in Cumberland county a county farm.

An Act to amend Section 40 of Chapter 47 of the Revised Statutes of the State of Maine.

An Act to regulate procedure in quo warranto.

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.

An Act to change the corporate name of the Maine Association of Opticians.

An Act to amend Section 23, Chapter 125 of the Revised Statutes relating to the sale of tickets to religious or temperance campmeetings.

An Act to amend Chapter 113 of the Public Laws of 1909 in respect of Foreign corporations.

An Act granting additional powers, rights and privileges to the Penobscot Chemical Fibre Company.

An Act to amend Section 42 of Chapter 141 of the Revised Statutes of 1903, relating to the punishment of convicts.

An Act to amend Section one of Chapter 57 of the Revised Statutes, relating to organization of corporations.

An Act to ratify the organization, acts and doing and extend the powers of the George River Land Company.

An Act to amend an act authorizing the Penobscot Chemical Fibre Company to generate, use, transmit and sell electricity.

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

An Act to incorporate the Eastern Maine Railroad.

An Act to extend the charter of the Lincolnville Water Power Company.

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.

An Act to establish a Board of Education in the city of Biddeford.

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 superintendent of schools.

An Act to amend Section 115 of Chapter 15 of the Revised Statutes as amended, relating to appropriations for the the Normal schools.

(Tabled pending first reading on motion by Mr. Murphy of Portland.)

An Act to prevent the destruction of smelts in the waters of the towns of Lubec and Trescott in the county of Washington.

Passed to Be Engrossed.

Senate Resolve, No. 177, relating to highway bridge over St. John river.

Senate Resolve, No. 178, relating to preservation of regimental rolls.

Senate Bill, No. 168, An Act relating to State sealer.

House Bill, No. 141, An Act relating to shell fish.

.(Tabled pending third reading and specially assigned for next Tuesday on motion of Mr. Davies of Yarmouth.)

House Bill, No. 233, An Act relating to shrubs and insects.

House Bill, No. 307, An Act to incorporate Ogunquit Sewerage Company.

House Bill, No. 472, An Act relating to Lincoln County Street Railway.

House Bill, No. 476, An Act relating to locations for street railroads.

House Bill, No. 473, An Act to amend Sec. 13, Public Laws of 1907.

(Tabled pending third reading on motion of Mr. Plummer of Lisbon.)

House Bill, No. 483, An Act relating to Farmington Power Company.

House Bill, No. 490, An Act relating to hours of employment.

House Bill, No. 491, An Act relating to commissioner of public works.

House Bill, No. 492, An Act relating to Nigger Brook Power Company.

(Tabled pending third reading on motion of Mr. Chase of York.)

House Bill, No. 493, An Act relating to support of alien paupers.

(Tabled pending third reading and specially assigned for Tuesday of next week on motion of Mr. Hersey of Houlton.)

House Bill, No. 495, An Act relating to Wiscasset Water Company.

House Bill, No. 496, An Act relating to management of State juvenile institutions.

House Bill, No. 498, An Act relating to expenses of inspector of boilers.

House Bill, No. 499, An Act to prevent collisions.

Mr. Williamson of Augusta offered House amendment A, to strike out the word "aloft" in Section 1, line 11, and insert in its place the word "abaft."

The amendment was adopted and the bill was passed to be engrossed as amended.

House Bill, No. 501, An Act additional to Chapter 144 of Revised Statutes.

House Bill, No. 504, An Act relating to consolidation of military laws.

(Tabled pending third reading on motion of Mr. Plummer of Lisbon.)

Senate Bill, No. 175, An Act to incorporate Mopang Dam and Improvement Co.

Senate Bill, No. 158, An Act relating to telephone companies.

Senate Bill, No. 181, An Act to limit number of fish taken in Wilson lake.

Senate Bill, No. 182, An Act to render valid doings of Little Madawaska Imp. Company.

Senate Bill, No. 183, An Act to incorporate Northern Penobscot Water Company.

(Tabled pending third reading on motion by Mr. Plummer of Lisbon.)

Passed to be Enacted.

An Act to repeal Chapter 10 of the Public Laws of 1907, relating to census of feeble minded.

An Act to amend Chapter 153 of the Public Laws of 1907, as amended by Chapter 72 of the Public Laws of 1909, relative to transportation of public officials.

An Act additional to An Act to incorporate the General Conference of Free Baptists.

An Act to amend Section 1 of Chapter 151 of the Public Laws of 1905, relating to clerk hire of the register of probate of York county.

An Act to amend Section 89 of Chapter 94 of the Public Laws of 1909, relating to the compensation of selectmen.

