

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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### HOUSE.

Friday, February 2, 1917.

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

Prayer by the Rev. Mr. Quimby of Gardiner.

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, they adjourn to meet Tuesday, February 6th at ten o'clock in the forenoon.

The order received a passage in concurrence.

The SPEAKER: The Chair lays before the House the order introduced by the gentleman from Vinalhaven, Mr. Boman. The Chair will read the order

"Ordered, the Senate concurring, that the committee on state prison consider the advisability or feasibility of allowing time convicts in the State prison a small compensation for their work and labor performed while in prison, to be paid to them when discharged; and in the event any such convict has a wife or minor child or minor children residing within the State, whether or not such compensation should not be paid from time to time to such wife or minor child or children, and to report by bill or otherwise."

This order was passed by the House and sent to the Senate for concurrence. The Senate non-concurred in the passage of the order and referred it to the state prison committee; and, if it is the pleasure of the House, it will be in order for some member to make a motion that we recede and concur with the Senate, and refer the order to the committee on state prison.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I move that we adhere.

Mr. FARRINGTON of Augusta: Mr. Speaker, if that order received a pas-

sage, it goes to the committee just the same as it would if it were absolutely referred to the committee.

Mr. BOMAN: Mr. Speaker, there may be an error in my understanding of it; and if the bill is to go to that committee I have no objection.

The SPEAKER: Do I understand the gentleman from Vinalhaven withdraws his motion?

Mr. BOMAN: I do.

The House then voted to recede and concur with the Senate in referring the order to the committee on state prison.

The SPEAKER: The Chair lays before the House the order introduced by the gentleman from Stonington, Mr. Harman, which was passed as amended. I will read it:

"Ordered, the Senate concurring, that the State Highway Commission file with 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 Senate nonconcurred in the passage of the order, and referred it to the committee on ways and bridges, and it is sent down for concurrence.

Mr. HARMAN of Stonington: Mr. Speaker, I move that we recede and concur with the Senate, in referring it to the committee on ways and bridges.

The motion was agreed to and the order was referred to the committee on ways and bridges in concurrence.

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

#### **Appropriations and Financial Affairs.**

By Mr. Hartwell of Old Town: Resolve in favor of Peter W. Ranco, representative of the Penobscot Tribe of Indians.

By Mr. Ellis of York: Resolve in favor of the York Hospital.

#### Claims.

By Mr. Phillips of Southwest Harbor: Letter from J. Julian Heath, town of Tremont, to House of Representatives, State of Maine, care of the Speaker, January 24, 1917.

#### Education.

By Mr. Charles of Lovell: Resolve in favor of Gould Academy, at Bethel, Oxford County. (500 copies ordered printed.)

By Mr. Clarke of Randolph: Resolve in favor of Erskine Academy situated in the town of China, Maine, in the county of Kennebec.

#### Inland Fisheries and Game.

By Mr. O'Connell of Millinocket: An Act to amend Section 43 of Chapter 33 of the Revised Statutes (1916) relating to the use of deer in lumber camps. (1,000 copies ordered printed.)

By Mr. Day of Westfield: An Act additional to Chapter 33 of the Revised Statutes (1916) relating to fishing in certain tributaries of Prestile Stream, in Aroostook County. (500 copies ordered printed.)

By Mr. Buzzell of Belfast: Petition of W. O. Matthews and 17 others of Lincolnville favoring the repeal of the Sunday Hunting Law; also petition of Norman A. Reed and 40 others of Belfast favoring the same.

By Mr. Jordan of Baileyville: Petition of H. J. Dudley and 20 others, residents of Washington County, asking for additional restrictions upon fishing in Mooschorn Stream, in Baring, in said county.

By Mr. Kneeland of Lincoln: Petition of C. Willis White of Burlington, and eight others, asking for additional restrictions upon fishing in the outlet of Nicasious Lake, Hancock county.

By Mr. Clason of Lisbon: Petition of G. L. Bickford and 16 others for the closing of Loon Pond in the town of Webster to all fishing except Tuesdays and Fridays of each week.

By Mr. Stanley of Dixfield: Petitions of Charles L. Harnden, Ernest C. Hinckley and 69 others, residents of Franklin County, asking that addition-

al restrictions be placed on fishing in South Branch of Dead River, between outlet of Dead River Pond and Buxton Dam in Franklin County.

By Mr. Flint of Monson: Petition of Charles Daisey and eight others, residents of Penobscot and Piscataquis Counties, asking for regulations upon fishing on Sourdnahunk Lake.

By the same gentleman: Petition of W. T. Pollard and 12 others, residents of Foxcroft and Dover, relating to additional restrictions on fishing in Garland Pond, in Foxcroft and Sebec.

#### Interior Waters.

By Mr. Ranney of Winn: An Act to incorporate the Mattakeunk Stream Dam and Improvement Company. (1,000 copies ordered printed.)

By Mr. Hammond of Van Buren: An Act to incorporate the Musquacook Stream Dam and Improvement Company. (500 copies ordered printed.)

By Mr. Averill of Prentiss: An Act to incorporate the Grindstone Boom Company.

