

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE.

Saturday, March 6, 1915.

Senate called to order by the President.

Prayer by Rev. Harold W. Haynes of Augusta.

Journal of previous session read and approved.

On motion by Mr. Scammon of Hancock, it was (under suspension of the rules)

Ordered, the House concurring, that when the House and Senate adjourn it be to meet at 9 o'clock in the forenoon, Tuesday, March 9, 1915.

Sent down for concurrence.

In the House this order was amended by changing the hour to 10 o'clock. In the Senate the amendment was accepted and the order passed as amended.

From the House: Resolve authorizing the land agent to sell and convey whatever interest the State has in and to Potato Island, situated in Harrington, Washington county.

In the Senate March 4th the report of the committee on State lands and forest preservation, ought not to pass, was accepted and sent down for concurrence. The House non-concurred and recommitted the bill to the committee.

The Senate reconsidered the vote whereby the report of the committee was accepted and recommitted the bill to the committee in concurrence.

From the House: House 224. An Act to amend Section 17 of Chapter 77 of the Revised Statutes, relating to proceedings if husband or wife refuses to release interest in real estate.

In the Senate the report of the committee, ought to pass, was accepted and the bill was passed to be engrossed. On its passage to be engrossed in the House, House Amendment A was adopted.

The Senate reconsidered the vote whereby this bill was passed to be engrossed, and then adopted House Amendment A in concurrence. The bill as amended was then passed to be engrossed, in concurrence.

House Bills in First Reading.

House 376. An Act to provide licenses for adjusters of fire losses.

House 378. An Act relating to the qualifications of insurance agents.

House 302. An Act to provide for a closed time on bull moose.

House 461. Resolve in favor of Alonzo J. Nevers.

House 462. An Act providing for pensions to employes of the city of Bangor.

House 463. Resolve providing a State pension for Eliza E. Philbrook.

House 464. Resolve providing a State pension for Clarence M. Smith.

House 465. Resolve in favor of Lucy A. Owens.

House 467. An Act to amend Section 1 of Chapter 44 of R. S., as amended by Section 3 of Chapter 116 of Public Laws of 1913, relating to local sealers of weights and measures.

(At this point the amended order in relation to adjournment came from the House.)

Mr. BURLEIGH of Aroostook: Mr. President, I move that we reconsider the vote whereby bills have been assigned for their second hearing on Tuesday morning at nine o'clock, and that we substitute therefor ten o'clock.

The PRESIDENT: By unanimous consent the record will show that the assignments made for nine o'clock will be at ten o'clock Tuesday morning.

(House Bills in First Reading, continued.)

House 468. An Act to consolidate Sections 14 and 38 of Chapter 40, Revised Statutes, relating to the penalty for unlawful use of containers marked with registered devices, and to amend Section 39 of said chapter relating to search warrants therefor.

House 469. An Act to amend Section 6 of Chapter 44 of Revised Statutes, providing a penalty for neglect of duty by local sealers of weights and measures.

The following bills, petitions, etc., were presented and on recommenda-

tion of the committee on reference of bills, were referred to the following committees:

Legal Affairs.

By Mr. Garcelon of Androscoggin: An Act to amend Section 9 of Chapter 53 of the Laws of 1913, 'An Act for the better regulation of the practice of dentistry.' (Ordered printed and referred.)

By Mr. Weld of Penobscot: An Act to amend Section 16 of Chapter 221 of the Public Laws of 1913, relating to primary elections. (Ordered printed and referred.)

Mercantile Affairs and Insurance.

By Mr. Chatto of Hancock: Petitions of M. W. Chaney and 10 others, of George W. Mayo and 19 others, of Henry C. Crabtree and 13 others, of Frank P. Noyes and 9 others and of Arthur T. Hill and 4 others in favor of 'Resolve for an investigation of the Hancock Mutual Fire Insurance Company.'

Sea and Shore Fisheries.

By Mr. Colby of Somerset: An Act to fix the salary of the deputy forest commissioner.

Ways and Bridges.

