

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Friday, February 28, 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 on Monday afternoon, March 3d, at half past four o'clock.

In the Senate this order was read and passed and sent down for concurrence.

Mr. Quinn of Millinocket offered an amendment, to amend by substituting "that when the House adjourns they adjourn to meet on Tuesday, March 4th, at ten o'clock."

Mr. QUINN: Mr. Speaker, I will say that Monday is town meeting day in a great many towns in this State, and for that reason most of the members cannot get back here in time for the session on Monday, and for that reason I offer this amendment.

The SPEAKER: The Chair will state that it is necessary of course for the Senate to concur in the passage of any order. The Chair has been informed that the attitude of the Senate and of some of the members who have been consulted in the matter is that a session on Monday afternoon at four-thirty o'clock for the transaction of routine business only, would not perhaps necessitate a very large attendance, it being understood that routine business only would be considered; in that way the business would be advanced one legislative day.

Mr. QUINN: Mr. Speaker, if there is nothing of very great importance to be considered I will withdraw my amendment.

The question being on the passage of the order in concurrence with the Senate,

The order received a passage in concurrence.

From the Senate: Majority and minority reports of the committee on towns to which was referred bill, An Act to divide the town of Sanford and incorporate the town of Springvale.

In the House the minority report was substituted for the majority report, and came from the Senate the majority report being accepted in that branch in non-concurrence.

Mr. Folsom of Sanford moved that the House insist upon its action and ask for a committee of conference.

The motion was agreed to, and the speaker thereupon appointed as such committee of conference on the part of the House Messrs. Folsom, Peacock and Crowell.

From the Senate: Majority and minority reports of the committee on claims to which was referred resolve in favor of Michael Burns.

In the House the majority report of the committee was accepted, and the bill in new draft reported by the committee received its first reading; in the Senate the minority report was accepted in non-concurrence.

Mr. Quinn of Millinocket moved that the House insist upon its action whereby the majority report of the committee was accepted and ask for a committee of conference.

The motion was agreed to, and the Speaker thereupon appointed as such committee of conference on the part of the House Messrs. Quinn, Austin and Scates.

Senate Bills on First Reading.

An Act to amend Sections five and six of Chapter 15 of the Public Laws of 1907, as amended by chapter 34 of the Public Laws of 1909, and Chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases.

An Act to amend Section six of Chapter 18 of the Revised Statutes, as amended by Chapter 48 of the Public Laws of 1909, relating to the State Board of Health.

Resolve in favor of the construction of a suitable office for the immigrant inspector at Van Buren, Maine, appropriating the sum of \$500 for the

same. (Tabled pending its first reading on motion by Mr. Thombs of Lincoln.)

The following communication was received and placed on file on motion by Mr. Boman of Vinalhaven:
"To the Honorable Senate and House of Representatives.

In compliance with your order of February 25, 1913, relating to the payment of wages weekly by the State, its officers, boards and commissions to every mechanic, workman and laborer who is employed by it or them' as provided by Chapter 39 of the Public Laws of 1911, have to inform you that Section five of Article five of the Constitution of Maine provides that 'no money shall be drawn from the treasury, but by warrant from the Governor and Council. And I beg leave to report that such warrants for wages have been received by this department once every month and payment has been made promptly on same. But I have been informed on line of economy that one of the institutions has made an agreement satisfactory to their employes whereby their treasurer will pay monthly. Assuming that this may have been followed out in other departments, I remain,

Respectfully yours,

(Signed) JOS. W. SIMPSON,
Treasurer of State.'

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

Judiciary.

By Mr. Spencer of Berwick: An Act to regulate the use of buildings as slaughter houses.

By Mr. Gallagher of Bangor: An Act to amend Chapter 87 of the laws of 1911 in relation to employment agencies.

By Mr. Kelleher of Waterville: Petition of George Eddington and 62 others of Waterville in favor of Senate Bill No. 165 providing for workmen's compensation.

By Mr. Newbert of Augusta: Petition of Charles Choate and 66 others of Hallowell in favor of same.

By Mr. Swift of Augusta: Petition of John H. Bussell and 37 others of Augusta in favor of same.

Legal Affairs.

By Mr. Maybury of Saco: An Act to repeal Section 9 of Chapter 30 of the Revised Statutes, relating to renewal fee for registration of apothecaries. (Tabled for printing pending reference to the committee on motion by Mr. Swett of Bath.)

By Mr. Rousseau of Brunswick: An Act to amend Chapter 114 of the Revised Statutes, relating to relief of poor debtors.

