

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

HOUSE.

Monday, March 24, 1913.

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

Prayer by Rev. Mr. Stanley of Hallowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Remonstrance of Charles J. Rush and 100 others of Mil-
linocket against passage of Senate bill,
No. 318, being An Act to provide a li-
cense for residents to hunt wild birds
and animals.

In the House this remonstrance was
referred to the committee on inland
fisheries and game, and came from the
Senate in that branch placed on file in
non-concurrence.

On motion by Mr. Austin of Phillips,
the House voted to recede and concur
with the Senate in ordering this re-
monstrance placed on file.

From the Senate: An Act for the bet-
ter protection of the needy and de-
serving.

In the House this bill was referred
to the committee on public health, and
came from the Senate in that branch
indefinitely postponed.

On motion by Mr. Austin of Phil-
lips, the House voted to recede and
concur with the Senate in the indefi-
nite postponement of this bill.

Senate Bills on First Reading.

An Act to amend Sections 18, 22 and
23 of the primary election law.

An Act to amend Chapter 122 of the
Public Laws of 1911, relating to cor-
rupt practices at elections, as amend-
ed by Senate Amendment A.

An Act to amend Section 5 of Chap-
ter 184 of the Private and Special Laws
of 1891 relating to drains and sewers in
the city of Portland.

An Act to provide for the safe keep-
ing of indemnity bonds.

An Act to appropriate moneys for
the expenditures of government for the
year 1913.

Resolve in favor of national aid for
the improvement of postal roads.

Resolve for the scientific investiga-
tion of scallop and the scallop fisheries.

Resolve in favor of the Maine Indus-
trial School for Girls at Hallowell, for
medical examination and treatment
with supplies.

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

Appropriations and Financial Affairs.

By Mr. Higgins of Brewer: Resolve in
favor of the stenographer of the presid-
ing and recording officers of the House
of Representatives.

Report of Committees.

Mr. Chick from the committee on ed-
ucation reported "ought not to pass"
on resolve to aid in repairs to Mattanaw-
acook Academy. (Tabled pending the ac-
ceptance of the report of the commit-
tee, on motion by Mr. Thombs of Lin-
coln.)

Mr. Marston from the committee on
appropriations and financial affairs re-
ported "ought to pass" on resolve in fa-
vor of Ina A. Chadbourne, as clerk and
stenographer for the committee on in-
sane hospitals for the present session.

Same gentleman from same committee
reported "ought to pass" on resolve in
favor of Helen Gaffney for services as
stenographer to the committee on claims
of the 76th Legislature.

The reports were accepted and the two
resolves were tabled for printing under
the joint rules.

First Reading of Printed Bills and Resolves.

An Act to amend Section 32 of Chapter
27 of the Revised Statutes, relating to
the care and support of paupers.

An Act to permit the town of Pitts-
field to obtain a pure water supply.

An Act to incorporate the Pittsfield
Water District.

An Act to amend Section 69 of the Re-
vised Statutes, as amended by Chapter
41 of the Public Laws of 1905, relating to
non-feasance of duty by sheriffs, deputy
sheriffs and county attorneys.

An Act to amend an act to incorporate
the Livermore Falls Sewer District, as
amended by Chapter 441 of the Private
and Special Laws of 1907, and as amended
by Chapter 185 of the Private and Spe-
cial Laws of 1911.

An Act to amend Section 5 of Chapter 23 of the Revised Statutes, relating to ways.

An Act to create a body politic incorporate by the name of Bustin's Island Village Corporation.

An Act to amend Section 20 of Chapter 67 of the Revised Statutes, as amended by Chapter 134 of the Public Laws of 1911, relating to the distribution of personal estate.

An Act to establish a municipal court in the town of Readfield.

An Act to incorporate the Hampden Water Company. (Tabled pending its first reading on motion by Mr. Higgins of Brewer.)

An Act to authorize the town of South Berwick to own and maintain an electric lighting and power plant.

An Act to amend Section 1 of Chapter 93 of the Revised Statutes, relating to mortgages of personal property.

An Act relating to the construction of sidewalks in the town of Sanford.

An Act to amend Section 13, Paragraph 2, of Chapter 9 of the Revised Statutes, relating to taxation of personal property, as amended by Chapter 80 of the Public Laws of 1909.

