

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**HOUSE.**

Friday, January 31, 1913.

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

Prayer by the Rev. Mr. Boothby 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 when the Senate and House adjourn it be to meet Monday afternoon, February 3d at half past four o'clock.

The order received a passage in concurrence.

**Senate Bills on First Reading.**

An Act to incorporate the Pine Stream Dam & Improvement Company.

An Act relating to the relief of poor debtors.

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

**Judiciary.**

By Mr. Smith of Auburn: An Act to amend section 69 of chapter 66 of the Revised Statutes, relating to authority of foreign executors, administrators, guardians and trustees.

By same gentleman: An Act to amend sections 13 and 14 of chapter 73 of the Revised Statutes, relating to sales of estates of non-resident owners.

By Mr. McBride of Mount Desert: An Act to amend chapter 504 of the Private and Special Laws of 1889, incorporating the Otter Creek Bridge Company.

By Mr. Doherty of Rockland: An Act relating to inspection of lime casks.

By Mr. Trimble of Calais: Petition of Mrs. A. M. Alexander and 10 others of Calais, Maine, in favor of woman suffrage.

By Mr. Dunbar of Jonesport: Peti-

tion of Martha W. Bucknam and 25 others of Columbia Falls in favor of same.

By Mr. Umphrey of Washburn: Petition of Beatrice Porter and 30 others of Washburn in favor of same.

**Legal Affairs.**

By Mr. Wheeler of Paris: An Act to amend section five of chapter 113 of the Revised Statutes, relating to personal property bargained and delivered to another which shall remain the property of the seller till paid for. (Tabled for printing pending its reference to the committee on motion by Mr. Wheeler of South Paris.)

By same gentleman: An Act to amend section 28 of chapter 65 of the Revised Statutes, relating to appeals from orders, sentences, decrees or denials of judges of probate.

By same gentleman: An Act to amend section 50 of chapter 93 of the Revised Statutes, relating to liens on pulpwood.

By Mr. Mitchell of Newport: An Act to incorporate the Corinna Water Company.

**Appropriations and Financial Affairs.**

By Mr. Lawry of Fairfield: Resolve in aid of the Central Maine Association for the relief and control of tuberculosis, for the care of incipient and advanced cases and for building a hospital.

**Education.**

By Mr. Kimball of Bridgton: Petition of Charles H. Gould and 13 others, citizens of North Bridgton, in favor of an Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions.

By Mr. Stevens of Kennebunkport: Petition of Arthur W. Numan and 57 others, citizens of Kennebunkport, for same.

By Mr. Smith of Presque Isle: Petition of S. L. Merriman and 16 others, citizens of Presque Isle, for same; petition of James H. Phair and 51 others of Presque Isle for same.

By Mr. Jenkins of Wales: Petition

of F. M. Blaisdell and five others, teachers of Wales, Maine, for same; petition of Vera B. Briggs and four others, teachers of Mechanic Falls for same; petition of John S. Jones and 18 others of Wales for same; petition of T. W. Pierce and one other of Mechanic Falls for same; petition of Perley H. Ford and five others of Mechanic Falls for same.

#### **Railroads and Expresses.**

By Mr. Marston of Skowhegan: An Act to extend the charter of the Fairfield and Skowhegan Railway Company.

#### **Banks and Banking.**

By Mr. Dunton of Belfast: An Act to amend section 54, chapter eight of the Revised Statutes, relating to taxation of savings banks.

By Mr. Irving of Caribou: An Act to amend section 25, chapter 48 of the Revised Statutes, relating to investment of deposits in savings banks and institutions for savings.

#### **Agriculture.**

By Mr. Mitchell of Newport: Resolve in favor of the Stock Breeding Association.

#### **Inland Waters.**

By Mr. Marston of Skowhegan: Petition of George A. Morrison and 42 others in favor of an act to change the name of Hayden Lake to Wesserunsett Lake.

#### **Ways and Bridges.**

By Mr. Benn of Hodgdon: Resolve in favor of the town of Haynesville.

By Mr. Morrison of Corinth: Resolve in favor of the permanent improvement and repair of "The New Kenduskeag Road" in the town of Glenburn.

By Mr. Benn of Hodgdon: Petition of A. G. Chambers and 43 others for State aid in building bridge across the Mattawamkeag River in the town of Haynesville.

By Mr. Metcalf of Greenville: Petition by F. L. Gipson and 79 others of Lily Bay, Greenville and vicinity, with resolve asking for \$5000 to aid in building and repairing a road from

Greenville to Lilly Bay, in county of Piscataquis.

#### **Inland Fisheries and Game.**

By Mr. Stuart of Livermore Falls: An Act to regulate fishing in the tributaries to Pickerel Pond, sometimes called Beals Pond, in the town of Turner, county of Androscoggin.

