

# 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-Sixth Legislature

OF THE

STATE OF MAINE

1913

### HOUSE.

Wednesday, January 29, 1913.

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

Prayer by the Rev. Mr. Pinkham of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act giving pensions to the widows of the soldiers of the Arcostook war, came from the Senate referred in that branch to the committee on pensions in concurrence.

On motion by Mr. Austin of Phillips, the vote was reconsidered whereby this bill was referred to the committee on pensions, and on further motion by Mr. Austin the bill was tabled for printing pending reference.

The following order came from the Senate: Ordered, the House concurring, that paragraph 11 of the joint rules be amended by striking out the words "five hundred" in lines three and four, and substituting therefor the words "seven hundred and fifty."

The order received a passage in concurrence.

From the Senate: Report of the committee on military affairs, reporting "ought to pass" on bill, An Act to appropriate money to defray the expenses of the Governor and his staff in attending the ceremonies of the inauguration of the President of the United States.

Mr. HIGGINS of Brewer: Mr. Speaker, I move the indefinite postponement of this report; and in making this motion I do so for two reasons, economy and the precedent we would establish. When I first came here as a member of this House, I understood that we had all kinds of money; it seemed to be in the air that all we had to do was to ask for money and we would get it. Since serving upon the committee on appropriations and financial affairs I have found this not to be true; it is absolutely necessary to put the lid down, and put it down hard and I believe that we should start

at the top; and in this connection the reasons for my motion, and the precedent established at this time is something that would go down with the ages, and it means thousands and thousands of dollars to this state. I trust, Mr. Speaker and gentlemen of the House, that this matter will be indefinitely postponed, and that we will go on record as favoring economy in every department of the state.

Mr. IRVING of Caribou: Mr. Speaker, I think I am well aware that any one taking a stand in opposition to measures of this nature may be regarded as somewhat unpopular. I do not believe there is a member in this House who will admit that he came here for the purpose of winning popularity, but down deep in his heart it was his purpose to represent his constituency in such a manner as he would represent his own interests, and that he would act in the distribution of the state's funds in a manner that would carry the greatest good to the greatest number.

Now, if there were plenty of funds from which to draw—and I think the matter has been made very clear to you in the remarks of the gentlemen from Brewer (Mr. Higgins), from his position as a member of the committee on appropriations and financial affairs—that there is not money enough to draw from, as we are led to believe; if we listen to the reports and assertions that there are limitless amounts of money in the treasury to be drawn from, we must do one of two things. We must either cut down very many of the meritorious claims, or claims for meritorious institutions, or else we must increase the mill tax above four mills.

I wish to call attention to the fact that this measure, very much like Topsy in Uncle Tom's Cabin, seems to have "grewed up." There has been no call for it, as far as I am able to learn. If I mistake not, the character and the temperament of His Excellency, the Governor, is such that he does not want any such hand-cut made to him and his staff. One thing I wish to call to the attention of the House. The passage of this unprecedented resolve resolves itself into something

equivalent to a suggestion or a command that the Governor present himself at the inauguration of the President in Washington, whether it be a pleasure to him or whether he be physically able to comply with the request of the House or not.

Now, gentlemen, I do not believe this House wishes to place any such obligation upon His Excellency, the Governor; and for my part, I am very glad to be able to second the motion of the gentleman from Brewer, Mr. Higgins, to the indefinite postponement of this resolve; and in order that every member of this House may put himself upon record as to his attitude towards uncalled for appropriations, I move that when the vote is taken it be taken by the yeas and nays.

Mr. COOK of Vassalboro: Mr. Speaker and gentlemen of the House, I won't detain you but a moment, but I wish to add my protest also against the passage of this resolve. We need money in various parts of the state for various institutions of the state, and we need it much more than we shall be able to grant. Just to illustrate what I mean, I will say that up in the town of Lee there is a little school struggling along on little money; that school is doing great work on almost no funds; they are placing an opportunity before the people there to educate their children who never could become educated but for that school. They have a chance there to board pupils where the pupils can hire a room and board themselves, and one girl went there and boarded herself and her two brothers, and her budget for a full term amounted to \$54.00. She supported herself and her two brothers for a full term on \$54.00.