By Mr. Conant of Waldo: An Act to provide for the construction of sidewalks. (Ordered printed and referred.)

Bills in First Reading.

Senate 238. Resolve in favor of the commissioners of pharmacy.

Senate 263. An Act relating to the hours of labor of employees of street railway companies.

Senate 264. An Act to authorize Municipal Light and Power Company to decrease its capital stock.

Senate 265. An Act to amend, revise and extend the charter of the Stratton Water Company.

Senate 266. An Act to build and repair a dyke in the town of Milbridge.

Senate 267. Resolve appropriating money in favor of maintaining navigation on the Upper and Lower Richardson Lake.

Reports of Committees.

Mr. Murphy from the committee on

claims to which was referred Petitions of Charles C. Clement, Albert Pierce, James A. Carleton, C. R. Hill, George A. Palmer, W. T. Hall, Merton A. Haley and others for passage of Resolve in favor of Gorham P. Grant to refund money paid in lieu of military service in the late war of the Rebellion, reported same be placed on file.

The report was accepted and sent down for concurrence.

Majority report from the committee on judiciary to which was referred An Act permitting the use of automobiles in the town of Mount Desert (Senate No. 12), that the same ought to pass.

Signed, COLE,
BUTLER,
WATERHOUSE,
PIERCE,
CONNORS,
CAMPBELL.

Minority report of the same committee on the same bill, that the same ought not to pass.

Signed, DURGIN,
SANBORN,
McCARTY.

On motion by Mr. Durgin of Piscataquis the report was tabled pending acceptance and assigned for Thursday of next week.

Report "A" from the committee on judiciary to which was referred An Act to amend Chapter six of the Revised statutes, relating to the regulation and conduct of elections (Senate No. 4) that the same ought to pass.

Signed, COLE,
DURGIN,
SANBORN,
CAMPBELL,
WATERHOUSE

Report "B" from the same committee on the same bill, that the same ought not to pass.

Signed, CONNORS,
CONNELLAN,
McCARTY,
BUTLER,
PIERCE,

(On motion by Mr. Burleigh of Aroostook, the report was tabled pending acceptance and assigned for Wednesday of next week.)

Mr. Bartlett from the committee on agriculture to which was referred Re-

soive in favor of the Maine Wesleyan Seminary and Woman's College, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Colby from the committee on inland fisheries and game to which was referred Resolve in favor of the Raymond fish hatchery, to provide for additional feeding pools, reported the same in a new draft under the same title, and that it ought to pass.

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

Mr. Cole from the committee on judiciary to which was referred An Act relating to the use of automobiles in the town of Mount Desert in Hancock county, reported same ought to pass.

(On motion by Mr. Durgin of Piscataquis tabled pending acceptance of report and assigned for Thursday of next week.)

Mr. Garcelon from the committee on legal affairs to which was referred An Act to ratify, confirm and make valid the proceedings of the First Congregational parish at Kittery, Maine, reported same ought to pass.

Mr. Boynton from the committee on military affairs to which was referred Resolve in favor of an appropriation to complete the historical record of Maine men serving in the United States Navy during the War for the Suppression of the Rebellion, 1861-1865, reported same ought to pass.

Mr. Murphy from the Portland delegation to which was referred An Act to abolish the office of city solicitor of the city of Portland and to create the office of corporation counsel of the city of Portland, and to determine his duties, tenure of office and salary, reported the same in a new draft under the same title, and that it ought to pass.

Mr. Scammon from the committee on sea and shore fisheries to which was referred An Act to repeal the provisions of Chapter eighty-seven of the Special Laws of nineteen hundred and three, relating to the taking of lobsters within three miles of the Islands of Matinicus and Criehaven (Senate No. 46), reported same ought to pass.

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

Passed to Be Engrossed

House 298. Resolve in Favor of the Board of Dental Examiners for the purchase of certain equipment and for the prosecution of violators of the provisions of Chapter 33 of the Public Laws of 1913.

House 322. An Act to Amend Section 9 of Chapter 69 of the Revised Statutes, Relating to the Authority of Guardians of Persons over Twenty-one years of age.