#### Judiciary.

By Mr. Wilson of Portland: An Act for the protection of life and property in cities of over 40,000 population, against loss or damage from steam machinery operated by incompetent persons. (1000 copies ordered printed.)

By Mr. Hammond of Van Buren: An Act to incorporate the Van Buren Light and Power District.

(This bill was introduced in the House on January 31. At that time it was tabled on motion by Mr. Barnes of Houlton. On February 1st, on motion by the same gentleman, the bill was taken from the table and recommitted to the committee on reference. The committee on reference refers this bill to the committee on judiciary and orders 1,000 copies printed.)

By Mr. Sawyer of Eden: An Act relating to the officers of the town of Eden, Hancock County. (500 copies ordered printed.)

By Mr. Farrington of Augusta: An Act amendatory of the existing law relating to review by the Supreme Judicial Court of certain orders, decrees and decisions of the Public Utilities Commission. (500 copies ordered printed.)

**Legal Affairs.**

By Mr. Anderson of Portland: An Act to amend Paragraph 7, Section 98, Chapter 4, Revised Statutes of 1916, relative to by-laws of towns, cities and villages. (500 copies ordered printed.)

By the same gentleman: An Act to amend Paragraph 6, Section 98 of Chapter 4 of the Revised Statutes of 1916, relative to by-laws of towns, cities and villages. (1,000 copies ordered printed.)

By Mr. Phillips of Southwest Harbor: An Act relating to municipal elections in the town of Mount Desert. (500 copies ordered printed.)

By Mr. Holley of North Anson: Resolve proposing an amendment to the Constitution of the State of Maine, authorizing the Legislature to divide towns into voting districts for the purposes of holding elections. (1,000 copies ordered printed.)

By Mr. Wilson of Portland: An Act to amend Section 5 of Chapter 83 of the Revised Statutes of 1916, relating to terms of court of county commissioners.

By Mr. Snow of Bluehill: An Act to extend the charter of the Bluehill Water Company.

By Mr. Phillips of Southwest Harbor: Petition in favor of an act relating to municipal elections in the town of Mount Desert.

**Military Affairs.**

By Mr. Largay of Bangor: Resolve appropriating money for the erection and equipment of a State Armory for the use of the National Guard in the city of Bangor. (1,000 copies ordered printed.)

By Mr. Dearth of Dexter: Resolve in favor of the town of Dexter for moneys expended for the support of dependent families of members of the National Guard.

**Pensions.**

By Mr. Billings of North Berwick. Resolve in favor of Maria H. Rhoades, of North Berwick.

**Portland Delegation.**

By Mr. Anderson of Portland: An

Act to repeal Chapter 134 of the Special Laws of 1831, entitled "An Act establishing a fire department in the town of Portland," Sections 1, 2 and 4 of Chapter 167 of the Special Laws of 1853, entitled "An Act relating to the city of Portland." Chapter 285 of the Special Laws of 1854, entitled "An Act respecting the erection of wooden buildings in the city of Portland." (1,000 copies ordered printed.)

By the same gentleman: An Act to amend Chapter 213 of the Private and Special Laws of 1915, relative to the granting of licenses for certain businesses and purposes by the municipal officers of the city of Portland. (1,000 copies ordered printed.)

**Public Utilities.**

By Mr. Cole of Elliot: An Act to authorize the Public Utilities Commission to investigate proposed changes in the rates of any public utility and to order refund in certain cases. (1,000 copies ordered printed.)

By Mr. Barnes of Houlton: An Act to prevent the sources of domestic water supply from pollution. (1,000 copies ordered printed.)

By Mr. Eaton of Rumford: An Act to extend the charter of the Rumford Falls and Bethel Street Railway.

By Mr. Farrington of Augusta: An Act to amend Section 31 of Chapter 3 of the Revised Statutes, so as to provide for a maximum number of annual reports of the Public Utilities Commission.

By Mr. Barnes of Houlton: An Act to amend Section 8, Chapter 58, of the Revised Statutes, relating to approval of location of Street railroads.

**Salaries and Fees.**

By Mr. Reed of Bangor: An Act to amend Section 42 of Chapter 117 of the Revised Statutes of Maine, relating to the salary of sheriffs.

**Sea and Shore Fisheries.**

By Mr. Besse of Clinton: An Act for the better protection of lobsters and to prevent the transportation thereof out of the State between June first and October first of each year. (1,000 copies ordered printed.)

By Mr. Goldthwait of Biddeford: An Act to amend Section 1 of Chapter 177 of the Special Laws of 1899, relating to the destruction of smelts in Saco River. (500 copies ordered printed.)

By the same gentleman: An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes of 1916, relating to the measurement of lobsters. (500 copies ordered printed.)

**State Sanatoriums.**

By Mr. Cole of Eliot: An Act to provide for the care and treatment of tubercular persons in local, county, or district sanatoria. (1,000 copies ordered printed.)

**Taxation.**

By Mr. Cole of Etna: An Act to amend Section 10 of Chapter 9 of the Revised Statutes of 1916 relating to the reassessment of real and personal property. (500 copies ordered printed.)