By Mr. Mitchell of Kittery: An Act to repeal chapter 90 of the Private and Special Laws of 1911 entitled "An Act for the better protection of deer in York county."

By Mr. Sanderson of Greene: An Act to regulate the hunting of deer in Androscoggin county.

By Mr. Ricker of Castine: An Act to provide for a close season for fishing in Douglas Pond, sometimes called Williams Pond, town of Buxport, county of Hancock.

By same gentleman: Resolve in favor of screening the outlet of Toddy Pond in the town of Orland, with statement of facts; also petition of H. A. Snow and 24 others, relating to same.

By same gentleman: Resolve in favor of screening the outlet of Toddy Pond in the town of Orland.

By Mr. Sanderson of Greene: Resolve in favor of screening Allen Pond, in Green, in the county of Androscoggin, with petition of V. A. Davis and 38 others, residents of Greene, asking for same.

By same gentleman: Petition of V. A. Davis and 38 others of the town of Greene, favoring a screen at the outlet of Allen Pond in Greene.

By same gentleman: Petition of L. W. Sawyer and 84 others, residents of Androscoggin county, in favor of changing the open time on deer in said county.

By Mr. Marston of Skowhegan: Petition of J. M. Doyen of Mexico in favor of the repeal of chapter 153 of the Public Laws of 1911, "An Act to prohibit the use of gang hooks, so-called when fishing in the inland waters of the State."

By Mr. Twombly of Enfield: Petitions of A. J. McKenney and 26 others

and of Henry Drew and 10 others, residents of Enfield and Lincoln and vicinity, in Penobscot county, asking that the law prohibiting ice fishing in Cold Stream Lake, located in the towns of Lincoln, Enfield and Lowell, be amended so that fishing through the ice be permitted one day in a week, said day to be designated by this Legislature.

By Mr. Marston of Skowhegan: Petition of D. G. Chaplin of Cornish and 27 others in favor of the repeal of the act prohibiting the use of gang hooks in fishing in inland waters.

By Mr. Chadbourne of North Berwick: Petition of W. H. Furlong and 25 others, residents of North Berwick and vicinity, asking that the law closing "L" Pond, so-called, in York county, to all ice fishing, be repealed.

By Mr. Mathieson of Rangeley: Petition of Harry Quimby of Rangeley and 36 others, residents of Rangeley and vicinity, asking that a law be enacted prohibiting all fishing in Rangeley Lake, Cuspsuptic and Moose-lucmeguntic Lakes except by trolling or by artificial flies cast in the usual manner.

By Mr. Kimball of Bridgton; Petition of J. T. Kneeland and 56 others in favor of repealing chapter 153 of the Public Laws of 1911 entitled "An Act to prohibit the use of gang hooks in the inland waters of the State."

By Mr. Marston of Skowhegan: Petition of Edward F. Merrill of Skowhegan and 156 others in favor of same.

#### Sea and Shore Fisheries.

By Mr. Brennan of St. George: An Act to authorize the town of St. George to restrict the taking of clams within the limits of said town to the inhabitants of said town.

By Mr. Boman of Vinalhaven: Petition of John Lash and 100 others of Friendship, asking for the repeal of chapter 90 of the Public Laws of 1911, relating to the catching of smelts between the Penobscot and Kennebec Rivers.

By same gentleman: Petition of C. A. Thompson and 75 others of Bristol for same.

By Mr. Harman of Stonington: Petition of W. J. Canary and 11 others of Deer Isle asking for a close time on shooting sea fowl each year from April 1st to October 1st. (Tabled pending its reference to the committee on motion by Mr. Austin of Phillips.)

#### Towns.

By Mr. Emerson of Island Falls: Petition of inhabitants of the town of Island Falls in favor of an act entitled "An Act to set off part of town of Dyer Brook and annex same to town of Island Falls."

By same gentleman: Petition of inhabitants of the town of Dyer Brook in favor of same.

#### Claims.

By Mr. Connors of Bangor: Resolve in favor of Otto Nelson of Bangor in the county of Penobscot.

By Mr. Swift of Augusta: Resolve in favor of John A. McDonald.

By Mr. Leary of Hampden: Resolve in favor of the town of Hermon.

By Mr. Clark of New Portland: Resolve in favor of the town of New Portland.

#### Taxation.

By Mr. Irving of Carleton: An Act relating to the taxation of telegraph companies.

#### Salaries and Fees.

By Mr. Doherty of Rockland: An Act to amend section one of chapter 165 of the Public Laws of 1905, relating to compensation of judges of probate.

#### York County Delegation.

By Mr. Maybury of Saco: An Act to change the shire town of Alfred in York county to the city of Saco.