An Act to amend Section 1 of Chapter 213 of the Private and Special Laws of 1864 entitled "An Act to incorporate the Baskahegan Dam Company," as amended by Chapter 272 of the Private and Special Laws of 1903.

Finally Passed.

Resolve authorizing a temporary loan for the year 1912.

Resolve in favor of Howard Winslow.

Resolve making an appropriation for the purpose of obtaining information in regard to the wild lands for the purpose of taxation.

Resolve in favor of the Northern Maine General hospital.

Resolve in favor of the Children's hospital.

Resolve in favor of the Girls' Orphanage of Lewiston.

Resolve in favor of St. Mary's General hospital of Lewiston.

Resolve authorizing the land agent to sell the State's interest in lot numbered 163, in township number 18, range 6, Aroostook county.

Resolve in favor of the Lewiston and Auburn Children's Home.

Resolve in favor of the Maine Home for Friendless Boys.

Resolve in favor of the Hayes Young Women's Home at Lewiston.

Resolve in favor of the Bangor Children's Home.

Resolve in favor of the Central

Maine Association for the relief and control of tuberculosis

Resolve in favor of the Holy Innocents Home for infants in the city of Portland.

Resolve in favor of the Androscoggin Anti-Tuberculosis Association.

Resolve in favor of the Children's Protective Society of Portland.

Resolve in aid of Trull Hospital Aid Association.

Resolve in favor of the Children's Aid Society of Maine, located at Belfast.

Resolve in favor of the Central Maine General Hospital in Lewiston.

Resolve in favor of the Maine Institution for the Blind.

Resolve in favor of the Webber Hospital Association of Biddeford.

Resolve in favor of the Maine School for the Deaf.

Resolve in favor of Roy Morrison.

Resolve in favor of the Maine Eye and Ear Infirmary.

Resolve in favor of the Healey Asylum, located at Lewiston.

Resolve to accept the James J. H. Gregory gift, to be known as the Carleton fund in memory of Marcus M. Carleton, for the promotion of scientific orcharding in Maine.

Resolve in favor of the Maine General Hospital.

Resolve in favor of the Old Town Hospital.

Resolve in favor of the Maine Mission for the deaf.

Resolve in favor of the Eastern Maine General Hospital.

Resolve in favor of St. Elizabeth's Roman Catholic Asylum of Portland.

Resolve in favor of the town of Wiscasset.

Resolve in favor of the Women's Christian Temperance Union Temporary home for children.

Resolve in favor of the Bath City Hospital.

Resolve in favor of the Augusta General Hospital.

Resolve in favor of the Knox County General Hospital.

Resolve in aid of the Temporary Home for Women and Children at Portland.

Resolve in favor of the York Hospital.

Resolve in favor of the Good Samaritan Home Association of Bangor.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Resolve in favor of the Maine Children's Home Society of Augusta.

Resolve in favor of the Children's Heart Work Society of Maine.

Resolve constituting the State treasurer the trustee of the Isaac Sanford legacy for the deaf, dumb and blind, and providing for the expenditure of the interest thereon.

Resolve in favor of the Bar Harbor Medical and Surgical hospital, located at Bar Harbor, Me.

Resolve in favor of Frank W. Burnham.

Resolve in favor of Charles A. Rolfe.

Resolve in favor of Fred A. Chandler.

Resolve naming the principal building at the School for Feeble Minded.

Resolve in favor of Frank W. Bucknam, secretary of the Commission of Pharmacy.

Orders of the Day.

Bill, An Act to amend Section 1 of Chapter 84 of the Revised Statutes relating to order of notice by the supreme judicial court, came from the Senate, recommitted to the committee on legal affairs.

The House reconsidered the votes whereby the bill was passed to be enacted and passed to be engrossed and concurred with the Senate in its reference.

An Act to extend the provisions of Chapter 315 of the Private and Special Laws of 1909, being An Act to incorporate the Penobscot Bay Water Company, to March 26, 1913, came from the Senate recommitted to the committee on legal affairs.

The House reconsidered the votes whereby the bill was passed to be enacted and passed to be engrossed and concurred with the Senate in its reference.

On motion of Mr. Wilson of Auburn House Resolve 455, in favor of Machiasport bridge, was referred to the next Legislature.

The following resolves were taken from the table, given their second readings and passed to be engrossed:

House Resolve, No. 455, in favor Machiasport bridge.

House Resolve, No. 464, in favor Mattanawcook Academy.

House Resolve, No. 330, favor of Fort William Henry.

House Resolve, No. 331, relating to Major General O. O. Howard statue.

House Resolve, No. 377, favor Maine Seed Improvement Association.

House Resolve, No. 309, in favor of repairing a certain road in Penobscot county. (Referred to next Legislature on motion of Mr. Skehan of Augusta.)

House Resolve 352, in favor of roads in Indian township.