House 342. An Act to amend Sections 19 and 20 of Chapter 65 of the Revised Statutes, relating to the Bond and Records of the Registers of Probate.

House 381. An Act providing for the punishment of certain offenses against habitations and other buildings.

House 385. An Act to extend the charter of the Lincoln Light and Power Company.

House 388. An Act to amend Chapter 201 of the Private and Special Laws of 1911, entitled, 'An Act to incorporate the Guilford Water District.'

House 401. An Act to amend Sections 4, 7 and 8, of Chapter 65 of the Public Laws of 1911, relating to the Department of Labor and Industry and to further amend said Chapter by adding Section 12 thereto.

Mr. Durgin of Piscataquis offered Senate amendment A to House Document No. 401 and moved its adoption. Senate Amendment A to House 401; "Amend by inserting after the word 'shall' in the twenty-first line the word 'unreasonable.' The amendment was adopted, and the bill as amended was passed to be engrossed and sent down for concurrence.

House 323. An Act to fix the standard weight of Certain Commodities not included in section 30 of Chapter 39 of the Revised Statutes, as amended by Chapter 124 of the Public Laws of 1913, and to Correct the Standard Weight of a Barrel of Potatoes.

Mr. BURLEIGH of Aroostook: I would like to inquire of the President what the weight of a barrel of potatoes is as reported in the bill.

The PRESIDENT: One hundred sixty-six pounds.

Mr. BURLEIGH: I move it lie on the table, in order to change the number of pounds. The number of pounds of potatoes in a barrel in Aroostook County is 165 pounds.

I will state that I was in the House when that bill was taken up, and they corrected that in the House to one hundred and sixty-five pounds to the barrel, and they said it was a mistake in copying it from the original bill.

The motion prevailed, and the bill was tabled pending its passage to be engrossed.

House 411. An Act to regulate the construction of Mausoleums of Tombs to be used for permanent burial.

House 435. An Act Authorizing the Greenville Light and Power Company to sell and convey its properties and franchises to the Penobscot Bay Electric Company.

House 439. An Act to amend Chapter 13 of the Private and Special Laws of 1911 as amended by Chapter 103 of the Private and Special Laws of 1913, entitled "An Act to Create the Bingham Water District."

House 440. An Act relating to the adjustment and payment of Fire Losses by Insurance Companies.

House 444. An Act to allow transportation companies to issue free or reduced rate transportation to their employees holding state, county, or municipal offices.

Senate 131. An Act to regulate the practice of the system, method or science of healing known as osteopathy, creating a board of examination and registration for those desiring to practice the same and providing penalties for violation of the act.

Mr. FULTON of Aroostook: Mr. President, if in order I would move that Senate 131 be indefinitely postponed.

The PRESIDENT: The Chair would rule that it is not in order. This was taken from the table after being specially assigned, and sent to its second reading, and you understand that by the rules, regulations and usages of the Senate that on Saturday morning no matter where there might be a contest can arise, except the matter of the assignment of a time for consideration of a measure.

It would be proper to move to specially assign the matter, but to make a motion to indefinitely postpone would be taking advantage of the rules of the Senate.

Mr. FULTON: I don't wish to be considered as taking any undue advantage

in any way of any member of the Senate, and if I am not in order I am perfectly willing to withdraw my motion. Will I have permission to make another motion? I withdraw the motion if it is not in order; I certainly withdraw the motion.

The PRESIDENT: The Chair would certainly not recognize the Senator for that purpose; I will recognize the Senator for some other motion, if you have anything that does not mean a contest now.

Mr. GARCELON of Androscoggin: Do I understand this is the ruling of the Chair, that this motion is not in order?

The PRESIDENT: The Chair rules that he will not recognize the Senator from Aroostook for the purpose of moving to indefinitely postpone this bill. From that ruling you cannot appeal.

Mr. GARCELON: I want to state for the information of the members of the Senate—

The PRESIDENT: You are not in order.

On motion by Mr. Fulton, the bill was tabled pending its passage to be engrossed.

