

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Tuesday, January 28, 1913.

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

Prayer by the Rev. Mr. Smith of Hallowell.

Journal of previous session read and approved.

Mr. SMITH of Patten: Mr. Speaker, yesterday in the House we passed to be engrossed a resolution which came to us from the Senate in regard to the consolidation of the Customs Districts of the State. It was passed for the purpose of getting some delay on the matter in Washington by the Department, so that our Congressmen might have an opportunity to look into the matter and see what the proposition was; and in the resolution as passed there were some informalities which it seems necessary to correct for the purpose of requiring speedy action, and I therefore ask for unanimous consent of the House that I may make a motion to reconsider the vote by which we passed this resolution to be engrossed in concurrence with the Senate; and if there is no objection, I will make that motion.

The motion was agreed to, and the vote was reconsidered whereby this resolution was passed to be engrossed in concurrence with the Senate.

On further motion by Mr. Smith of Patten, the vote was reconsidered whereby this resolution received its second reading.

Mr. Smith of Patten then offered an amendment, by striking out the words "Resolved by the Senate and House of Representatives in legislature assembled," and by adding the following preamble: "Joint Resolution."

The amendment was adopted, and on further motion by Mr. Smith of Patten, the resolution as amended received a passage and was sent to the Senate.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve in favor

of the election of United States Senators by direct vote of the people.

This resolve in the House was referred to the committee on legal affairs, and came from the Senate referred to the committee on judiciary in non-concurrence.

On motion by Mr. Boman of Vinalhaven, the vote was reconsidered whereby this resolve was referred to the committee on legal affairs, and on further motion by the same gentleman the House voted to recede and concur with the Senate in its reference.

From the Senate: Order, in relation to special committee for investigation of the cost of producing electric energy in Maine.

This order in the House received a passage, and came from the Senate indefinitely postponed in non-concurrence. (Tabled on motion by Mr. Maybury of Saco.)

Senate Bills on First Reading.

An Act to incorporate the Van Buren Bridge Company.

Resolve in favor of Fort William Henry in the town of Bristol.

Resolve to provide steel cases for regimental rolls.

Resolve in favor of aid in repairing road from The Forks to Lake Moxie station. (The Senate report was accepted and the resolve received its first reading and was assigned for tomorrow morning.)

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

Judiciary.

By Mr. Smith of Presque Isle: An Act conferring equity jurisdiction upon the Supreme Judicial Court to hear and determine property matters between wife and husband or husband and wife.

By Mr. Smith of Patten: An Act to amend section 55 of chapter 49 of the Revised Statutes, relating to enforcement of a mortgagee's lien for insurance.

By Mr. Smith of Auburn: Petition of L. C. Wendall and 30 others of

Green in favor of equal suffrage.

By same gentleman: Petition of F. S. Irish and 10 others of Turner for same.

By Mr. Metcalf of Greenville: Petition of Mrs. Carrie Brown and 75 others of Monson in favor of same.

By Mr. Smith of Auburn: Petition of J. H. Conant and 65 others of Turner in favor of same.

By Mr. Mitchell of Newport: An Act to amend sections five and 17 of chapter 23 of the Special Laws of 1889, as amended by chapter 488 of the Special Laws of 1901, relating to the municipal court in the town of Newport.

By Mr. Bragdon of York: Petition of Mary R. D. Wade and 15 others of Ocean Park in favor of equal suffrage.

By Mr. Cyr of Fort Kent: Petition of Daniel S. Graffam asking the legislature to inquire into certain findings of the Supreme Court of Maine.

Legal Affairs.

By Mr. Thombs of Lincoln: An Act to incorporate the Mattawamkeag Water Company.

By Mr. Mitchell of Newport: An Act to authorize the town of Newport to remove bodies from abandoned cemeteries.

By Mr. Thombs of Lincoln: An Act to incorporate the Winn Water Company.

By Mr. Greenleaf of Otisfield: An Act to incorporate the Harrison Water Company.

By Mr. Quinn of Millinocket: An Act to amend chapter 393 of the Private and Special Laws of 1909, relating to the Millinocket Municipal Court.

By Mr. Morse of Rumford: An Act to extend the charter of the Rumford General Hospital.

Education.