Now, gentlemen, I do not think it fair for such people as that to pay for any such luxurious bill as that which is now before the House. That is only an example of the hundreds and hundreds of demands for State money, more than we shall be able to meet unless, as has been stated, we raise the tax rate. As has been stated, I do not believe the Governor and his honorable council want this thing passed. The demand for it certainly did not come from them. Twelve

years ago there was an effort made to send our State militia to the inauguration ceremonies, and after a hard fight that matter was defeated. Only think, gentlemen, how many thousands of dollars would have been expended in sending our State militia to Washington, if that proposition had once got a foothold. I hope that His Excellency, the Governor, and his council, if they want to go will go to the inauguration! but if they go, I hope they will have the independence to pay their own bills; they are abundantly able to do so. I think too much of our Governor and council to make them State paupers. (Applause.)

Mr. NEWBERT of Augusta: Mr. Speaker, I do not suppose it is the purpose of this bill to make the Governor and his staff State paupers. If the State desires that the Governor and his staff should attend the inauguration ceremonies, I am very sure that the State of Maine is amply able and willing to pay the bills.

Personally, I have not any interest in this bill at all; I only rise to express some surprise at this change of attitude on the part of certain gentlemen in this Legislature towards this bill. I had supposed it was an administration measure, nor do I know now to the contrary, and as I have looked through the files this bill appealed to me as a sensible one. Gentlemen, it must have appealed to the gentlemen of the joint committee having the matter in charge, because that committee gave a unanimous report in its favor; it must have appealed to the honorable Senate yesterday, because the Senate passed this matter to be engrossed by a vote of 15 to 11. It certainly seems that it is of some practical moment that the State of Maine be represented at the inauguration of a President. Many of the great states of the Union have done this and are doing it, and were I in the city of Washington on the 4th day of March I think my heart would swell somewhat with pride if I could see our honorable Governor and his staff riding along Pennsylvania avenue, show-

ing that Maine is on the map. Why, gentlemen, two thousand dollars is not a great price to pay even for the advertising of Maine. We send out over all the nation and bid the people of the nation to come to Maine in the summer time. Put our Governor upon a white horse, gentlemen, on Pennsylvania avenue, and if he rides well he will do more towards advertising Maine on that day than half of the literature we can send out. I think as a matter of patriotism this bill should have some support. Possibly it might do us good to send once in fifty years a Governor and his staff to gather inspiration from the inauguration of a Democratic President.

Mr. O'CONNELL of Milford: Mr. Speaker, I think if I was in the city of Washington attending the inauguration ceremonies that my heart would swell more with pride if I knew that the Governor and council were back in Maine and that the Children's Hospital in Portland got that two thousand dollars. (Applause.)

The SPEAKER: The question before the House is on the indefinite postponement of this bill. Upon that question the gentleman from Caribou, Mr. Irving, demands the yeas and nays. Is that demand participated in by the necessary one-fifth of the members of the House?

A sufficient number arose, and the yeas and nays were ordered.

The SPEAKER: All those in favor of the indefinite postponement of the bill, when their names are called, will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Allen, Austin, Bass, Benn, Benton, Bither, Boman, Bowler, Bragdon of Sullivan, Bragdon of York, Brennan, Bucklin, Butler, Chick, Cochran, Cook, Donovan, Durgin, Eastman, Emerson, Estes, Farrar, Folsom, Gamache, Greenleaf of Auburn, Greenleaf of Otisfield, Haines, Harper, Higgins, Hodsdon, Hutchins, Irving, Jenkins, Jennings, Johnson, Jones, Kehoe, Kelleher of Portland, Kimball, Lawry, Leveille, Libby, Marston, Mathieson, McBride, McFadden, Merrill, Metcalf, Mildon, Mitchell of Kittery, Mitchell of Newport, Mooers, Morgan, Morrison, Morse, Nute, O'Connell, Packard, Peacock, Peaks, Pendleton, Peterson, Pitcher, Plummer, Reynolds, Ricker, Roberts, Rousseau, Sanborn, Sanderson, Sargent, Skelton, Skillin, Smith of

Auburn, Smith of Patten, Smith of Pittsfield, Smith of Presque Isle, Spencer, Stanley, Stevens, Stuart, Sturgis, Sweet, Swift, Taylor, Thombs, Thompson, Trimble, Tryon, Twombly, Umphrey, Violette, Washburn, Waterhouse, Wheeler, Winchenbaugh, Yeaton.—97

NAY:—Boland, Brown, Chadbourne, Churchill, Clark of Portland, Clark of North Portland, Crowell, Currier, Cyr, Davis, Descoteaux, Doherty, Dresser, Dunbar, Dunton, Eaton, Eldridge, Elliott, Farnham, Franck, Gallagher, Gardner, Goodwin, Gordon, Hancock, Harman, Harriman, Haskell, Hogan, Kelleher of Waterville, Leader, Leary, LeBel, Mason, Maxwell, Maybury, Newbert, Price, Putnam, Quinn, Robinson, Rolfe, Scates, Sherman, Snow, Sprague.—46.