By Mr. Morison of Corinth: An Act to amend Paragraph 1 of Section 14 of Chapter 10 of the Revised Statutes of 1916, relating to the taxation of personal property. (500 copies ordered printed.)

**Ways and Bridges.**

By Mr. Billings of North Berwick: An Act to provide for the freeing of Eliot Toll Bridge and authorizing York County to maintain that part lying within said county. (500 copies ordered printed.)

By Mr. Snow of Bluehill: Resolve appropriating money to aid in rebuilding a road in the town of Penobscot.

By Mr. Knight of Kennebunk: Petition of Albert W. Meserve and 90 others in favor of Act to provide for election of road commissioners by the people.

**Orders**

Mr. Clarke of Randolph presented the following order:

Ordered, the Senate concurring, that 100 folding chairs be purchased for the use of public hearings in the House of Representatives.

Mr. CLARKE: Mr. Speaker and gentlemen, it seemed to me yesterday

that there was quite a number of ladies present in this House, and it was almost impossible to find chairs to seat them. This House was scoured from cellar to garret to find chairs. We can by giving a personal guaranty to return a chair, borrow one occasionally out of some of the rooms, but it is somewhat of a problem to return those chairs after an entertainment is over. It seems to me it would be a nice thing for this House to have 100 folding chairs so we can have them brought in to the hall in such way that the ladies' hats will not be knocked off or the gentlemen's heads bumped. It seems to me necessary to have a few more chairs for the real accomodation of the people who come here.

THE SPEAKER: The question is on the passage of the order.

Mr. BARNES of Houlton: Mr. Speaker, I move that the order be referred to the committee on public buildings and grounds.

Mr. ROUNDS of Portland: Mr. Speaker, is that a joint order.

THE SPEAKER: The Chair would suggest that it being a joint order, it would have to go to the Senate for concurrence or nonconcurrence.

Mr. PACKARD of Rockland: Mr. Speaker, I move that the order receive a passage.

Mr. BARNES of Houlton: Mr. Speaker, my suggestion for referring it to the committee on public buildings and grounds was simply for the reason that it may be a question whether we want noisy folding chairs or whether we want light, small, durable chairs. It is only a question of whether there is storage room in the building for them. The folding chair is an excellent thing where nothing better can be had, but it is a nuisance to any one trying to speak to a large audience because it is continually creaking, especially after it gets a little old. If the question could be left to the judgment of the Superintendent of Buildings as to what he would purchase, I would be in favor of his going ahead and purchasing. I

will withdraw my motion and the House can act as it sees fit.

The SPEAKER: The gentleman from Rockland, Mr. Packard, moves that the order receive a passage.

The order received a passage.

#### Reports of Committees.

Mr. Holt from the committee on claims, reported "ought to pass" on Resolve reimbursing the State Legislative Printer for over-time work.

Mr. Chaplin from the committee on legal affairs reported "ought to pass" on bill, An Act to enable Forest Hill Cemetery Association to convey its real estate and personal property to the inhabitants of Bridgton as a body corporate and to dissolve said corporation.

Mr. Berry from the committee on military affairs, reported "ought to pass" on Resolve in favor of 12th Company, C. A. C., N. G. S. M., on account of presidential inauguration.

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Descoteaux from the committee on labor, on bill, An Act to repeal Section 35 of Chapter 49 of the Revised Statutes of 1916, relative to contract requiring notice of intention to quit work, or discharge of employees, reported that the same be printed and recommitted to the committee.

The report was accepted.

#### First Reading of Printed Bills and Resolves

House 69. An Act providing for a State paper.

House 70. An Act relating to compensation of trustees of savings banks.

#### Passed to Be Engrossed

Senate 34. An Act amending the charter of the United Electric Securities Company.

Senate 49. An Act to incorporate the Old Folks Home in Bath.

#### Orders of the Day.

On motion by Mr. Boman of Vinalhaven, Senate Doc. No. 48, 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, was taken from the table; and on further motion by the same gentleman, the House concurred with the Senate in referring the bill to the committee on legal affairs.

On motion by Mr. Cole of Eliot, the Order instructing the Superintendent of Buildings to procure Pollard weather strips for the windows of the Hall of the House was taken from the table.

Mr. ROUNDS of Portland: Mr. Speaker, another order was passed on the same day amounting to the same thing, and the contract has already been made. I move that the order be indefinitely postponed.

The motion was agreed to and the order was indefinitely postponed.

On motion by Mr. Barnes of Houlton, House Doc. 51, bill, An Act to enable the inhabitants of the town of Fort Fairfield to assume all the rights, privileges, duties, contracts and obligations of the Fort Fairfield Village Corporation was taken from the table; and on further motion by the same gentleman, the bill was referred to the committee on judiciary.

Mr. JORDAN of Baileyville: Mr. Speaker and gentlemen: I have learned that Representative Harold E. Dow of Jefferson is now sick in a hospital in Massachusetts but have not learned where. I would like to request the clerk of the House to make the necessary inquiries to ascertain concerning his health and I move you, Mr. Speaker, that the clerk be requested to make such inquiries.

The motion was agreed to.

On motion by Mr. Tate of Topsham, Adjourned until ten o'clock Tuesday morning, February 6th.