By Mr. Ramsay of Blaine: Resolve in favor of the Aroostook Central Institute, accompanied by statement of facts.

By same gentleman: Resolve in favor of the Aroostook Central Institute,

accompanied by statement of facts.

By Mr. Maybury of Saco: Petition of Lewis B. Stillman and 26 others in favor of pensions for teachers; also petition of W. S. Mitchell and 16 others for same.

By Mr. Maybury of Saco: Petition of Paul C. Dennett and five others in favor of pensions for teachers; also petition of A. M. Goodwin and 16 others for same; also petition of Samuel C. Pratt and nine others of York county for same; also petition of Aaron E. Shackley and 63 others of Saco for same; also petition of D. F. Littlefield and 37 others of Saco for same; also petition of Mayor Frank L. Palmer and 70 others of Saco for same; also petition of William H. Stackpole and 11 others of York county for same; also petition of L. O. Ballock and four others for same; also petition of Everett C. Ward and 23 others of Saco for same.

Railroads and Expresses.

By Mr. Swift of Augusta: An Act to extend the charter of the Waldo Street Railway Company.

Ways and Bridges.

By Mr. Kimball of Bridgton: Petition of T. P. Merrill and 27 others in favor of an act entitled "An Act to provide for the cutting of bushes and weeds in the limits of any highway or town way adjoining cultivated land."

By Mr. Brown of Eagle Lake: Resolve in favor of building a steel highway bridge across the Fish River in Wallagrass Plantation.

By Mr. Morrison of Corinth: An Act amendatory of and additional to section 66 of chapter 23 of the Revised Statutes, relating to improved condition of highways and better facilities for public travel.

By Mr. Mooers of Ashland: Resolve in favor of the Allagash road in Aroostook county, and statement of facts accompanying the same.

Inland Fisheries and Game.

By Mr. Wheeler of South Paris. An Act to regulate fishing in Little Concord Pond and Shagg Pond, both in

the town of Woodstock, in the county of Oxford, and Abbott Pond in the town of Sumner, in said county.

By same gentleman: An Act to regulate fishing in Hall Pond, in the town of Paris, county of Oxford.

Pensions.

By Mr. Merrill of Buxton: Resolve in favor of E. J. C. Owen, with statement of facts.

By same gentleman: Resolve in favor of Elizabeth D. Low, with statement of facts.

Sea and Shore Fisheries.

By Mr. Washburn of Perry: An Act for the better protection of herring and herring fisheries in the waters of St. Croix river and Passamaquoddy Bay, in the county of Washington.

Claims.

By Mr. Taylor of Topsfield: Resolve in favor of the town of Talmadge, with statement of facts.

By Mr. Mitchell of Newport: Resolve in favor of the town of Newport, with accompanying statement of facts and other papers.

By Mr. Eaton of Oxford: Resolve in favor of the town of Norway, with accompanying statement of facts.

By Mr. Mitchell of Newport: Resolve in favor of the town of Newport, with accompanying statement of facts and other papers.

Salaries and Fees.

By Mr. Wheeler of South Paris: An Act to amend chapter 173 of the Public Laws of 1905, relating to compensation of registers of deeds.

Orders.

On motion by Mr. Bowman of Vinalhaven, it was

Ordered, the Senate concurring, that the committee on State prison consider the advisability or feasibility of allowing time convicts in the State prison a small compensation for their work and labor performed while in prison, to be paid to them when discharged, and in the event any such convict has a wife or minor child or minor children residing within the State whether or not such compensation should not be paid, from time to time, to such wife or child or chil-

dren, and to report by bill or otherwise.

On motion by Mr. Bowler of Bethel, it was

Ordered, that the use of the Hall of Representatives be and hereby is granted for the use of the committee on education for Thursday afternoon, February 13th, for the purpose of public hearing on teachers' pension bill.

Reports of Committees.

Mr. Spencer from the committee on ways and bridges, reported in a new draft and "ought to pass" on resolve in favor of the Gardiner-Randolph bridge.

Same gentleman from same committee, reported in a new draft and "ought to pass" on resolve in favor of the Eastport bridge.

Same gentleman from same committee, reported "ought to pass" on resolve in favor of aid in building road in New Canada Plantation, with statement of facts.

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

Passed to be Engrossed.