ABSENT:—Connors, Morneau, Ramsay, Richardson, Stetson, Tobey, Wise.—7.

The SPEAKER: 97 having voted in the affirmative and 46 in the negative, the motion is carried and the bill is indefinitely postponed.

From the Senate: Ordered, the Senate concurring, that the clerk of the House be directed to invite Mr. Herbert Myrick, of Springfield, Massachusetts, to address the members of this Legislature on "Conservation" in Representatives' Hall at 7.30 o'clock P. M., January 30th, 1913.

This order came from the Senate amended by Senate Amendment A.

The question being on the adoption of Senate Amendment A in concurrence.

Mr. WHEELER of South Paris: Mr. Speaker, I suppose a word of explanation in regard to this matter will be fitting, because a misunderstanding seems to have arisen. I introduced this order into the House at the request of Mr. Stetson, the Master of the State Grange, and I understand that the Grange of the State of Maine is perfectly willing that their name should be connected with this proposition, even as it is connected in the amendment. Certain members of the Senate, as I understand, were consulted before this order was presented in the House, and there was no reason to believe that any one objected to the proposition that this Legislature should listen to Professor Myrick upon an invitation of that kind presented in the order. I understand that Professor Myrick addresses the New

Hampshire Legislature in joint session this evening; but in view of the situation of this order having been tabled in the Senate, and having met objection at the hands of certain people, I believe the House would do well to adopt the amendment which has been placed upon it in the Senate; and I therefore present Senate Amendment A, and move its adoption.

The question being on the adoption of Senate Amendment A, in concurrence.

The amendment was adopted.

The question being upon the passage of the order as amended, in concurrence.

The order received a passage as amended in concurrence.

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

#### Judiciary.

By Mr. Sprague of Islesboro: An Act to prohibit the use of automobiles on the public roads of the town of Islesboro, with accompanying petition and statement of facts.

By Mr. Churchill of Madison: An Act to incorporate the Madison Water Company.

By Mr. Bragdon of York: An Act to confirm the charter of the York Harbor Reading Room, and authorized it to issue shares of stock.

By Mr. Waterhouse of Kennebunk: An Act to regulate the practise of professional public accounting.

By Mr. Marston of Skowhegan: An Act to amend chapter 220 of the Private and Special Laws of 1867 entitled "An Act to unite the Maine Baptist Convention and the Maine Baptist Missionary Society."

By Mr. Spencer of Berwick: Petition of F. D. Blanchard and 12 others of East Lebanon in favor of equal suffrage.

By Mr. Churchill of Madison: Petition for an Act to incorporate the Madison Water District.

By Mr. Sprague of Islesboro: Petition of Lewis Herbert and 40 others relative to a bill to prohibit the use

of automobiles in the town of Islesboro.

#### Legal Affairs.

By Mr. Farnham of Bath: An Act authorizing the city of Bath to levy assessments for street improvements. (Tabled for printing pending its reference to the committee on motion by Mr. Farnham of Bath.)

By Mr. Eaton of Oxford: An Act to amend section 75 of chapter ten of the Revised Statutes, relating to the sale of land for taxes in incorporated places.

#### Appropriations and Financial Affairs.

By Mr. Doherty of Rockland: Resolve in favor of the Knox County General Hospital, with accompanying statement of facts.

By Mr. Sanborn of South Portland: Resolve in favor of the purchase of "Directions and Forms for Criminal Procedure in Maine."

By Mr. Farnham of Bath: Resolve in favor of the Bath Military and Naval Orphan Asylum of Bath, Maine, accompanied by statement of facts.

By Mr. Sturgis of Auburn: Resolve in favor of the Androscoggin Anti-Tuberculosis Association.

#### Education.

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

By Mr. Chadbourne of North Berwick: Petition of Linnie M. Libby of Bridgton and 41 others, in favor of bill providing for teachers' pensions.

By the same gentleman: Petition of Albert J. Eaton of North Berwick and 13 others in favor of same.

By the same gentleman: Petition of George W. Perkins of North Berwick and 34 others in favor of same.

By Mr. Maybury of Saco: Petition of S. W. Cosseboom and four others of Saco in favor of same.

