

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Tuesday, February 11, 1913.

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

Prayer by the Rev. Mr. Evans of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Joint resolution in favor of the passage of the McLean Bill, U. S. Senate Document No. 6497, to afford federal protection to migratory game and insectivorous birds.

In the House this joint resolution was read and passed, and came from the Senate amended by Senate Amendment A.

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

The Amendment was adopted, and the joint resolution, as amended, then received a passage in concurrence.

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

Judiciary.

By Mr. Smith of Pittsfield: An Act to incorporate the Pittsfield Water District. (Introduced under a suspension of the rules by unanimous consent on motion by Mr. Smith.)

By Mr. McFadden of Lubec: An Act to amend chapter 489 of the Private and Special Laws of 1901, entitled "An Act to supply the town of Lubec with pure water." (Introduced under a suspension of the rules by unanimous consent on motion by Mr. McFadden.)

By Mr. Smith of Presque Isle: An Act relating to the compulsory assignment of real estate mortgages under certain circumstances.

By Mr. Cook of Vassalboro: An Act to amend section 70 of chapter eight of the Revised Statutes, as amended by chapter 186 of the Public Laws of 1909, relating to collection of inheritance taxes.

By Mr. Johnson of Brownfield: Petition of Isabelle H. Stickney and 27

others of Brownfield in favor of the right of suffrage to women.

By Mr. Dunton of Belfast: Petition of O. E. Frost and 59 others for same.

By Mr. Smith of Patten: Petition of Mrs. Samuel L. Sulley and 82 others of Lagrange for same.

By Mr. Sanborn of South Portland: Petition of Mrs. L. M. Little and 18 others for same; also petition of Henry H. B. Hawes and 23 others of Westbrook for same; also petition of George L. Sylvester and 50 others of Portland for same; also petition of G. E. Woodman and 15 others for same; also petition of A. C. Bowden and nine others for same; also petition of Mary H. Leavitt and 95 others for same; also petition of Jessie L. Kenney and 26 others for same; also petition of Charles G. Marshall and 22 others for same; also petition of Mrs. Walter C. Page and 23 others of Gorham for same; also petition of George F. Small and 29 others for same; also petition of Miss A. L. Miller and 28 others for same; also petition of Wesley L. McLellan and 29 others of South Portland for same.

Legal Affairs.

By Mr. Smith of Pittsfield: An Act to permit the town of Pittsfield to obtain a pure water supply. Introduced under a suspension of the rules by unanimous consent on motion by Mr. Smith.)

Education.

By Mr. Cook of Vassalboro: Petition of Gertrude Sparrow and five others of Pittston 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. Pitcher of Northport: Petition of Thelma Wentworth and 25 others for same; also petition of Elsie M. Buck and 24 others for same.

By Mr. Stanley of Cumberland: Petition of Norman C. Mann and others for same.

By Mr. Farrar of Ripley: Petition of William S. Guptil and five others of Hartland for same.

By Mr. Johnson of Brownfield: Petition of Fred W. Files and four others, teachers of Brownfield, for same.

By Mr. Doherty of Rockland: Petition of Mrs. Mary P. Reid and 37 others of Rockland for same.

By Mr. Maxwell of Boothbay Harbor: Petition of Herbert E. Bowman and 17 others of Boothbay Harbor and East Boothbay for same.

By Mr. Greenleaf of Otisfield: Petition of A. W. Ayer and 70 others of Windham for same.

Mercantile Affairs and Insurance.

By Mr. Richardson of Canton: An Act to repeal chapter 131 of the Public Laws of 1911, relating to taxing insurance companies not authorized to do business in Maine.

Inland Fisheries and Game.

By Mr. Clark of Portland: Remonstrance of George M. Rogers and 78 others of Litchfield against passage of any act to prevent dumping any mill waste into Potter Mill Stream, in said town of Litchfield.

By Mr. Marston of Skowhegan: Petition of Eugene Foster and 17 others in favor of repeal of the act prohibiting the use of gang hooks in fishing in the inland waters of the State.

Sea and Shore Fisheries.

By Mr. Hutchins of Penobscot: Petition of W. D. Leland and 11 others of Trenton in favor of an act to amend section seven of chapter 84 of the Private and Special Laws of 1895, to prevent the destruction of smelts in Union River and Morgan's Bay, their harbors, coves and tributaries; also petition of William E. Whiting and 32 others of Ellsworth for same.

Salaries and Fees.

By Mr. Marston of Skowhegan: Petition of Augustine Simmons of North Anson and seven others in favor of increasing the salary of the treasurer of Somerset county to \$600.

Orders.