Resolve in favor of the People's Ferry Company of Bath.

Resolve in favor of the York hospital in the town of York.

Resolve in favor of the Webber Hospital Association of Biddeford.

Resolve in favor of the Maine Mission for the Deaf at Belfast.

Resolve in favor of the Presque Isle General hospital at Presque Isle.

Resolve in favor of the Children's Aid Society of Maine at Belfast.

Resolve in favor of the Maine School for the Deaf at Portland.

Resolve in favor of the Bangor Anti-tuberculosis Association of Bangor.

Resolve in favor of the Greenville Junction Young Men's Christian Association of Greenville.

Resolve in favor of the Central Maine Association for the relief and control of tuberculosis.

Resolve in favor of the Bath City Hospital at Bath.

Resolve in favor of the Knox County General Hospital at Rockland.

Resolve in favor of the Maine Home for Friendless Boys at Portland.

Resolve in favor of the Women's Christian Temperance Union Temporary Home for children at Gardiner.

Resolve in favor of the Maine Anti-tuberculosis Association of Waterville.

Resolve in favor of the Daughters of Wisdom of St. Agatha.

Resolve in favor of the Central Maine General Hospital at Lewiston. (Tabled pending its second reading and specially assigned for consideration on Wednesday of this week on motion by Mr. Wheeler of Paris.)

Resolve in favor of the Trull Hospital Aid Association of Biddeford.

Resolve in favor of St. Mary's General Hospital at Lewiston.

Resolve in favor of the Girl's Orphanage of Lewiston.

Resolve in favor of the Maine Eye and Ear Infirmary.

Resolve in favor of the Eastern Maine Orphans' Home of Bangor.

Resolve in favor of the Maine Institute for the Blind at Portland.

Resolve in favor of the Temporary Home for Women and Children in Portland.

Resolve in favor of the Good Samaritan Home Association of Bangor

Resolve in favor of the Lewiston and Auburn Children's Home, Lewiston.

Resolve in favor of the Maine General Hospital.

Resolve in favor of the Children's Heart Work Society of Maine.

Resolve in favor of Mellen Tryon, secretary of the committee on Maine School for Feeble Minded.

Resolve in favor of the Androscoggin Anti-tuberculosis Association.

Resolve in favor of the Maine State Sanatorium Association. (Tabled pending its second reading and specially assigned for consideration on Thursday of this week.

Resolve in favor of the official reporter of the House.

Resolve in favor of the Hayes Young Women's Home of Lewiston. (Tabled pending its second reading on motion by Mr. Mitnell of Kittery.)

Resolve in favor of the Maine Children's Home Society of Augusta.

Passed to Be Engrossed.

An Act to provide for the Conducting

of Investigations in Animal Husbandry by the Maine Agricultural Experiment Station.

An Act relating to the fee payable upon an increase in the capital stock of corporations organized under special acts or under general laws for the performance of a public service.

An Act relating to the Enforcement of the Laws Regulating the Sale and Analysis of Agricultural Seeds, Commercial Feeding Stuffs, Commercial Fertilizers, Dairy Products, Drugs, Foods, Fungicides and Insecticides.

An Act to authorize the Bangor Railway and Electric Company to take water from Chemo lake and its tributaries.

An Act to incorporate the Houlton Street Railway Company. (Tabled pending its third reading on motion by Mr. Mitchell of Kittery.)

An Act relating to the entry of nolle prosequi in criminal cases.

An Act to amend Sections 40 and 43 of Chapter 15 of the Revised Statutes as amended relating to the continuance of unions of towns formed for the employment of a superintendent of schools.

An Act to amend Section 2 of Chapter 15 of the Revised Statutes, in relation to the continuance of schools failing to maintain an average attendance of at least eight pupils.

An Act to grant additional powers to the Rockland, South Thomaston and St. George Railway.

An Act to incorporate Machias Valley Light & Power Company.

An Act to amend the act which constitutes the Police Court for the City of Rockland.

An Act creating a State Board of Charities and Corrections.

An Act for the abolishment of Grade Crossings of Railroads.

An Act to amend Section 8 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 Bath Military and Naval Orphan Asylum at Bath, Maine.

Resolve for laying County Taxes for the year 1914.

Resolve in favor of North Yarmouth

Academy. (Tabled pending its second reading on motion by Mr. Wheeler of Paris.)