Mr. Skehan of Augusta moved that the resolve be referred to the next Legislature.

Mr. PATTANGALL: Mr. Speaker, I think a word of explanation ought to be made. The State of Maine owns now just one township of land. This is the township. The property of that township of course cannot be taxed to build roads because it is the property of the State. I do not believe the gentleman from Augusta would insist upon that motion with a full knowledge of the fact. There are 10 miles of road in the township. Those roads are obliged to be cared for by the State.

On motion by Mr. Skehan the resolve was tabled and assigned for Tuesday.

On motion of Mr. Hersey, Resolve in relation to solid and liquid refreshments, and so forth, was referred to the next Legislature.

House Resolve, No. 418, providing an appropriation for protection against insects for 1912, and House Resolve, No. 419, providing an appropriation for protection against insects for 1912, came up for their second reading.

On motion of Mr. Pattangall permission was given for him to withdraw his amendments to these resolves, which amendments cut down the appropriation from \$30,000 to \$15,000 a year.

The resolves then received their second reading and were passed to be engrossed.

An Act in relation to Peaks Island Corporation. (The report of the committee

accepted on motion of Mr. Scates of Westbrook.)

Today assigned: House Bill, No. 413, An Act relating to the protection of smelts.

Mr. Kelley of Boothbay moved that this bill be indefinitely postponed.

Mr. TUCKER of Wiscasset: Mr. Speaker, I object to that motion. You might infer from the language of the bill that that territory was all unprotected. Of the five rivers and streams about Casco bay and Penobscot bay there is but one unprotected river. That is the Sheepscot river. This bill is designed to cover the Sheepscot river, and join the Sheepscot river with its neighboring rivers which are protected. The Sheepscot river is the only unprotected river from Casco bay to Penobscot bay, and the purpose of this bill is to place those rivers all together in the same category so that the parties won't be coming here at every Legislature and trying to open the Sheepscot and Damariscotta rivers, which seem to be the rivers in contention, which is done session after session. They have been here trying to open the Androscoggin river again and were given leave to withdraw, but they have still persisted in trying to keep the Sheepscot river open. Now this Sheepscot river protects a very large territory. It is a peculiarly located river. The back river comes into the main river within a mile or so of its mouth. In the Sheepscot river there are from 80 to 160 men at work the whole winter through as soon as the ice goes, dependent upon the hand line fishing largely, and we feel that we should protect them. Now, on the other side, at Boothbay Harbor, where this opposition comes from, they seine all through the summer. When it comes fall they start out into Casco bay and seine for smelts.

They can do that still; and after they chase the smelts all around the bay they go into the rivers and then they follow them up into the rivers, and we have got the only river that they can follow them in, and we want to stop that. The seiners pursue this course but a short time. It is a side line, so to speak, with them. They pursue this course for a few weeks in

the fall and then give it up when it comes cold weather. Now seining today and 25 years ago are quite different things when it comes to smelts. Twenty-five years ago two or three men went to a cove and set their seines and they could cover a little territory in a day; but with a motor boat they can cover that whole river today. Smelts have decreased very largely from 25 years ago; and the cold storage business is another factor which enters into this matter which did not apply to it 25 years ago. We simply ask that we be given just the same protection as is given to our neighboring rivers. The smelt belongs to the salmon family of fish and it returns to the locality where it is hatched. When there are but few smelts and they kill off all the smelts that come into a river in the fall there will not be so many come in another year. And a further protection afforded by this bill is that it protects the smelts in the spawning season. In April and May they can dip in certain localities, in some places they are allowed 20 days' time and in some I think a month. This measure will stop that dip netting and that is a very important feature because that is the season when they are on the spawning beds.

I would say that this bill comes to this House reported by a unanimous report from the committee on shore fisheries. It was before them several times and was thoroughly threshed out, out and at each hearing it was met with this one single opposition, the men who have no interest in our river, who simply want to gobble up what belongs to us and who have got all the ocean to fish in, and we want them to keep their ocean and give us a chance; and, Mr. Speaker, I move that the motion of the gentleman from Boothbay be indefinitely postponed.

Mr. KELLEY of Boothbay: Mr. Speaker, I will try to explain my reasons for asking for an indefinite postponement of that bill. It was introduced in the first place as a general bill covering the whole State. A hearing on that bill was advertised and at the hearing the only persons appearing in favor of it was its author, the gen-

tleman from Wiscasset. Now here was a general law covering the whole State asked for and only one person asking for it. At the hearing the gentleman from Wiscasset, finding there was a great deal of opposition from the eastern section of the State and from members of the committee who come from that section, agreed to amend the bill and change it so it would not cover other sections of the State at all. At the hearing, men appeared from different sections of the State in opposition to the bill. There were people from Casco bay who put up a pretty strong opposition to it. The gentleman from Wiscasset, not caring particularly about Casco bay, said he would eliminate Casco bay from the bill, and he did so. At that hearing I offered to compromise with the gentleman from Wiscasset in agreeing upon a special bill of a private nature which would give a fair protection to both parties concerned upon the Sheepscot river. The committee in executive session laid the bill on the table to await our action. In the meantime I discovered that a new draft of this bill had been reported to the House, House Document 245.