On motion by Mr. Hutchins of Penobscot, it was

Ordered, the Senate concurring, that hereafter all resolves calling for financial aid in cities, towns and plantations, shall be accompanied by statements of facts, certified and sworn to by municipal and other of-

ficers having jurisdiction over the same to entitle them to the consideration of committees.

Reports of Committees.

Mr. Morrison from the committee on ways and bridges, reported "ought to pass" on bill, An Act to authorize Frederick S. Vaill and Julia C. Vaill, their heirs and assigns, to locate, erect and maintain a bridge or roadway across the tidewaters of Casco Bay between Long Island and Marsh Island, in the city of Portland.

The report was accepted and the bill tabled for printing under the joint rules.

Mr. Morrison from the committee on ways and bridges, reported "ought not to pass" on resolve in aid of a bridge in Franklin, Hancock county.

The report was accepted.

First Reading of Printed Bills.

An Act to amend chapter 140 of the Public Laws of 1911, relating to the taxation of logs and lumber.

Passed to Be Engrossed.

An Act to amend Section 38 of Chapter 48 of the Revised Statutes of Maine, in regard to savings banks.

An Act to amend the charter of the Springvale Aqueduct Company.

An Act relating to the town of Caribou.

An Act to ratify and confirm certain proceedings and by-laws of the Brazil Railway Company.

An Act to establish a Board of State Park Commissioners and to define its powers and duties.

An Act to legalize the doings of the stockholders of the Aberthaw Construction Company.

An Act to create the Strong Water District.

An Act for the better protection of shell fish within the town of Kittery in the county of York.

An Act to change the name of the Lewiston Trust and Safe Deposit Company.

Resolve, in favor of the town of Danforth.

Resolve, in favor of the town of Columbia.

Resolve in favor of the town of Sebec.

Resolve, in favor of the town of Norway.

Resolve in favor of the town of Oxford.

Resolve for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

Resolve, in favor of the city of Biddeford.

Resolve, in favor of the city of Biddeford.

Resolve, in favor of the town of Stoneham.

Resolve, in favor of Stockholm Plantation.

Resolve, for the further improvement of marketing the farm products and purchasing supplies for the farm.

Resolve, in favor of the Commissioner of Agriculture in his capacity as sealer of weights and measures.

Resolve, in favor of the town of Dennysville.

Resolve, in favor of the town of East Livermore.

Resolve, in favor of the town of St. George.

Resolve, ratifying an amendment of the Constitution of the United States, providing that the United States Senators shall be elected by the people of the several states.

Passed to be Enacted.

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

An Act to increase the capital stock of the Maine Telephone & Telegraph Company, and to ratify, confirm and make valid certain doings of said company.

An Act to incorporate the Lewiston Chamber of Commerce.

An Act to authorize the Van Buren Water District to issue bonds.

An Act additional to chapter 127 of the Revised Statutes, relating to the fraudulent giving of checks.

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.

An Act to extend the charter of the Sebec Power Company.

An Act to amend section 46 of chapter 106 of the Revised Statutes, as amended by chapter nine of the Public Laws of 1909, relating to the appointment of surveyors in real actions.

An Act to incorporate the Van Buren Sewerage Company.

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.

An Act to change the name of the Maine Insane Hospital.

An Act to change the name of the Aroostook Trust & Banking Company to Aroostook Trust Company.

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

An Act to change the name of the Eastern Maine Insane Hospital.

An Act to incorporate the Maine Security Company. (Tabled pending its passage to be enacted on motion by Mr. Swett of Bath.)

An Act in relation to the Lincoln county jail.

An Act to amend and extend the charter of the Baker and Spencer Brook Dam and Improvement Company.

Finally Passed.

Resolve in favor of Betsey Storer.

Resolve in favor of Maella L. Gordon.

Resolve for extra pay to the Maine Volunteers in the war with Spain.

Resolve in aid of navigation on Moosehead Lake.

Resolve in favor of Philenda A. Brown of Topsfield.

Resolve in favor of the town of Rockport.

Resolve in favor of preserving the life of the fish in the several fish hatches, and for the temporary operation of the hatcheries and feeding stations for fish in this State, and for the protection of fish, game and birds.

The SPEAKER: This resolve carries the emergency clause, and under the constitution will require a vote of two-thirds of the members elected to this House.

Mr. AUSTIN of Phillips: Mr. Speaker, I would like to explain to the members of the House that this resolve be-

comes necessary owing to the fact that after the referendum became part of our organic law the monies for the support of the different departments of the State do not become available until the first day of July; that is, the monies appropriated by this Legislature will not become available for the different departments until July 1st. That leaves the fish and game department entirely without funds from January 1st to July 1st. This resolve does not intend for the appropriation of \$25,000 in addition to any other appropriation; it simply intends to get the opportunity to use the \$25,000 as a general fish and game appropriation which this Legislature may hereafter pass. And as I say, it is simply a matter that has come up of late years since the passage of the referendum and is the usual procedure in the Legislature in order to give this department the necessary funds to conduct its business in connection with the propagating and feeding stations and also to pay the salaries of their wardens up to July 1st. I hope with this explanation the members will see fit to give this resolve their unanimous support.