Passed to Be Enacted.

An Act to authorize and ratify the appointment of the Portland Music Commission.

An Act to enlarge the powers and amend the charter of the Scarborough Water Company.

An Act to amend Section 1 of Chapter 93 of the Revised Statutes, as amended by Chapter 86 of the Public Laws of 1911, relating to the recording of personal property mortgages and sales.

An Act limiting and defining the liabilities of keepers of hotels, inns and boarding houses.

An Act to amend Section 99 of Chapter 49 of the Revised Statutes, relating to special insurance brokers.

An Act to amend Section 1 of Chapter 41 of the Revised Statutes, as amended, relating to the duties of the commissioner of sea and shore fisheries.

An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897 entitled "An Act establishing municipal court of the city of Waterville."

An Act to amend Sections 14 and 15 of Chapter 393 of the Private and Special Laws of 1909, relating to the Milinocket municipal court.

An Act to incorporate the Androscoggin Electric Company.

An Act to make the certificate of the official court stenographer sufficient authentication of a report of evidence for the law court, and to prescribe the course of procedure in the courts in the event of the death of the official stenographer.

An Act to incorporate the Penobscot Gas Company.

An Act relating to fraternal beneficiary Associations doing casualty business only.

An Act relating to standard provisions for accident and health insurance policies.

An Act to amend Sections 1, 2, 6, 10, 11 and 12 of An Act entitled "An Act to incorporate the Madison Water Company."

An Act to amend Section 124 of Chapter 8 of the Revised Statutes, relative to the canvass of votes by the Governor and Council.

An Act to protect trade and commerce against unlawful restraints and monopolies.

An Act relating to the organization of corporations under Private and Special Laws.

An Act relating to fire inspectors and the removal of fire hazards.

An Act relating to the Fort Kent Electric Company

An Act to prevent usury by foreign corporations.

An Act to amend Chapter 7 of the Private and Special Laws of 1836, in relation to Mt. Desert bridge.

An Act prohibiting certain forms of prostitution and providing for the competency of certain evidence at the trial thereof.

An Act relative to weights and measures.

An Act additional to Chapter 28 of the Revised Statutes for the prevention of false fire alarms.

An Act to incorporate the Bluehill Water Company.

An Act to amend Section 102 of Chapter 15 of the Revised Statutes, relating to the preparation of blank forms by the State superintendent of public schools.

An Act to incorporate the Kennebec Realty Company.

An Act to incorporate the Stockholm Water Company.

An Act to amend Chapter 131 of the Public Laws of 1911, relating to taxing insurance in companies not authorized to do business in Maine.

An Act extending the charter of the Fort Kent Water Company.

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

An Act to authorize the Auburn Water commissioners to sell certain of their property.

An Act to amend the charter of the Central Maine Power Company.

An Act to amend the charter of the Camden and Rockland Water Company.

An Act to amend Section 14 of Chapter 128 of the Revised Statutes, relating to

malicious mischiefs and trespasses on property.

An Act to amend Chapter 66 of the Private and Special Laws of 1881, entitled "An Act to incorporate the Island Cottage Company.

An Act relating to the insurance of property owned by the State.

An Act relating to Mutual Fire Companies transacting factory and mill insurance only.

An Act providing for the appointment of two delegates to a New England Railway Conference, and the payment of their expenses.

An Act to repeal Chapter 64 of the Public Laws of 1909, and require mufflers upon motor boats.

An Act to amend the first paragraph of Section 36 of Chapter 15 of the Revised Statutes, as amended, in relation to the accurate keeping of school records and accounts.

An Act to incorporate the Farmington-Oakland Interurban Railway.

An Act to incorporate the Readfield Chamber of Commerce.

An Act establishing a close time on lobsters in the waters of Jonesport and Addison, in Washington county.

An Act to amend Section 44 of Chapter 41 of the Revised Statutes as amended by Chapters 20, 30 and 91 of the Public Laws of 1905, as further amended by Chapters 12, 35, 123 and 136 of the Public Laws of 1907, as further amended by Chapter 165 of the Public Laws of 1909 and as affected by Chapter 90 of the Public Laws of 1911, relating to the taking of smelts.

An Act to amend Section 51 of Chapter 79 of the Revised Statutes, as amended by the Public Laws of 1907 and 1911, relating to trial terms of the supreme judicial court.

