

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**HOUSE.**

Thursday, January 9, 1913.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Mosher of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that the joint standing committee on Library be directed to receive proposals from the publishers of the Maine State Year Book for furnishing the State a sufficient number of copies for the years 1913 and 1914.

The order received a passage in concurrence.

Subsequently on motion by Mr. Rolfe of Portland, the vote was reconsidered whereby this order received a passage in concurrence and the order was then laid upon the table.

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

**Judiciary.**

By Mr. Harper of Gorham: An Act to incorporate the South Windham Village Corporation.

By Mr. Clark of New Portland: An Act authorizing Mayfield Plantation to build and maintain its roads and bridges and to raise money for the same.

By Mr. Milton of Eastport: An Act relating to the Eastport Water Company.

By Mr. Clark of Portland: An Act relating to the Home for Aged Women in Portland.

By Mr. Waterhouse of Kennebunk: An Act to amend section seven of chapter 128 of the Revised Statutes, as amended by chapter 100 of the Public Laws of 1905, relating to malicious mischief.

**Legal Affairs.**

By Mr. Mitchell of Newport: An Act to provide for the regulation and supervision of investment companies.

By Mr. Cyr of Fort Kent: An Act to amend chapter 297 of the Private

and Special Laws of 1907 entitled, "An Act creating the Fort Kent Village Corporation."

By Mr. Kehoe of Portland: An Act to incorporate the Maine Security Company.

By Mr. Nute of Wiscasset: An Act to amend chapter 175 of the Private and Special Laws of 1911.

By Mr. Wheeler of South Paris: An Act to provide for the creation of drainage districts and supervision of the construction of dams and control and regulation of storage reservoirs. (Tabled for printing pending reference on motion by Mr. Wheeler.)

**Appropriations and Financial Affairs.**

By Mr. Clark of Portland: Resolve in favor of the Maine State Sanitorium Association.

By Mr. Maybury of Saco: Resolve in favor of Trull Hospital Aid Association of Biddeford and Saco, accompanied by statement of facts.

By same gentleman: Resolve in favor of York County Children's Aid Society of Saco, accompanied by statement of facts.

By Mr. Sherman of Eden: Resolve in favor of the Bar Harbor Medical and Surgical Hospital located at Bar Harbor, Maine.

By Mr. Haskell of Portland: Resolve in favor of the Maine Eye and Ear Infirmary, with statement of facts.

By Mr. Donovan of Lewiston: Resolve in favor of the Central Maine General Hospital.

**Education.**

By Mr. Bowler of Bethel: An Act to amend section 38 of chapter 15 of the Revised Statutes, relating to the duties of the superintendent of schools.

By same gentleman: An Act to amend section 52 of chapter 15 of the Revised Statutes, relating to compulsory school attendance.

By Mr. Wheeler of South Paris: An Act to amend section one of chapter 125 of the Public Laws of 1909, relating to State superintendent of public schools.

By Mr. Leveille of Orono: Resolve making specific appropriations for buildings at the University of Maine.

By same gentleman: Resolve

granting an appropriation for the maintenance of the University of Maine.

By Mr. Thombs of Lincoln: Resolve in favor of Lee Normal Academy.

#### Railroads and Expresses.

By Mr. Wheeler of South Paris: An Act to provide for the abolishment of grade crossings of railroads.

By Mr. Cyr of Fort Kent: Petition of Theodule Albert and 19 others inhabitants of Fort Kent in aid of granting charter for railroad bridge between Van Buren and St. Leonards.

By Mr. Violette of Van Buren: Petition of Edmund J. Dube and others of Van Buren and Hamlin for same.

#### Mercantile Affairs and Insurance.

By Mr. Stevens of Kennebunk: An Act to amend chapter 131 of the Public Laws of 1911 entitled "An Act relating to taxing insurance companies not authorized to do business in Maine."

#### Agriculture.

By Mr. Irving of Caribou: An Act to amend section 9 of chapter 195 of the Public Laws of 1911, relative to the importation of horses into the State of Maine. (Tabled for printing pending reference to the committee on motion by Mr. Austin of Phillips.)

#### Military Affairs.

By Mr. Trimble of Calais: An Act to amend the military laws.

#### Ways and Bridges.

By Mr. Kimball of Bridgton: An Act to provide for the cutting of bushes and weeds within the limits of any highway or town way adjoining cultivated land.

By Mr. Butler of Farmington: An Act to establish a State highway commission and to provide for an issue of State highway bonds. (Tabled for printing pending reference to the committee and 3000 extra copies ordered printed, on motion by Mr. Butler.)

By Mr. Smith of Patten: Resolve in favor of repairing the road between Patten and Trout Brook Farm in Penobscot county.

By Mr. Scates of Westbrook: An Act for the improvement and maintenance of public roads, with synopsis. (Tabled for printing pending reference to the committee and 2500 extra

copies ordered printed, on motion by Mr. Scates.)

#### Sea and Shore Fisheries.

By Mr. Maxwell of Boothbay Harbor: An Act to amend section one of chapter 61 of the Private and Special Laws of 1907, as amended by chapter 210 of the Private and Special Laws of 1909, relating to the lobster industry within two miles of the shore of Monhegan Island.