By Mr. Kehoe of Portland: An Act relative to interrogatories in civil actions. (Tabled for printing pending reference to the committee on motion by Mr. Kehoe.)

By Mr. Boman of Vinalhaven: An Act to amend Chapter 28 of the Revised Statutes as amended by Chapter 194 of the Public Laws of 1909 and Chapter 156 of the Public Laws of 1911, relating to fire escapes. (Tabled for printing pending reference to the committee on motion by Mr. Boman.)

By same gentleman: An Act relating to county libraries. (Tabled for printing pending reference to the committee on motion by Mr. Boman.)

Education.

By Mr. Sturgis of Auburn: An Act to fix the minimum salary of teachers employed in the public schools. (Tabled for printing pending reference to the committee on motion by Mr. Sturgis.)

Placed on File.

By Mr. Butler of Farmington: Petition of R. Y. Storer and 19 others, citizens of Farmington, in favor of An Act to increase the efficiency of the public schools of Maine by retiring the teachers of long service with pensions; also petition of Mrs. Lillian W. Webster and six others of Wilton in favor of same.

Railroads and Expresses.

By Mr. Swift of Augusta: An Act to amend Section 26 of Chapter 51 of the Revised Statutes, in relation to the taking of land by railroad companies.

Agriculture.

By Mr. Emerson of Island Falls: Petition of B. A. Bailey and 21 others of Wiscasset, J. A. Mulherrin and six

others of Lee, of C. C. Hanson and five others of St. Albans, George H. Benn and 15 others of Hodgdon, in favor of amendment of Section 4 of Chapter 35 of the Public Laws of 1909, relating to milk dealers.

By Mr. Mooers of Ashland: Petition of Ashland Grange for establishment of experimental farm in Aroostook county.

Inland Fisheries and Game.

By Mr. Austin of Phillips: Resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds, and for printing the report of commissioners of inland fisheries and game, with statement of facts.

Sea and Shore Fisheries.

By Mr. Maxwell of Boothbay Harbor: Remonstrance against any change in the general lobster law signed by V. Cameron and 25 others; also remonstrance of Ambrose D. Frizzell and 41 others against same; also remonstrance of L. W. Newcomb, Jr., and 51 others against same.

State Lands and Forest Preservation.

By Mr. Harriman of Cherryfield: An Act to establish State forestry commission. (Tabled for printing pending reference to the committee on motion by Mr. Harriman.)

Public Buildings and Grounds.

By Mr. McBride of Mount Desert: Resolve relating to repairs and improvement of Capitol building. (Tabled for printing pending reference to the committee on motion by Mr. Quinn of Millinocket.)

Reports of Committees.

Mr. Durgin from the committee on judiciary, reported "ought not to pass" on bill, An Act relative to the registration of physicians and surgeons.

Mr. Smith of Presque Isle from the same committee, on petition of Daniel G. Graffam praying that certain proceedings be had with reference to the supreme judicial court, reported legislation thereon inexpedient and that the petitioner has leave to withdraw.

Mr. Connors from the committee on legal affairs, reported "ought not to pass" on resolve for an amendment to

the constitution providing for proposal of amendment by initiative petition.

Mr. Bowler from the committee on education, reported "ought not to pass" on bill, An Act to amend Section 34 of Chapter 15, as amended by Chapter 173 of the Laws of 1911, relative to the election of superintendent of school.

Mr. Morrison from the committee on ways and bridges, reported "ought not to pass" on resolve in favor of the town of Crystal, in the county of Aroostook, in aid of building bridge across Fish stream.

Same gentleman from same committee, reported "ought not to pass" on resolve to provide for repair of road leading from Stacyville Station to the East branch of the Penobscot river.

Same gentleman from same committee, reported "ought not to pass" on resolve in favor of the town of Haynesville.

Same gentleman from same committee, reported "ought not to pass" on resolve in favor of repairing bridge between the towns of South Casco and Raymond on the State road.

Same gentleman from same committee, reported "ought not to pass" on resolve in favor of aiding the town of Scarborough in building bridge across Dunston river in Scarborough.

Same gentleman from same committee, reported "ought not to pass" on resolve in favor of the towns of Mexico and Rumford to aid in making the toll-bridge owned by the Mexico Bridge Company a free bridge.

The reports were accepted.

Mr. Smith of Presque Isle from the committee on judiciary, reported in a new draft and "ought to pass" bill, An Act to permit the use of automobiles in the town of Eden.

Mr. Smith of Patten from the same committee, reported "ought to pass" on bill, An Act relative to the use of automobiles in the town of Mt. Desert, Hancock county, State of Maine.