#### Railroads and Expresses.

By Mr. Cook of Vasalboro: An Act to amend section 80 and section 81 of chapter 52 of the Revised Statutes, relative to provisions for safety in the management and operation of steam railroads.

**Agriculture.**

By Mr. Peacock of Readfield: Resolve in favor of the Maine Wesleyan Seminary and Woman's College, with statement of facts.

**Interior Waters.**

By Mr. Peaks of Dover: An Act to incorporate the Lazy Tom Brook Dam Company.

By Mr. Quinn of Millinocket: An Act in aid of the navigation of the Lower Lakes.

My Mr. Austin of Phillips: Resolve in aid of navigation of Rangeley, Mooselookmeguntic and Cupsuptic Lakes.

**State Lands and Forest Preservation.**

By Mr. Cochran of Edgecomb: Resolve authorizing the land agent to convey Lower Mark Island in the Sheepscot Bay.

My Mr. Peacock of Readfield: Petition of J. C. Greene and 87 others of Rome, praying that Crooked Island, so called, situated in Great Pond, Rome, county of Kennebec, State of Maine, be dedicated to the use of the registered guides, and that the person now occupying said island be excluded therefrom.

**Ways and Bridges.**

By Mr. Goodwin of Moscow: Resolve in aid of the Lake Road, in Oxford county.

By the same gentleman: Resolve in aid of the Carry Road, in Oxford county.

By Mr. Emerson of Island Falls: Resolve in favor of the town of Crystal, in the county of Aroostook, in aid of building a bridge across Fish Stream.

By Mr. Farnham of Bath: Petition of Bath Board of Trade for rebuilding Merrymeeting Bay Bridge.

By the same gentleman: Petition of H. D. Cornish and others for same.

By the same gentleman: Petition of N. G. Jackson and others for same.

By Mr. Farrar of Ripley: Resolve in favor of the town of Ripley for repair and permanent improvement of highways, with statement of facts. (Tabled for printing pending reference to the

committee on motion by Mr. Farrar of Ripley.)

**Inland Fisheries and Game.**

By Mr. Chadbourne of North Berwick: An Act to repeal so much of chapter 407 of the Public and Special Laws of 1903 as prohibits fishing through the ice in "L" pond, in Sanford and Wells, in York county.

By Mr. Peacock of Readfield: An Act to prohibit fishing in Little Pond, so called, in the town of Rome.

By Mr. Bragdon of York: An Act to regulate fishing on York Pond, so called, situated in the towns of York and Eliot, in the county of York.

By Mr. Peacock of Readfield: Resolve in favor of screening Lake Maranacook, in Kennebec county.

By Mr. Marston of Skowhegan: Petition of H. F. Wescott of Ellsworth and 23 others in favor of the repeal of chapter 153 of the Public Laws of 1911, "An Act to prohibit the use of gang hooks when fishing in the inland waters of the state."

**Sea and Shore Fisheries.**

By Mr. Hutchins of Penobscot: An Act for the better protection of alewives in Pattens Bay, in the town of Surry, Hancock county, Maine.

By same gentleman: An Act to amend section one of chapter 84 of the Private and Special Laws of the State of Maine for the year 1895, to prevent the destruction of smelts in Union River and Morgan Bays, their harbors, coves and tributaries.

By Mr. Harriman of Cherryfield: An Act to amend section 44 of chapter 41 of the Revised Statutes, relating to the taking of smelts, accompanied by petition of C. C. Baker and 16 others of Steuben, Washington county.

By Mr. Elliott of Thomaston: An Act to regulate the taking of smelts in St. Georges River, Knox county.

By Mr. Boman of Vinalhaven: Remonstrance of Arthur Arey and 69 others of Vinalhaven, against any changes in the present lobster law.

By Mr. Hutchins of Penobscot: Petition of E. N. Osgood and 40 others of Surry, in favor of an act for the bet-

ter protection of alewives in Pattens Bay, in the town of Surry, Hancock county, Maine.

By same gentleman: Petition of E. E. Jordan and 54 others of Surry, in favor of an act to prevent destruction of smelts in Union River and Morgan Bays, their harbors, coves and tributaries.

#### Counties.

By Mr. Harman of Stonington: An Act to set off the town of Isle au Haut from the county of Hancock and annex the same to the county of Knox.

#### Pensions.

By Mr. Skelton of Bowdoin: Resolve in favor of U. Grant Shepard of Bowdoinham.