By Mr. Ricker of Castine: An Act to amend chapter two of the Public Laws of 1911, relating to scallops. (Tabled for printing pending reference to the committee on motion by Mr. Boman of Vinalhaven.)

By Mr. Farnham of Bath: Petition of E. M. Fuller of Bath and others for the protection of smelts along the Maine coast from Casco Bay to Penobscot Bay.

By same gentleman: Petition of G. T. Tarr and others of Woolwich for same.

#### Towns.

By Mr. Mitchell of Newport: An Act to amend section 65 of chapter four of the Revised Statutes, relating to burial of honorably discharged soldiers and sailors.

By same gentleman: An Act to amend section three of chapter 17 of the Revised Statutes, relating to the practise of medicine, etc.

By Mr. Bowler of Bethel: Petition of Horatio N. Patten and four others of Mason, to set off certain lots in the town of Mason and annex them to the town of Bethel.

#### Pensions.

By Mr. Mitchell of Newport: An Act to amend section one of chapter 145 of the Revised Statutes, relating to the State pension law.

#### Orders.

On motion by Mr. Smith of Patten it was

Ordered, That all bills, resolves and petitions to be introduced in the House shall be deposited in the hopper in front of the Clerk's desk not later than four o'clock in order to be introduced the next day.

Mr. Wheeler of South Paris presented the following order:

In House of Representatives, January 9, 1913.

Whereas House Document No. 742 of the 75th Legislature, being a matter considered by the legal affairs committee in the 75th Legislature and entitled "An Act to establish a public utilities commission for Maine and to define its duties," was referred by the 75th Legislature to the 76th Legislature, and

Whereas said document and papers in the case appear to have been lost from the files,

Now, therefore, be it

Ordered, the Senate concurring, that the clerk of the House be instructed to procure a copy of said House Document No. 742 and substitute the same on the files for the original bill and papers in the case, and that the same be referred to the legal affairs committee.

Mr. WHEELER: I will say, Mr. Speaker, in explanation that this is to avoid any further delay on a very important matter.

Mr. SMITH of Patten: Mr. Speaker, I would like to ask for the purpose of making an inquiry, do I understand that if the order is passed it means a reference to the legal affairs committee of the Legislature upon the public utilities bill, as a general proposition.

The SPEAKER: The Chair supposes that it does.

Mr. SMITH: Mr. Speaker, I desire to make a statement in relation to that matter. As I recollect it, there was a committee appointed in this House upon the Governor's Message, and that committee have considered the different suggestions made by the Governor and referred those suggestions under the different headings to what they deemed the proper committees. That report has not as yet reached the House, but I am informed it is in the Senate; I am also further informed that after a careful consideration of the matter and in conference with others who are deeply interested in this matter of public utilities, and considering the importance of the matter, when the report reaches the House it will contain a recommendation that that part of the Governor's Message

pertaining to public utilities be referred to a joint special committee.

Now, as I say, I believe the committee have given that matter careful consideration and it seems to many of us who have discussed the matter that that is the wise thing to do; it is a matter of vast public importance, and it is a matter that should receive great care and attention; it is a matter as it strikes me and some others, which will be better considered by a special committee who can give it a thorough investigation, and with better results than would be obtained by referring it to either of the over-crowded legal committees of this Legislature or any other committee, and for that reason I object to the passage of this order, and I think it should be carefully considered by the House before it is passed. It is a very important matter and a matter which requires very careful consideration. When this bill is referred I think it should be referred to a committee that can devote time to it, and plenty of time, and report something that will be satisfactory not only to ourselves but to the people of the State.

Mr. WHEELER of South Paris: Mr. Speaker, I am pleased to find myself in agreement with very much that has been said by my Brother Smith. I agree with him that this is an important matter, and it is of too much importance to receive any extended delay. My only purpose in introducing this order is to facilitate the business of the two branches of this Legislature upon this important measure; and therefore as a matter of courtesy to my Brother Smith and as a matter of courtesy to other members of this House who probably wish to consider the matter, I will consent, and I will move that this order be laid upon the table and that it be considered at the next Tuesday morning session. In the meantime the report to which my Brother Smith has referred will come in and be before this House. I wish to give notice also that when that report comes in I shall move that that also be tabled and be

considered at the same time this order is considered.

Mr. SMITH: I appreciate the offer of my Brother.

The question being on the motion to table the order until Tuesday of next week,

The motion was agreed to.

On motion by Mr. Peaks of Dover, the rules were suspended and that gentleman presented the following resolve:

Resolve, a memorial to Congress in favor of the bill pending in Congress entitled "Bill for the establishment of a National Park, and acquiring national forests in the Mount Katahdin region of the State of Maine."

On further motion by Mr. Peaks the resolve received its two readings and was passed to be engrossed under a

suspension of the rules without reference to a committee.

On motion by Mr. Mitchell of Newport,

Ordered, That on Tuesday next, January 14, 1913, at 12 o'clock noon the House shall proceed to vote for a Senator in Congress for the full term from March 4th, 1913, in accordance with the laws of the United States.

#### Reports of Committees.

Mr. Gordon from the committee on claims, reported ought to pass on Bill, an Act in favor of the Town of Oxford. (The report was accepted and the bill tabled for printing)

On motion by Mr. Austin of Phillips, Adjourned until tomorrow morning at 10 o'clock.