

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

HOUSE

Tuesday, January 30th, 1917.

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

Prayer by the Rev. Mr. Philbrook of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: bill, An Act to legalize and make valid the doings of the municipal officers of Vinalhaven in laying out a way over the tide waters across Indian Creek in said Vinalhaven, and authorizing the construction of a suitable bridge across the same.

In the Senate this bill was referred to the committee on legal affairs.

On motion by Mr. Boman of Vinalhaven, the House voted to reconsider its vote whereby it concurred with the Senate in referring this bill to the committee on legal affairs.

On further motion by the same gentleman, the bill was tabled, pending reference.

The following bills, resolves, etc., were presented and, on recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture.

By Mr. Tuttle of Caribou: An Act to provide for the improvement and certification of seed produced in the State. (500 copies ordered printed.)

Inland Fisheries and Game.

By Mr. Charles of Lovell: An Act providing for a bounty on bears in Oxford County.

By Mr. Jordan of Baileyville: An Act to amend Section 22, of Chapter 33, of the Revised Statutes, relating to the unlawful selling or purchasing of fish. (500 copies ordered printed.)

By Mr. Clason of Lisbon: An Act

to provide for the registration of resident hunters and fishermen.

By Mr. Clark of Harrison: An Act to amend Section 73 of Chapter 33 of the Revised Statutes (1916) relating to Sunday hunting and fishing.

By Mr. Buzzell of Belfast: An Act to repeal Section 73, Chapter 33, of the Revised Statutes, relating to Sunday being a closed season for game or birds. (Tabled for printing.)

By Mr. Packard of Newburgh: An Act to regulate fishing in Stetson Pond, town of Stetson, Penobscot County.

By the same gentleman: Resolve to screen Stetson Pond, in the town of Stetson, county of Penobscot.

By Mr. Jordan of Baileyville: Resolve appropriating money for the installation of a fish screen at the outlet of Lambert Lake, in Township One, Range Three, Washington County, with statement of facts.

By Mr. Meserve of Naples: Petition of Joseph B. Manchester and 27 others for amendment to the law relating to cusk fishing.

By Mr. Jordan of Baileyville: Petition of John A. Story and 43 others for the shipment of White Perch from Grand Lake, etc.

Interior Waters.

By Mr. O'Cennell of Millinocket: Resolve in aid of navigation on the Lower Lakes.

By Mr. Speirs of Westbrook: An Act to change the name of McGurdy or Crowell Pond, so-called, to Lake Waukesha.

Judiciary.

By Mr. Phillips of Southwest Harbor: An Act to prevent detention of property belonging to educational institutions.

By Mr. Cole of Eliot: An Act to authorize the erection of a dam across the east branch of Spruce Creek in the town of Kittery.

By the same gentleman: An Act to amend Section 2 of Chapter 99 of the Revised Statutes of 1916, entitled "Forcible Entry and Detainer."

By Mr. Snow of Bluehill: Petition of A. B. Wood and 14 others in favor of Women's Suffrage.

Legal Affairs.

By Mr. Tuttle of Caribou: An Act to authorize the town of Caribou to acquire property of the Caribou Water, Light and Power Company, and to construct and maintain for itself and for persons and corporations a system of water works within said town. (500 copies ordered printed.)

By Mr. Jordan of Baileyville: An Act to ratify the proceedings of the special town meeting of Baileyville, held April 17th, 1916.

Libraries.

By Mr. Sisson of Island Falls: An Act relating to assistance to towns in establishing free public libraries.

By Mr. Clason of Lisbon: An Act to amend Section 74 of Chapter 4 of the Revised Statutes relating to free public libraries

By Mr. Cole of Etna: An Act to amend Section 75 of Chapter 4 of the Revised Statutes relating to free public libraries.

By Mr. Clason of Lisbon: An Act relating to librarians receiving instruction.

By Mr. Rowe of Yarmouth: An Act to establish a Legislative Reference Bureau in the State Library.

By Mr. Neilon of Biddeford: An Act relating to state stipend for support of public library.

Military Affairs.