Resolve in favor of the town of Solon.

Resolve in favor of the town of Albion.

Resolve in favor of the city of Biddeford.

Resolve in favor of the clerk, assistant clerk, messenger, assistant messenger, mail carrier, first folder, assistant folder, doorkeeper and pages of the 75th Legislature for attendance at the organization of the 76th Legislature.

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

An Act to incorporate the Maine Security Company.

An Act to extend the charter of Ithiel C. Blackman for maintenance of ferry across the Penobscot river between Lincoln and Chester, in the county of Penobscot.

An Act to incorporate the Sweetsir Orphan Asylum.

An Act to regulate the taking of smelts in the waters of Egypt bay.

Franklin bay and Taunton bay and river, in the towns of Hancock, Franklin and Sullivan in Hancock county.

An Act to extend the charter of the South Paris Light, Heat & Power Company.

An Act to amend Chapter 175 of the Private and Special Laws for the year 1912, relative to the Wiscasset Electric Light & Power Company enlarging its charter.

Orders of the Day.

On motion by Mr. Smith of Presque Isle, order, that all bills and resolves coming into the legislature shall be tabled for printing pending reference to any committee, was taken from the table.

Mr. SMITH of Presque Isle: Mr. Speaker, I wish to call the attention of the House for just a moment to this order. The order reads as follows: "Ordered, the House concurring, that all bills and resolves coming into the legislature shall be tabled for printing pending reference to any committee."

So far as I am able to find out, this order is unprecedented in the legislative history of this state. I think it has been the practice when bills and resolves have come into the legislature, with few exceptions, to have them referred to the committees to which they belong. There are some exceptions, and it is necessary that it should be so. There are a few measures of so great public interest that they should be printed pending reference. Take, for instance, the bill introduced by my friend, Mr. Scates, the good roads bill, also the public utilities commission bill, the hotel bill introduced by my friend, Mr. Clark. It is very proper that those measures should be printed pending reference; but heretofore, as I have stated, it has not been the practice to print all the bills and acts pending reference when they go to the committees.

Now, I don't know just what the statistics will show, but I have an idea that at least 33 1-3 per cent of the bills that go to the committees, for one reason and another, are either reported "ought not to pass," "referred to the next Legislature" or "leg-

islation thereon inexpedient," and as a rule those reports are accepted. All bills that are reported "ought to pass" under the general rules are printed, required to be printed.

I have taken pains to make some slight investigation as to the cost of this printing—and I don't mean by that the printing of the record of this House, or the printing of bills in engrossed form; but I have inquired through one of the state officials as to the cost of printing bills, such as you see them on your tables here today, for the last three sessions of the Legislature; and here are the figures which that gentleman has furnished me, not accurately to a cent, but approximately. I find for the legislative session of 1907 that it cost \$6600.00 to print the bills as we see them laying here on our tables; for the session of 1909 I find that it cost in round numbers \$10,000.00 to do the printing; in the session of 1911—and I am informed that there is some change in the contract or in the method of printing, but in the session of 1911 it cost about \$5000.00.

Now, gentlemen, the people of the state of Maine, our constituents, expect us to expend a reasonable amount of money in the transaction of the business of the state in this Legislature, but they do not expect us to expend any money that is unnecessary to be expended; and I want to say that every time we have a bill printed, and every time we make a speech, and every time we make a motion we set the printing press going, and the state is paying the bills.

I have an idea, gentlemen, that if this order which has come down to us from the Senate should pass, and all bills and acts and resolves be printed pending reference, that the printing bill for this session would go away beyond that of the session of 1909, which as I have stated, in round numbers was \$10,000.00. Now, Mr. Speaker, with these few remarks I move that this order be indefinitely postponed.

The SPEAKER: The gentleman from Presque Isle, Mr. Smith, moves that this order be indefinitely post-

poned. Is the House ready for the question?

Mr. SHERMAN of Eden: Mr. Speaker, before that motion is put I would like to state my position. I think it is generally misunderstood by the new members of this House—it certainly was by myself. I supposed that all bills were printed, when I came here, before they were reported by the committee.