An Act to extend and amend the charter of the Brewer Water Company.

An Act to authorize the sheriffs and jailers of the several counties in their discretion to furnish money and transportation to prisoners about to be discharged from jail.

An Act relating to the transportation of fish taken in the waters of Davis Town, Stetson Town, Seven Ponds Town and Massachusetts Gore, so-called, in Franklin county.

An Act to amend Section 13 of Chapter

53 of the Revised Statutes, in relation to the taking of land by street railroad companies.

An Act to authorize the town of Sanford to acquire, own, maintain and operate a gas plant.

An Act for the better protection of herring and herring fisheries in the waters of the St. Croix river and Passamoquoddy bay in the county of Washington.

An Act additional to Chapter 4 of the Revised Statutes relating to the appointment of town auditors.

An Act to authorize the appointment of the Portland High School Commission.

An Act to authorize the city of Lewiston issue its bonds to the amount of \$160,000 to pay its bonds now out standing and maturing in the year 1913.

An Act to amend Section 15 of Chapter 15 of the Revised Statutes, as amended, relating to the approval of school accounts.

An Act to amend Section 39 of Chapter 39 of the Revised Statutes, relative to the weights of certain commodities.

An Act to establish a county farm in the county of Penobscot.

An Act to incorporate the Livermore & Augusta Railway Company.

An Act to provide for scientific investigation in agriculture in Aroostook county.

An Act relating to the incorporation and admission of assessment casualty insurance companies and conditions relating to such companies.

An Act to amend Section 19 of Chapter 65 of the Revised Statutes, relating to the duties of registers of probates.

An Act to change the name of the town of Eden to the town of Bar Harbor.

An Act to amend Sections 109 and 113 of Chapter 15 of the Revised Statutes as amended, relating to the State Normal schools and their management.

An Act to incorporate the York and Oxford Railroad.

Finally Passed.

Resolve in favor of the Canaan Lake Fish Screen Association of Camden.

Resolve in favor of building a feeding pond at the Knox County Hatchery at Camden.

Resolve for retracing and defining the lines around the reserved or school lands of plantations and townships.

Resolve in favor of paying certain bills contracted for placing a rail in the rear of the House of Representatives, and marking the members' desks.

Resolve in favor of the Maine Insane Hospital for the purchase of a mangle for the laundry at said institution.

Resolve providing for an appropriation for control of contagious diseases among domestic animals.

Resolve in favor of aid in constructing a bridge in the town of Milo.

Resolve providing for the screening of Shiloh Pond in Franklin county.

Resolve in favor of screening Gardner's Lake, so-called, in Washington County.

Resolve in favor of Lizzie Bean.

Resolve in favor of screening Squaw Pond Lake, so-called, in Aroostook County.

Resolve in favor of Monmouth Academy for repairing and remodeling the building at said institution.

Resolve in favor of the Nasson Institute for maintenance and extension of its work.

Resolve providing a State pension for Mary Buswell Ridlon.

Resolve in favor of the Aroostook Central Institute for repairs, improvements and the payment of debts.

Resolve in favor of Lucinda P. Brackett.

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 the commissioners of Inland Fisheries and Game.

Resolve reimbursing the town of Hollis for money expended for a State pauper.

Resolve in favor of Bridgton Academy for the repair of the buildings at said institution.

Resolve in favor of Freedom Academy Association in the town of Freedom.

Resolve in favor of Limerick Academy providing for the payment of aid money not received by it for the year 1904.

Resolve providing an additional State pension for Annie Jones.

Orders of the Day.

On motion by Mr. Thombs of Lin-

coln, the rules were suspended and that gentleman was permitted to introduce out of order the following committee reports:

Mr. Thombs from the committee on legal affairs reported in a new draft and "ought to pass" bill, An Act to provide for the election of officers in cities by plurality vote.

The report was accepted, and the bill ordered printed under the joint rules.

Mr. Connors from the same committee reported "ought not to pass" on bill, An Act to provide for the licensing of firemen.

The report was accepted.

From the Senate: An Act to amend the primary election law.

Mr. Thombs of Lincoln offered House Amendment A, to amend Section 1 by inserting in the 59th line thereof, between the words "of" and "which" the words "Section five of"; also by striking out in the 70th line of said section the word "him," and substituting in place thereof the word "them."