By Mr. Cummings of Hebron: Resolve to reimburse the town of Paris for money paid out for dependent families of the Second Maine Infantry.

By Mr. Hutchins of Mexico: Resolve to reimburse the town of Mexico for money paid out for dependents of the Second Maine Infantry.

Pensions.

By Mr. Buzzell of Belfast: Resolve providing a state pension for Drusilla Roberts.

By Mr. Cole of Eliot: Resolve in favor of Charles D. Preble of Kittery.

By Mr. Buzzell of Belfast: Resolve providing a state pension for William H. Dunham.

By Mr. Jordan of Baileyville: Resolve in favor of Serah E. White of Princeton for state pension.

By the same gentleman: Resolve in favor of Pamela E. McElroy of Princeton for state pension.

By Mr. Clason of Lisbon: Resolve in favor of Arvesta M. Conrey, widow of John Conrey, a soldier of the Civil War.

By Mr. McNally of Ashland: Resolve providing a state pension for Luella Darling.

By Mr. Cole of Eliot: Resolve in favor of Margaret H. Root of Kittery.

Public Utilities.

By Mr. Harris of Boothbay Harbor: An Act to extend the Charter of the Lincoln County Street Railway.

By Mr. Harmon of Stonington: An Act granting Charles H. Scott the right to maintain a ferry across Egge-moggin Reach in Hancock County.

Salaries and Fees.

By Mr. Bussabarger of Lubec: An Act to amend Paragraph Two of Section 23 of Chapter 117 of the Revised Statutes, relating to the salary of the assistant librarian.

Sea and Shore Fisheries.

By Mr. Goldthwait of Biddeford: Resolve to provide for a survey by the Commissioner of Sea and Shore Fisheries of areas suitable for the propagation of clams.

Ways and Bridges.

By Mr. Hall of Wilton: Resolve in favor of the Washington Plantation and Perkins Plantation in Franklin County for the repair and permanent improvement of highways.

By Mr. Stubbs of Strong: Resolve in favor of rebuilding a highway in town of Weld.

By Mr. Russell of Farmington: Resolve in favor of repairing highway in the towns of Chesterville and New Sharon.

By Mr. Redman of Ellsworth: Resolve amending Article Nine of the Constitution, so as to provide for a bond issue for permanent improvement of highways. (1500 copies ordered printed.)

By Mr. Stubbs of Strong: Resolve in favor of rebuilding a highway in the town of Phillips.

By Mr. Hall of Wilton: Resolve in favor of repairing a road in the town of Carthage.

By Mr. Jenkins of Kingfield: Resolve in favor of the Jerusalem and Crocker Townships in Franklin County for the repair and permanent improvement of highways.

By Mr. Albert of Madawaska: Resolve appropriating twelve hundred dollars to aid the town of Frenchville in straightening and reducing the grade of St. Luce Church hill; also petition of M. F. Gagnon and 28 others in favor of same.

By Mr. Cole of Eliot: Resolve appropriating money for the purpose of making surveys, plans and estimates for a new interstate bridge between Kittery, Maine, and Portsmouth, New Hampshire.

By Mr. Jenkins of Kingfield: Resolve in favor of rebuilding road in Dallas Plantation.

Mr. BARNES of Houlton: Mr. Speaker, I move to table the bill providing for the registration of resident hunters and fishermen.

Mr. CLASON of Lisbon: Mr. Speaker, if the gentleman from Houlton (Mr. Barnes) refers to the bill introduced by me, I hope he will withdraw for this reason: If this should go to the Senate this morning, it would be tabled for printing there, and it would give an opportunity for hearing at the same time as the bill that went in last week—Tuesday next—and would save the necessity of two hearings. If he will withdraw, I will appreciate it.

Mr. BARNES: That is satisfactory to me.

The following communication was read by the clerk:

Old Town, Maine, January 29th, 1917.
To the Speaker of the House of Representatives,
Augusta, Maine.

I hereby certify that at the regular election of the Old Party of the Penobscot Tribe of Indians held Nov. 7, 1916, there were cast forty-seven votes for the representative to the State Legislature of which number:

Bertie Francis had ten votes.

