

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

choice of road commissioner in towns.

An Act amending the charter of the Maine Missionary Society.

An Act to incorporate the Michigan Insurance Co.

An Act to amend Section 13 of Chapter 131 of the Revised Statutes relating to detectives.

An Act relating to inspectors of meters.

An Act to amend Sections 69 and 70 of Chapter 8, Revised Statutes, relating to the taxation of collateral inheritances.

An Act to establish the Old Orchard Park system.

An Act relating to exceptions and appeal in criminal cases.

An Act to incorporate the Shawmut Water Co.

An Act to authorize courts to suspend or continue for sentence on probation and to provide for the appointment of probation officers.

An Act additional to Chapter 135, Revised Statutes, relating to witnesses in criminal proceedings.

An Act to amend Section 38 of Chapter 28, Revised Statutes, relating to buildings.

An Act to amend the Private and Special Laws pertaining to appointments to the police department of the city of Portland.

An Act to amend Chapter 189 of the Laws of 1907, prohibiting publications relating to patent or other medicines in language of immoral tendency or ambiguous character, and protecting the public against the dangers from the indiscriminate distribution of samples of medicine.

An Act in relation to coroners and coroners' inquests.

An Act to change the tenure of office of the city electrician of the city of Portland.

An Act to confer additional powers and privileges upon the People's Ferry Co.

An Act to amend Chapter 140, Revised Statutes, relating to coroners' inquests and the appointment of medical examiners.

An Act to amend Section 55 of Chapter 88 of the Revised Statutes, relating to trustee process. (Tabled pending

passage to be enacted on motion of Mr. Tibbetts of Orrington.)

An Act in relation to the collection of fees by State officials and payment of same to the State treasurer.

On motion of Mr. Burleigh of Augusta, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by Mr. Burleigh the bill was tabled pending its passage to be engrossed.

An Act to make uniform the standard relating to the percentage of alcohol in intoxicating liquors. (Tabled pending passage to be enacted on motion of Mr. Rounds of Portland.)

Mr. ALLEN of Jonesboro: Mr. Speaker, this bill relates to making uniform the percentage of alcohol in intoxicating liquors and was reported unanimously by the committee. The purport of the bill is to make the Maine law correspond with the law of the United States. I presume the members of the House may be aware of the fact that there is at the present time no legal standard. The courts have decided that 3 per cent., or liquors containing 3 per cent. of alcohol are intoxicants; but that ruling is without any law and the purpose of this bill is simply to make a standard that should correspond with that of the United States, and it seems to me there is no good reason why this matter should be tabled; and I make the motion that the bill be taken from the table.

The motion was agreed to.

Mr. Allen then moved that the bill be passed to be enacted.

Mr. Rounds of Portland moved that the bill be tabled and be taken up tomorrow morning.

Mr. ALLEN: Mr. Speaker, does the motion of the gentleman from Portland have precedence?

The SPEAKER: The motion to postpone to a day certain has precedence over the motion to place the bill upon its passage to be enacted.

Mr. ALLEN: Mr. Speaker, I then call for a division of the House.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that further consideration of the bill be postponed till tomorrow. The gentleman from Jonesboro, Mr. Allen, asks for a division upon that question.

A division being had, 49 voted in the affirmative and 37 in the negative.

So the motion to postpone further consideration until tomorrow was carried.

#### Finally Passed.

Resolve, in favor of Herbert L. Kimball.

Resolve, in favor of the town of South Berwick.

Resolve, in favor of the State Board of Veterinary Examiners.

Resolve, for renewal of insurance policies on State property.

Resolve, in favor of repairing the road between Seboomook and Pittston farm.

Resolve, in favor of aiding the building of a bridge in the town of Franklin, Hancock county.

Resolve to amend a resolve passed for the purpose of establishing a fish hatchery in Knox county.

Resolve authorizing the State land agent to sell certain lots in the towns of St. Agatha and Madawaska in Aroostook county.

Resolve, in favor of M. H. Hodgkins, clerk and stenographer and messenger to the committee on inland fisheries and game.

Resolve, in favor of the Senate postmaster.

Resolve, in favor of clerk to the joint-special committee on salaries and fees.

Resolve, in favor of screening Biscay pond, so-called, in the town of Bristol, in Lincoln county.

Resolve, in favor of the committee on bills in second reading for clerical assistance.

Resolve, in favor of F. H. Hoar, special messenger to the Speaker of the House.

Resolve, in favor of the clerk, the stenographer, and the messenger to the judiciary committee.

Resolve, to aid in the extension of the Kineo road from the Smith farm to the North East Carry.

Resolve, in favor of Susan Baker.

Resolve, in favor of Jefferson C. Smith of Waterville, Me., State secretary of the Young Men's Christian Association.

Resolve, in favor of Parker Pineo.

#### Orders of the Day.

On motion of Mr. Tibbetts of Orrington An Act to amend Section 55 of Chapter 18 of the Revised Statutes relating to trustee process, was taken from the table.

Mr. Tibbetts moved that the bill be indefinitely postponed.

Mr. SMITH of Berwick: Mr. Speaker, I am surprised at the action of the gentleman from Orrington. This matter was up for consideration Friday afternoon, its merits and demerits were discussed and it was passed to be engrossed without a dissenting voice. To take the matter up now would seem to cast reflection on the action of the House. I oppose, and I trust that every friend of labor in the House will oppose, the motion to indefinitely postpone.

Mr. TIBBETTS: Mr. Speaker, this bill has merits and it has demerits. This bill which would exempt \$10 from trustee process practically prevents any man who is a trader from collecting one dollar from the laboring man. The average laboring man gets perhaps \$10.50 or \$12 a week from his labor, and under this bill if he is shrewd enough to collect his pay every Saturday night and if he is so disposed he can avoid paying his just bills. I don't know how it is in Berwick but I know that in our section we have men who are honest when they are compelled to be honest. A large part of the population are honest because they wish to be honest but a certain proportion of them are honest when they are compelled to be. Let this bill pass and they will beat the grocer and the tailor and the shoemaker and the physician and every other man that they can because that is their disposition. I never have resorted to the trustee process myself but once but it has been the means of collecting a great many dollars from people who would avoid paying their bills. If this bill goes into effect one-half of the small traders in country towns will have to shut up shop or go on a cash basis, and that would be a hardship to a poor man who was sick, while under the present law his trader will trust him for \$10 or \$20 until he gets well. If this law goes into effect