The question being on the adoption of the amendment,

The amendment was adopted.

On motion by Mr. Thombs of Lincoln, the rules were suspended, and that gentleman introduced out of order the following order:

Ordered, the Senate concurring, that the superintendent of public buildings be directed to furnish the document room in the State House with further pigeon-hole cases sufficient for the reception of all documents in the custody of the document clerk not filed.

The order received a passage.

On motion by Mr. Sargent of Portland, Senate Document No. 191, An Act relating to the election of assessors for the city of Portland, was taken from the table, and on further motion by Mr. Sargent the bill received its third reading and was passed to be engrossed.

On motion by Mr. Sargent of Portland, House Document No. 418, bill, An Act entitled "An Act to raise rev-

enue for the support of the State Government by levy and collection of a tax on incomes, was taken from the table.

Mr. Sargent then moved that the bill be substituted for the report of the committee on taxation reporting "ought not to pass."

Mr. SARGENT of Portland: An income tax is the most just tax in the world, and it is no burden on anybody. Nobody will go hungry, cold or naked on its account.

The bill provides for a tax on one per cent. on an income over and above \$2500 to \$5000, which will be a tax of \$25 to \$50; from \$5000 to \$7500, 1 1-2 per cent., which would be a tax of \$75 to \$112; from \$7500 to \$10,000, two per cent., which would be a tax of \$150 to \$200; from \$10,000 up to \$15,000, 2 1-2 per cent. which would be a tax of \$250 to \$375, and \$15,000, three per cent. would be \$450; all over \$15,000 will be three per cent. a year.

One of the committee said that we had given away the right to tax incomes of the State because we passed the United States income tax. Well, now, let's see what we did. There was a clause in the Constitution of the United States saying if a direct tax was put on they should assess it according to the population of the State, making a poor state pay just as much as a rich state, on the principle of taxing poverty just as much as they do wealth. Now I do not believe in that kind of taxation at all. They amended this Constitution by giving the United States government the right to put on an income tax instead of the direct tax upon the population. I do not see as an income tax interferes any with the rights of the State of Maine. We are all paying a government tax. There is not a person but what has to pay some government tax; and the way the law is now the man who has the biggest family has to buy the most and pays most towards supporting the United States government. If we have an income tax, which probably we will, then the rich man will have to pay something towards it. Under the present law the common man is paying just as much as Rockefeller, or Carnegie, or Morgan,

or any of those millionaires, and it is not right. They have got millions upon millions to be protected by this government, and it is no more than right that they should pay something towards it. If we have a war it is the common man that goes to war—that has to go in and fight the battles and preserve the country. The rich man can take his money and buy a substitute.

Some say it is double taxation. Well, how big is this double tax? Why, if you put it on incomes it is just about one-twentieth what we have to pay on property. Take, for illustration, an income of \$5000. A man has got \$100,000, at 5 per cent. the income would be \$5000, and he would have to pay \$25 tax on it. It is an awful burden on him isn't it? A man that has \$100,000 worth of real estate has to pay over \$2000 tax; so if we have a government tax and a State tax the rich man is only paying just about one-tenth of what we pay on real estate and other property. That is all I have to say just now.

Mr. IRVING of Caribou: Mr. Speaker, just a word regarding the report of the committee. This bill came to your committee about 10 days ago, and was considered by them. They regard it as a matter of too great importance to pass hastily upon, in face of the fact

that the federal government has passed an income tax law which has only recently been ratified and accepted by a sufficient number of the states to make it operative. Therefore it would be better at this time to accept the report on his measure hat they have handed in, "ought not to pass."

The question being on the motion that the bill be substituted for the report of the committee.

A viva voce vote being taken,

The motion was lost.

The question then recurring upon the acceptance of the report of the committee,

The report of the committee was accepted.

On motion by Mr. Irving of Caribou, Senate Document No. 248, bill, An Act to enable the town of Old Orchard to assess taxes for street sprinkling, was taken from the table.

In the House this bill was passed to be engrossed, and came from the Senate in that branch indefinitely postponed in non-concurrence.

On further motion by Mr. Irving the House voted to recede and concur with the Senate in the indefinite postponement of the bill.

On motion by Mr. Morse of Rumford, Adjourned.