Horace Nelson had twelve votes.

Peter W. Ranco had twenty-five votes.

Mr. Peter W. Ranco was thereupon declared elected.

(Signed) Ira E. Pinkham, Agent Penobscot Indians.

The credentials were accepted and placed on file.

Passed to be Engrossed

House 25. Resolve in favor of printing of the biennial report of the Maine State Sea Food Commission.

Orders of the Day

On motion by Mr. Sawyer of Madison, the bill relating to the salary of the judge of probate for the county of Somerset, was taken from the table, and on further motion by the same gentleman, the recommendation of the committee on reference of bills referring the bill to the committee on salaries and fees was accepted.

Mr. Dutton of Bingham, presented the following order:

Ordered, the Senate concurring, that in order to facilitate the transaction of the business of the 78th Legislature now assembled, the committee on inland fisheries and game is hereby authorized and directed to revise, collate, arrange, simplify and make such other changes in the Fish and Game Laws, both general and public, private and special, as may seem necessary for the best interests of the State as a whole, to revise the rules and regulations of the Commissioners of Inland Fisheries and Game, to employ such legal and clerical assistance as may be necessary to accomplish the purposes set forth in this order and to present a report in full to this Legislature not later than February 19, 1917.

The order received a passage.

Mr. BAXTER of Portland: Mr. Speaker, I move that we take from the table House Doc. No. 18, relating to the West Branch Driving and Reservoir Dam Company, entitled "An Act additional to and amendatory of Chapter 206 of the Private and Spec-

ial Laws of 1907 relating to the West Branch Driving and Reservoir Dam Company."

I also move that this bill be referred to the Committee on Judiciary, and for this reason: there is now pending before the Judiciary Committee a resolve providing for investigation of the state's rights in the water powers of Maine, which if passed will establish the principle that no further rights shall be granted without considering the remaining rights that the state has. Now this dam company obtained very valuable rights from the State of Maine some years ago, and it comes here asking that it be given the power to generate and sell electricity. I think probably the Legislature will grant it that power, but I do believe that all these questions should be settled by one committee. In the Senate there is an attempt being made at the present time to refer the "Tracy Bill" so-called, to the Judiciary Committee. That is a very important bill dealing with complicated legal questions, and that committee is probably the best committee to settle those questions—either that committee or the Legal Affairs; and, if we are going to adopt any consecutive policy for the conservation of the water powers of the State, I believe the best way to do it is to have all these questions referred to the same committee. I think the Senate referred this bill to the Committee on Interior Waters. I move therefore, Mr. Speaker, that we non-concur with the Senate in the reference of this bill, and that we refer it to the Committee on Judiciary.

Mr. NEWCOMB of Scarborough: Mr. Speaker, I rise to second the motion of Mr. Baxter of Portland.

THE SPEAKER: The Chair will state the status of the bill before the House. House Bill 18 was referred by

your Committee of Reference to Interior Waters. It is a Senate bill. The Senate voted that the bill should go to the Committee on Interior Waters and the bill comes to the House for concurrence. The gentleman from Portland, Mr. Baxter, moves, and the motion has been seconded; that the House non-concur with the Senate, and that the bill be sent to the Judiciary Committee. Are you ready for the question? Those in favor of the motion will say aye, and those opposed no.

A viva voce vote being taken, the motion was carried.

Mr. Harmon of Stonington presented the following order:

Ordered, that the State Highway Commission furnish the Legislature forthwith an itemized statement of all expenditures incurred by it during the past two years, which statement shall include particularly and in detail the amount expended in actual road construction, exclusive of surveys, inspection, salaries, etc., as well as a detailed statement of all other expenditures.

The SPEAKER: The Chair is of the opinion that this should be a concurrent order.

On motion by Mr. Harmon, the order was tabled pending passage.

The SPEAKER: The Chair will appoint Messrs. Emerson of Lewiston and Speirs of Westbrook to serve on the committee created by the order passed on Thursday last in regard to procuring a coat of arms for the Hall of the House of Representatives.

On motion by Mr. Speirs of Westbrook.

Adjourned until ten o'clock tomorrow morning.