Senate 241. An Act to amend Section 2 of Chapter 51 of the Private and Special Laws of 1840, Relating to the Franklin County Agricultural Society.

Senate 242. An Act to provide for the care and maintenance of the Mt. Desert Bridge in the town of Trenton.

Senate 244. An Act to amend Section 11 of Chapter 23 of the Revised Statutes, as amended by Chapter 79 of the Public Laws of 1905, and as further amended by Chapter 143 of the Public Laws of 1907, relating to defining the boundaries of ways where the same are doubtful, uncertain, or lost.

Senate 252. An Act to amend Section 2 of Chapter 69 of the Public Laws of 1913, relative to the licensing of corporations receiving deposits from their employees.

Senate 253. An Act to prevent the aiding or abetting of the escape of inmates of the Maine School for Feeble Minded.

Senate 254. An Act to amend Section 6 of Chapter 44 of the Public Laws of 1907, relating to the discharge of inmates of the Maine School for Feeble Minded.

Senate 255. An Act to amend Section 5 of Chapter 44, Public Laws of 1907, as amended by Chapter 167 of the Public Laws of 1909, relating to commitment to the Maine School for Feeble Minded.

Senate 257. An Act to amend Section 18 of Chapter 7 of the Revised Statutes, relating to payment of interest to plantations from the funds for lands reserved for public uses.

Passed to be Enacted

An Act to amend Section 53 of Chapter 66 of the Revised Statutes, relating to the duties of executors and administrators.

An Act to repeal Section 24 and amend Section 25 of Chapter 3 of the Revised Statutes, as amended by Chapter 128 of the Public Laws of 1905, relating to the printing of the reports of the State Departments. (On motion by Mr. Scammon of Hancock, tabled pending its passage to be enacted.)

An Act to amend Section 47 of Chapter 2 of the Revised Statutes, relating to the notification of appointment and qualification of justices of the peace, trial justices, and notaries public.

An Act to amend Section 54 of Chapter 2 of the Revised Statutes, relating to the bond of the Treasurer of State.

An Act to amend Chapter 274 of the Private and Special Laws of 1887, as amended by Chapter 360 of the Private and Special Laws of 1897, relating to the salary of the recorder of the municipal court for the city of Portland.

An Act to amend Paragraph 2 of Section 13 of Chapter 9 of the Revised Statutes, as amended by Chapter 20 of the Public Laws of 1909, and as further amended by Chapter 173 of the Public Laws of 1913, relative to the taxation of personal property owned outside of the State.

An Act to amend Section 3 of Chapter 150 of the Private and Spe-

cial Laws of 1891, as amended by Section one of Chapter 515 of the Private and Special Laws of 1897, relative to the salary of the judge of the municipal court of Portland.

Finally Passed.

Resolve providing a State pension for Sarah A. Robinson.

Resolve providing a State pension for Annie L. Durham.

Resolve providing a State pension for Elias Lyon.

Resolve providing a State pension for Hannah M. Condon.

Resolve in favor of Frank P. Washburn, secretary of the committee on Indian affairs, to defray expenses of said committee in visiting the reservations at Pleasant Point and Old Town.

Resolve in favor of the assistant folder and pages of the 76th Legislature for attendance at the organization of the 77th Legislature

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

Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States department of agriculture.

Resolve in aid of navigation on Moosehead lake.

Resolve providing for the payment of State pensions.

Resolve appropriating money to promote seed and crop improvement in Maine.

Resolve assenting to the provisions of an Act of the Congress of the United States, approved May 8th., 1914, entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an Act of Congress approved July 2d, 1862, and Acts supplementary thereto, and the United States department of agriculture."

Resolve memorializing Congress relative to the retirement and pensioning of Civil Service employes.

Orders of the Day.

On motion by Mr. DURGIN of Piscataquis, it was

Ordered, that the use of the Senate Chamber be granted to the committee on towns March 11, 1915, at

two o'clock in the afternoon, for a public hearing on the division of the town of Kennebunkport.

On motion by Mr. FULTON of Aroostook,

Adjourned.