By Mr. Eaton of Oxford: Petition of Charles Fogg for State pension.

From the Senate: A communication from the Executive Department, transmitting report of the Board of Conciliation and Arbitration, concerning strike on the Bangor & Aroostook Railroad.

This communication came from the Senate having been in that branch read and ordered placed on file, and was in the House ordered placed on file, in concurrence.

From the Senate: Petition of P. L. McNally and others to the Governor, in relation to strike existing on the Bangor & Aroostook Railroad.

This petition came from the Senate having been in that branch read and ordered placed on file, and was in the House ordered placed on file, in concurrence.

#### Reports of Committees.

Mr. Peaks from the committee on legal affairs, reported "ought to pass" on bill, An Act to complete the records in the Piscataquis Registry of Deeds.

Mr. Skelton from the committee on agriculture, reported "ought to pass" on resolve in favor of the New England Fruit Show.

Same gentleman from same committee, reported "ought to pass" on

resolve in favor of the Maine Pomological Society.

Mr. Sanborn from the committee on judiciary, reported in a new draft and "ought to pass" on bill, An Act relating to the Eastport Water Company.

Mr. Mitchell from the committee on appropriations and financial affairs, reported "ought to pass" on resolve in favor of E. L. Manhire.

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

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

An Act relating to the Home for Aged Women, located at Portland.

An Act to amend section 38 of chapter 15 of the Revised Statutes, relating to the duties of superintendent of schools.

An Act to amend section one of chapter 125 of the Public Laws of 1909, relating to the State superintendent of schools.

Resolve in favor of the Eastport Bridge.

Resolve in favor of the Gardiner and Randolph Bridge.

Resolve that the sum of \$150 in 1913 and \$50.00 in 1914 be appropriated for placing buoys in Lewy's, Long and Big Lakes, in Washington county.

Resolve in favor of aid in building road in New Canada Plantation.

#### Passed to be Engrossed.

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.

#### Orders of the Day.

On motion by Mr. Kehoe of Portland, House Document No. 49, bill, An Act additional to chapter 94 of the Private and Special Laws of 1903 entitled "An Act to prevent the pollution of the wa-



ters of Sebago Lake," was taken from the table, and on further motion by Mr. Kehce the bill was referred to the Cumberland Delegation.

On motion by Mr. Jones of China, House Document, No. 48, resolve providing for an amendment to the constitution by striking out in article four, section 11, the words "post-officers excepted," was taken from the table, and on further motion by Mr. Jones the resolve was referred to the committee on judiciary.

On motion by Mr. Jones of China, House Document No. 63, bill, An Act to increase certain fees of sheriffs and deputies, was taken from the table, and on further motion by Mr. Jones the bill was referred to the committee on judiciary.

On motion by Mr. Farnham of Bath, House Document No. 61, bill, An Act to enable the county of Sagadahoc to rebuild Merrymeeting Bay Bridge, was taken from the table, and on further motion by Mr. Farnham the bill was referred to the committee on ways and bridges.

On motion by Mr. Mitchell of Newport, House Document No. 75, bill, An Act to amend section two of chapter 117 of the Revised Statutes, relating to fees of trial justices and justices of the peace, was taken from the table, and on further motion by Mr. Mitchell the bill was referred to the committee on salaries and fees.

The SPEAKER: The Chair will state that in accordance with the motion by the gentleman from Eden, Mr. Sher-

man, in the House yesterday, the committee on judiciary has returned to the House bill, An Act relating to the use of automobiles on the island of Mount Desert.

On motion by Mr. Sherman of Eden, the bill was tabled for printing pending its reference to the committee.

The SPEAKER: The Chair is informed by the clerk that resolve for an appropriation for suitable offices for the immigrant inspector at Van Buren, Maine, evidently was lost, and was returned to the desk of the clerk. It should probably be in the possession of the committee on federal relations. Of course care should be exercised in the preservation of these original papers. If the secretary of the committee will call at the clerk's desk, the paper will be returned.

The SPEAKER: The committee on appropriations and financial affairs desires the Chair to announce that the stamp of that committee is expected to be placed upon all bills carrying appropriations of money just prior to the delivery of these bills to the engrossing clerk.

The Chair is also requested to announce that Mr. Washburn of Lewiston, a photographer, is present on the steps in front of the Capitol, and desires the members of the House to proceed to that location for the purpose of having their pictures taken immediately after adjournment.

On motion by Mr. Eaton of Oxford, Adjourned until to-morrow morning at 10 o'clock.