Mr. Peakes from the committee on legal affairs, reported in a new draft and "ought to pass" bill, An Act to amend the charter of the Livermore Falls Light & Power Company.

Mr. Connors from the same committee, reported "ought to pass" on bill,

An Act to incorporate the Waterville Chamber of Commerce.

Mr. Wheeler from the same committee, reported in a new draft and "ought to pass" bill, An Act to amend Section 75 of Chapter 10 of the Revised Statutes, relating to the sale of land for taxes in incorporated places.

Mr. Rossseau from the same committee, reported in a new draft and "ought to pass" bill, An Act to incorporate the Corinna Water Company.

Mr. Harper from the committee on railroads and expresses, reported in a new draft and "ought to pass" bill, An Act to extend and enlarge the charter of the Ocean and Northern Railroad Company.

Mr. Morrison from the committee on ways and bridges, reported in a new draft and "ought to pass" bill, An Act to amend Section 2 of Chapter 353 of the Laws of 1905, relating to the Wiscasset Bridge.

Mr. Umphrey from the same committee, on petition reported resolve entitled "Resolve in favor of repairing roadway leading from Greenville to Lily Bay Bridge, in the county of Piscataquis, and that the same "ought to pass."

Mr. Spencer from the same committee, reported in a new draft and "ought to pass" resolve in relation to the repair of Wiscasset Bridge.

Mr. Scates from the same committee, reported in a new draft and "ought to pass" resolve in favor of the city of Waterville.

Same gentleman from same committee, which was instructed by an order of the Legislature to inquire into the expediency of allowing reimbursement to the city of Saco to the extent of \$75 expended in investigation of incendiary fires, reported resolve in favor of the city of Saco, and that it "ought to pass."

The reports were accepted and the several bills and resolve tabled for printing under the joint rules.

Mr. Smith of Patten from the committee on judiciary, reported "ought to pass" on bill, An Act to amend Section 55 of Chapter 49 of the Revised Statutes, relating to the enforcement of mortgagee's lien for insurance.

The report was accepted, and this bill having been printed received its first and second reading and was assigned for next Monday afternoon at 4.30 o'clock for its third reading.

Mr. Sanborn from the committee on judiciary, reported "ought to pass" on bill, An Act to confer equity jurisdiction upon the supreme judicial court to hear and determine property matters between wife and husband or husband and wife.

The report was accepted, and this bill having been printed received its first and second reading and was assigned for next Monday afternoon at 4.30 o'clock for its third reading.

Mr. Peaks from the committee on legal affairs, reported "ought to pass" on bill, An Act to amend Section 50 of Chapter 93 of the Revised Statutes of Maine, as amended by Chapter 21 of the Public Laws of 1907, relating to liens on pulp wood.

The report was accepted, and this bill having been printed received its first and second reading and was assigned for next Monday afternoon at 4.30 o'clock for its third reading.

Mr. Peacock from the committee on legal affairs, reported "ought to pass" on bill, 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.

The report was accepted, and this bill having been printed received its first and second reading and was assigned for next Monday afternoon at 4.30 o'clock for its third reading.

First Reading of Printed Bills and Resolves.

An Act to incorporate the Lincoln Sewerage Company, Lincoln.

An Act to incorporate the Kennebec Gas and Fuel Company.

An Act entitled "An Act to incorporate the Rumford Chamber of Commerce."

An Act relating to changing the name of Gregory's Sanitorium at Boothbay Harbor.

An Act to incorporate the Mattawamkeag Water Company.

Resolve in favor of John M. Deering of Saco, Maine, Secretary of the Cattle Commission of Maine.

Resolve in favor of Grenville M. Donham.

Resolve to authorize and provide for the purchase of the history of the town of Garland.

Passed to Be Engrossed.

An Act to repeal the laws providing for a bounty on bears.

An Act to repeal Chapter 337 of the Private and Special Laws of 1825, entitled, "An Act for the preservation of fish in Piscataqua river."

An Act to incorporate the Mount Vernon Water & Electric Company.

An Act to amend Section 80 and Section 81 of Chapter 52 of the Revised Statutes relating to provisions for safety in the management and operation of steam railroads.

An Act relating to the St. Joseph's Convent and Hospital.

An Act in relation to the Skowhegan and Athens Railway.

An Act additional to Sections 86, 97 and 98 of Chapter 49 of the Revised Statutes relating to the qualifications of insurance agents and brokers. (Table pending its third reading on motion by Mr. Plummer of Lisbon.)

An Act to amend Section 66 of Chapter 51 of the Revised Statutes of Maine, relating to railroad crossings of highways and other ways. (Recommended to the committee on railroads and expresses on motion by Mr. Trimble of Calais.)