This was brought in here no doubt through some mistake. On inquiry I found out that no member of the committee had ever seen the new draft and that it had not been acted upon in executive session, and I had it recommitted to the committee. After some waiting the gentleman from Wiscasset finally decided that he would not agree upon any compromise bill and stated that he should insist upon the passage of this general bill, and it went back to the committee in that way, but he still found that one member of the committee objected to this general law covering the New Meadows river and to be agreeable to the gentleman who objected to that, he agreed to eliminate the New Meadows river; and so it leaves only the Sheepscot river unprotected, and the bill came in a new draft as reported by the committee, which has been read.

Now this draft is entirely different. The gentleman from Wiscasset says,

as I understand him, that a hearing was held on the bill in a new draft. It was not held. We had a hearing on the first draft of the bill, but the bill was reported in this last draft, No. 413, by the committee. I talked with quite a number of members of the committee and I found that it was not all unanimous with them on the committee in regard to the matter, but that they did not decide to put in any minority report and did not do so. This bill only affects this one river, but it does affect a lot of harbors and bays in this section that do not need this protection. This bill will work an injury on that coast. We have already a general law which provides for a close time on seining smelts in certain seasons of the year, and if any further protection is needed an amendment to that general would be better than coming here with another general law which only affects a small section of the State. I submit that we ought not to enact as a general law a bill which really affects but a small part of our coast and only one river, especially when only one appeared to advocate that bill and not a single petition presented in favor of it. Is it just and right that a bill of this kind should be enacted?

In the Sheepscot river there are a large number of men who depend on the seining of smelts during the fall and winter. In my section alone we have from 75 to 100. In the fall the only thing they have by which to get a living is by this seining of smelts and by the hand lining of fish on the rivers and harbors. At times that is fairly profitable, and at other times there are no fish at all for them. I really believe, if this law is enacted, that many of the people along the coast of Maine and their families will suffer during the winter for want of a means of livelihood. This seining of smelts is not done by large seines or by sweeping. This is done by means of small seines of not over 50 fathoms in length and these are set near to and dragged

upon the shores of this river and its tributaries. Very little of the seining that is done is done in the main river. The greater part is done in the bays and back of the islands, and the mouth of the Sheepscot river is really a bay. Now I submit that these seiners with these small seines dragging the coves and bays of that river a mile wide cannot catch all the smelts that come into that river. I do not believe that they catch one-tenth part of them. All that they ask is just the right to seine along the coast, they simply ask for justice for all parties. In regard to ice fishing at the head of this river, the condition at the head of the Sheepscot river is very different from the condition at the head of the other rivers. At the head of this river ice fishing is carried on on a very small scale. I do not believe there are over a dozen or 15 men who depend on its for a living who fish there every day. These seine fishermen ask to be allowed to share equally with those at the head of the river. They believe that these fish were placed in our waters for the benefit of all men, not for any special class of men, that to deprive them of a right to share in the fish that swim by their doors would be working a great injustice. I ask you to deal fairly and justly in this matter and not to deprive these poor fishermen of their just rights by enacting any such class legislation as this bill calls for.

Mr. HARMON of Stonington: **Mr. Speaker,** this bill was given very careful consideration by the shore fisheries committee of which I am a member. This is the only river on the coast which is open to seiners at the mouth. By the efforts of the gentleman from Boothbay two years ago, who was a member of the shore fisheries committee, he had this river opened up and got a bill through to that effect. It satisfied a few of his constituents at the mouth of the river who destroyed the smelts and their schools on the way up the river. I trust the motion to indefinitely postpone will not prevail.

Mr. Hersey of Houlton moved to adjourn.

The motion was lost.

The question being on the indefinite postponement of the bill,

The motion was declared lost.

Mr. Kelley of Boothbay called for a division.

A division was had and the motion was lost by a vote of 71 to 40.

Mr. Hersey of Houlton moved to adjourn.

The motion was lost.

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

Mr. Plummer of Lisbon moved to reconsider the vote whereby the House voted to indefinitely postpone the resolve in relation to reciprocity with Canada.

On motion of Mr. Pattangall the motion to indefinitely postpone was tabled.

On motion of Mr. Austin of Phillips, Adjourned.