By Mr. Roberts of Waterboro: An Act to amend chapter 118 of the laws of 1905, relative to the clerk hire of the clerk of courts in York county.

#### Reports of Committees.

Mr. Smith of Presque Isle from the committee on judiciary, reported "ought to pass" on bill, An Act to amend section two of chapter 62 of the Revised Statutes, as amended by chapter 148 of the Public Laws of 1907, relating to divorce proceedings.

Mr. Peaks from the committee on legal affairs, reported "ought to pass" on bill, An Act to incorporate the Van Buren Sewerage Company.

Mr. Morse from the committee on banks and banking, reported in a new draft and "ought to pass" on bill, An Act to change the name of the Aroostook Trust & Banking Company to the Aroostook Trust Company.

Mr. Violette from the committee on towns, reported "ought to pass" on bill, An Act to save town officers the expense of jurats on certain returns.

Mr. Spencer from the committee on ways and bridges, reported in a new draft and "ought to pass" on resolve in favor of the town of Roque Bluffs.

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

Same gentleman from same committee, reported in a new draft and "ought to pass" on resolve in favor of road in Elliotsville Plantation.

Mr. Clark from the committee on interior waters, reported in a new draft and "ought to pass" on resolve in aid of navigation on Mooshead Lake.

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

Mr. Clark from the committee on inland fisheries and game, on petition of E. E. Richards and 56 others for the enactment of a law permitting fishing for pickerel through the ice two days in the week in Drury Pond, in the town of Temple, Franklin county, reported that the petitioners have leave to withdraw as legislation upon the subject matter of this petition is deemed inexpedient.

Same gentleman from same committee, on petition of William E. Jordan and 64 others, residents of Raymond and vicinity, asking that the portion of chapter 352 of the Public and Special Laws of 1909 which prohibits ice fishing in Panther Pond, so-called, in the town of Raymond, be repealed, reported that the petitioners have leave to withdraw as legislation is deemed inexpedient.

Majority and minority reports of the

committee on towns, on bill, An Act to divide the town of Boothbay and establish the town of Waverly, majority report "ought not to pass" signed by Messrs. Bailey, Gardiner, Twombly, Violette and Bragdon of York; minority report "ought to pass" signed by Messrs. Packard, Jillson and Rolfe.

On motion by Mr. Violette of Van Buren, both reports were tabled and specially assigned for consideration on February 6th.

Mr. Clark from the committee on inland fisheries and game, reported "ought not to pass" on bill, An Act to amend chapter 199 of the Public Laws of 1909 providing for a bounty on bob-cat, loupcervier and Canada lynx.

Mr. Connors from the committee on legal affairs, reported "ought not to pass" on bill, An Act to amend chapter 297 of the Private and Special Laws of 1907 entitled "An Act creating the Fort Kent Village Corporation."

The reports were accepted.

#### Passed to be Engrossed.

An Act relating to the Eastport Water Company.

An Act to complete the records in Piscataquis county registry of deeds.

Resolve in favor of E. L. Manhire.

Resolve in favor of the New England Fruit Show.

Resolve in favor of the Maine Pomological Society.

#### Orders of the Day.

On motion by Mr. Austin of Phillips, bill, An Act giving pensions to the widows of the soldiers of the Aroostook war, was taken from the table, and on further motion by Mr. Austin the bill was referred to the committee on pensions.

Mr. AUSTIN of Phillips: Mr. Speaker, I rise to a question of privilege, and call the attention of the members of the House to Rule 50 of the House which reads as follows:

"Every bill or resolve, providing for the grant of money, land, or other public property, which may be laid on the table by leave, and any report of a committee upon any bill or resolve providing for such grant, shall be ac-

accompanied by a written statement of facts in each case; and no such bill or resolve shall be considered before such statement is made, or passed without being read on two several days."

I am doing this, Mr. Speaker, for the reason that there are apparently on their way through the two branches of the Legislature several resolves carrying money which are not in the printed bills accompanied by a statement of facts. I would suggest that members having such bills in charge will look them over, and if their bills are not accompanied by a statement of facts that they will report the same to the secretary of the claims committee where such bills have or-

iginated in that committee, and the gentleman from Biddeford, Mr. Gordon, will try and put on its way for printing the statement of facts to accompany such bills as are now without them. I am doing this simply to facilitate the business of the House.

The SPEAKER: The gentleman from Phillips correctly states the rule. If the point of order were made in regard to such a resolve, the further passage of the resolve would cease. It is necessary in every case that a statement of facts should accompany such a resolve.

On motion by Mr. Clark of Portland,  
Adjourned until Monday afternoon,  
February 3rd, at 4.30 o'clock.