The SPEAKER: The question is on the final passage of this resolve. All those in favor of the passage of the resolve under the emergency clause will rise and stand in their places until counted.

119 having voted in the affirmative, and none in the negative.

The necessary two-thirds of the members elected to this House having voted in favor,

The resolve was finally passed.

Orders of the Day.

On motion by Mr. Sherman of Eden, House Document No. 159, bill, An Act relating to municipal elections in the town of Eden, was taken from the table, and on further motion by Mr. Sherman the bill was referred to the committee on legal affairs.

On motion by Mr. Mason of Raymond, House Document No. 158, bill, An Act to provide for preservation of highways and bridges, was taken from the table, and on further motion by Mr. Mason the bill was referred to the committee on ways and bridges.

On motion by Mr. Higgins of Brewer, resolve in favor of the Maine State Agricultural Society and repealing resolves in favor of said society, was taken from the table, and on further motion by Mr. Higgins the resolve was referred to the committee on judiciary.

On motion by Mr. Austin of Phillips, House Document No. 199, Senate Order, the House concurring, that the committee on salaries and fees be directed to inquire into the expediency of appointing a special committee to sit during the recess and after adjournment of the present session; and to inquire into the amount of compensation received by all State and county officials whose salaries are determinable by the Legislature, and to report to the next Legislature such amounts as will make the salaries of said officials equitable throughout the State, was taken from the table, and on further motion by Mr. Austin, the order received a passage in concurrence.

On motion by Mr. Rolfe of Portland, House Document No. 143, bill, An Act relating to the board of overseers of the poor of Portland, was taken from the table, and on further motion by Mr. Rolfe the bill was referred to the Portland Delegation.

On motion by Mr. Peacock of Readfield, House Document No. 179, resolve to dedicate Crooked Island, so called, in Great Pond in the town of Rome, county of Kennebec, to the public use of the inhabitants of the State of Maine, was taken from the table, and on further motion by Mr. Peacock the resolve was referred to the committee on State lands and forest preservation.

On motion by Mr. Smith of Auburn, House Document No. 186, bill, An Act to encourage and promote the building and use of tuberculosis hospitals in cities and towns, was taken from the table, and on further motion by Mr. Smith the bill was referred to the committee on judiciary.

On motion by Mr. Washburn of Perry, House Document No. 155, bill, An Act to incorporate the Perry Telephone Company, was taken from the table, and on further motion by Mr.

Washburn the bill was referred to the committee on telephones and telegraphs.

On motion by Mr. Washburn of Perry, House Document No. 161, bill, An Act to incorporate the Union Telephone Company, was taken from the table, and on further motion by Mr. Washburn the bill was referred to the committee on telephones and telegraphs.

On motion by Mr. Churchill of Madison, House Document No. 147, bill, An Act to amend an Act to incorporate the Madison Water Company, was taken from the table, and on further motion by Mr. Churchill, the bill was referred to the bill on judiciary.

On motion by Mr. Haskell of Portland, House Document No. 145, bill, An Act relating to the assistant assessors of the city of Portland, was taken from the table, and on further motion by Mr. Haskell the bill was referred to the committee on legal affairs.

On motion by Mr. Harriman of Cherryfield, Resolve in favor of a road in townships 9 and 10, in Hancock county, was taken from the table, and on further motion by Mr. Harriman, a statement of facts having been inserted, the resolve was referred to the committee on ways and bridges.

On motion by Mr. Mitchell of Kittery, Order in favor of the city of Saco, accompanied by statement of facts, was taken from the table.

In the House this order was referred to the committee on claims, and in the Senate the order was read and passed in non-concurrence.

On motion by Mr. Mitchell the House voted to recede and concur with the Senate in its passage of the order.

On motion by Mr. Dunton of Belfast, it was

Ordered, That the use of the Hall of the House of Representatives be granted to the judiciary committee for hearing on the employers' liability act March 4th at two o'clock P. M.

On motion by Mr. Plummer of Lisbon, the vote was reconsidered whereby the House passed to be engrossed resolve for the further improvement of marketing the farm products and purchasing supplies for the farm, House Document No. 193, and on further motion by Mr. Plummer the resolve was tabled pending its passage to be engrossed.

On motion by Mr. Bragdon of Sullivan,

Adjourned.