I introduced an automobile bill applying to the town of Eden, and I wanted notice of that bill sent to my constituents at home. I find that that bill will not be printed until after the committee makes its report, and at that time it will do no good. The time when interest in the bill is manifested, to a large extent, is before the committee hearing. Now, if it is in order, I should like to make a motion—not to interfere with the motion of my friend from Presque Isle (Mr. Smith)—to reconsider the vote whereby this bill was referred to the judiciary committee, for the purpose of having it tabled for printing. It seems to me that the important time to consider the bill is before it goes to the committee. After it goes to the committee it is printed, and then as I understand it has to be engrossed, but the people who are interested, and the people at home are interested in the bill before it goes to the committee. I am in favor of having the bills printed before they are referred to a committee.

The SPEAKER: The Chair will inquire of the gentleman from Eden, Mr. Sherman, whether his motion in general refers to this order or to the bill in relation to automobiles.

Mr. SHERMAN: Mr. Speaker, I move that we reconsider the vote whereby this Bar Harbor automobile bill was referred to the committee on judiciary.

The SPEAKER: The Chair will state that the motion cannot be entertained at the present time, because another motion is pending, in relation to this order.

Mr. SCATES of Westbrook: Mr. Speaker, I fully agree with the remarks of my friend from Presque Isle (Mr. Smith) in regard to the printing of these bills when they are introduced. It seems

to me that it would cause an unnecessary delay, and if there is any important bill that any member of the House introduces which he wants to send to his constituents, when it is introduced and read he can have it tabled for printing pending reference.

There is one thing which the gentleman from Presque Isle (Mr. Smith) did not mention. There are very many bills which are presented to the different committees which are changed, for one reason and another, a mere technical change, or by reason of some error or some mistake, and those bills have to be reported in a new draft, and consequently those bills would all have to be re-printed again, at considerable expense and causing great delay. I fail to see the necessity of having every bill, no matter how insignificant it may be, printed.

The question being on the motion of Mr. Smith of Presque Isle, that the order be indefinitely postponed,

The motion was agreed to.

Mr. SHERMAN of Eden: Mr. Speaker, I move that the vote be reconsidered whereby the Bar Harbor automobile bill was referred to the committee on judiciary.

The SPEAKER: The Chair will inform the gentleman from Eden, Mr. Sherman, that that bill has been referred to the committee and is now in the hands of the committee. The Chair would suggest that the committee, if necessary, could return the bill for printing.

Mr. SHERMAN: Mr. Speaker, I would like to have the bill printed.

Mr. SCATES of Westbrook: Mr. Speaker, could the House recall the bill?

The SPEAKER: The Chair presumes the House could recall the bill.

Mr. NEWBERT of Augusta: Mr. Speaker, the gentleman from Eden, Mr. Sherman, wishes to have the bill printed, and perhaps that would be the simplest way out of it.

The question being on the motion of Mr. Sherman of Eden, that the House request the committee on judiciary to return the bill to the House,

The motion was agreed to.

On motion by Mr. Austin of Phillips,

Senate Document No. 45, resolve authorizing the land agent to release the interest of the State in any islands in Long Lake or Long Pond, in Kennebec county, was taken from the table, and on further motion by Mr. Austin the resolve was referred to the committee on State lands and forest preservation.

On motion by Mr. Austin of Phillips, House Document No. 64, An Act to incorporate the Kennebec Gas & Fuel Company, was taken from the table, and on further motion by Mr. Austin the bill was referred to the committee on legal affairs.

On motion by Mr. Clark of Portland, House Document No. 62, An Act in relation to inspection of hotels, inns and rooming houses, was taken from the table, and on further motion by Mr. Clark the bill was referred to the committee on public health.

On motion by Mr. Kimball of Bridgton, House Document No. 44, An Act in aid of navigation on Sebago Lake, was taken from the table, and on further motion by Mr. Kimball the bill was referred to the committee on interior waters.

On motion by Mr. Kimball of Bridgton, House Document No. 45, An Act to regulate the use of Songo Lock by steamboats, vessels or other boats, was taken from the table and on further motion by Mr. Kimball the bill was referred to the committee on interior waters.

On motion by Mr. Smith of Auburn, House Document No. 47, bill, An Act for the improvement of streets, was taken from the table, and on further motion by Mr. Smith the bill was referred to the committee on ways and bridges.

On motion by Mr. Currier of Camden, Adjourned.