An Act to amend Section 65 of Chapter 51 of the Revised Statutes of Maine, relating to railroads crossing highways or other public ways. (Recommended to the committee on railroads and expresses on motion by Mr. Trimble of Calais.)

An Act to amend Section 115 of Chapter 15 of the Revised Statutes relating to the appropriation for the support of the normal and training schools.

An Act to repeal Chapter 153 of the Public Laws of 1911, entitled "An Act prohibiting the use of Gang Hooks, so-called, when fishing in the inland waters of this State."

An Act relating to the admission of foreign insurance companies and amending Section 78 of Chapter 49, Revised Statutes.

An Act to incorporate the Pleasant River Gulf Improvement Co.

Resolve in favor of the western state normal school at Gorham for the purchase of equipment for the manual training department.

Resolve in favor of the Aroostook State Normal School at Presque Isle.

Resolve in favor of the town of New Portland.

Resolve in favor of the Western State Normal School at Gorham for repairs and permanent improvements.

Resolve in favor of the city of Biddeford.

Resolve making specific appropriations for buildings at the University of Maine.

Resolve in favor of John M. Deering of Saco, Maine, as Secretary of the Maine Cattle Commission, the sum of \$90.80.

Passed to Be Enacted.

An Act to create the Smyrna Water Company.

An Act to create the Oakfield Water Company.

An Act to amend Section 10 of Chapter 121 of the Revised Statutes, pertaining to larceny.

An Act to amend Section 5 of Chapter 251 of the Private and Special Laws of 1907, as affected by Section 1 of the same Chapter, as amended by Chapter 28 of the Private and Special Laws of 1907, relating to the protection of alewives, shad and sturgeon in various rivers in Maine.

An Act to amend Section 69 of Chapter 66 of the Revised Statutes, relating to authority of foreign executors, administrators, guardians and trustees.

Finally Passed.

Resolve for construction of a dormitory at the Farmington State Normal school.

Resolve to provide for the partial erection of a dormitory at the Western State Normal school at Gorham.

Resolve in favor of co-operative survey of the boundary line between the State of Maine and the state of New Hampshire.

Resolve in favor of Indian Township for the repairs of roads and bridges.

Resolve to provide for the partial construction of a new dormitory at the

Washington State Normal school at Machias.

Orders of the Day.

On motion by Mr. Smith of Auburn, report of the committee on judiciary to which was referred bill, An Act to amend Chapter 64 of the Acts of 1909, concerning mufflers on motor boats, reporting "ought not to pass" was taken from the table and on further motion by Mr. Smith the bill was re-committed to the committee on judiciary.

On motion by Mr. Irving of Caribou, House Document No. 193, resolve providing for the further improvement of marketing farm products and purchasing supplies for the farm, was taken from the table.

Mr. Irving offered House Amendment "A," by striking out all of said resolve after the word "Agriculture" in the third line of the printed resolve, and substituting the following: "To study methods and cost of marketing farm products and purchasing farm supplies, who shall work in conjunction with the Farmers' Union of Maine, and Fruit Growers' Association and other farm organizations, and who shall have authority to employ agents and experts."

Pending the adoption of the amendment, on motion by Mr. Plummer of Lisbon the amendment, together with the bill, were tabled for the printing of the amendment.

On motion by Mr. Scates of Westbrook, report of the committee on judiciary to which was referred bill, An Act to amend Section 34 of the city charter of the city of Westbrook, re-

porting "ought to pass" was taken from the table, and on further motion of Mr. Scates the report of the committee was accepted.

On motion by Mr. Mathieson of Rangeley, House Document No. 24, bill, An Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions, was taken from the table.

Mr. Mathieson then moved that the bill be re-assigned for Thursday, March 6.

The SPEAKER: The Chair will state that this bill, An Act to increase the efficiency of the public schools of Maine by retiring teachers of long service with pensions, was laid upon the table, Feb. 25, and specially assigned for consideration, March 4. The Chair is of the opinion that it would not be in order at the present time to take this matter from the table in order to reassign it; but the Chair would suggest that the gentleman from Rangeley (Mr. Mathieson) probably desires to give notice to the House that on March 4 he will move to re-assign the consideration of this measure to March 6.

On motion by Mr. Goodwin of Mexico, resolve in favor of the town of Grafton for repair and improvement of highways, was taken from the table, and on further motion by Mr. Goodwin a statement of facts having been inserted, the resolve was referred to the committee on ways and bridges.

On motion by Mr. Smith of Presque Isle,

Adjourned until Monday afternoon at half-past four o'clock.