

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

---

1917

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1916

**HOUSE.**

Wednesday, February 7, 1917.

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

Prayer by the Rev. Mr. Wood of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading.**

Senate 81. An Act to amend Section 5 of Chapter 83 of the Revised Statutes relating to the term of the county commissioners' court in Washington county.

Senate 70. An Act to amend the charter of the Fryeburg Water Company.

From the Senate: Senate Doc. No. 80, bill, An Act to amend Section 1 of Chapter 85 of the Revised Statutes of 1916, relating to the bonds of sheriffs.

In the Senate this bill was recalled from the committee on bills in the second reading and recommitted to the committee on judiciary.

The House concurred in the recommitment of the bill.

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. Emerson of Lewiston: An Act relating to trotting purses for agricultural societies. (1000 copies ordered printed.)

**Appropriations and Financial Affairs.**

By Mr. Picher of Waterville: Resolve in favor of Sisters of Charity of Waterville, Maine.

By Mr. Murphy of Calais: Resolve in favor of Calais Hospital, Calais, Maine.

By Mr. Allen of Sanford: Resolve in favor of The Moulton Hospital of Springvale, for maintenance.

**Claims.**

By Mr. Haris of Boothbay Harbor: Resolve in favor of the town of Bristol, to reimburse said town for bills paid on account of George Huey.

**Education.**

By Mr. Alden of Gorham: Resolve in favor of the Western State Normal School at Gorham for interior alterations and furniture in the recitation building.

By the same gentleman: Resolve in favor of the Western State Normal School at Gorham for alterations in the dormitory, known as Robie Hall.

By the same gentleman: Resolve in favor of the Western State Normal School at Gorham for repairs and permanent improvements.

By the same gentleman: Resolve in favor of the Western State Normal School at Gorham for the building of a bank wall and grading around the dormitory, known as East Hall.

By the same gentleman: Resolve in favor of the Western State Normal School at Gorham for the construction of an addition to the recitation building.

**Indian Affairs.**

By Mr. Hartwell of Old Town: An Act to provide a common on Old Town Island No. 1, within the Indian Reservation of the Penobscot Tribe of Indians.

**Inland Fisheries and Game.**

By Mr. Flint of Monson: An Act additional to Chapter 33 of the Revised Statutes, 1916, relating to hunting from automobiles. (1500 copies ordered printed.)

By Mr. Dearth of Dexter: An Act to permit fishing in Little Indian Pond in the town of Ripley in the county of Somerset.

By the same gentleman: An Act to regulate ice fishing in Puffer Pond, so-called, in the town of Dexter, in the county of Penobscot.

By Mr. Dutton of Bingham: An Act creating close time for fishing in certain waters in Somerset county.

By the same gentleman: An Act to

regulate cusk fishing in the waters of Somerset county.

By the same gentleman: An Act to regulate fishing in certain waters of Somerset county.

By the same gentleman: An Act to prohibit fishing in certain waters in Somerset county.

By the same gentleman: An Act to regulate ice fishing in Long Pond in Somerset county.

By Mr. Welch of Machiasport: Petition of F. B. Keith and others of Cooper relating to maintaining a fish screen at the outlet of Cathance Lake in the town of Marian; also petition of W. S. Cates and others of Machiasport in favor of same.

By Mr. Washburn of Perry: Petition of H. B. Sprague and others of Pembroke relating to same.

By Mr. Holt of Skowhegan: Petition of H. A. Morse and 16 others in favor of an act to repeal Statutes relating to Sunday being a closed season for game or birds; also petition of Frank E. Taylor and 14 others in favor of same; also petition of Ned E. Reed and 91 others in favor of same; also petition of Millard Goding and 19 others in favor of same; also petition of A. M. Corson and 15 others in favor of same; also petition of S. F. Green and 77 others in favor of same; also petition of Fred L. Marshall and 36 others in favor of same; also petition of Phillip Hill and 132 others in favor of same; also petition of Lawrence Hayden and 168 others in favor of same.

By Mr. Buzzell of Belfast: Petition of H. E. McDonald and 27 others of Waldo county in favor of the same; also petition of Raymond F. Rogers and 15 others of Waldo county in favor of the same; also petition of H. C. Buzzell and 44 others in favor of same.

By Mr. Dearth of Dexter: Petition of Winthrop L. Fay and 50 others in favor of the same.

By Mr. Dutton of Bingham: Petition of Milton Reynolds of Moscow and 31 others in favor of the same.

By the same gentleman: Petition of William Adams of The Forks and 21 others asking that a limit of five pounds of trout in any one day be

placed on Penobscot Lake and Chaney Pond in Somerset county.

By the same gentleman: Petition of George Nichols and 20 others requesting that the waters from the mouth of Big Wood Lake in Jackman Plantation to Long Pond in Somerset county be closed from August first to May first each year for a period of four years.

By the same gentleman: Petition of the assessors of Long Pond Plantation in Somerset county, asking that Long Pond be opened to ice fishing.

By the same gentleman: Petition of J. S. Williams and 30 others, asking that Moose River waters be opened to cusk fishing with set lines in the night time only.

By the same gentleman: Petition of Bert Hunnewell, William M. Adams and 21 others asking that Temple Pond and Nichols Pond in the town of Moscow in Somerset county be closed to all fishing for a period of three years.

By Mr. Dearth of Dexter: Petition of L. R. Decker and 71 others, residents of Dexter and Ripley, asking for repeal of the law prohibiting ice fishing in the ponds, Half Moon Pond in Ripley and Dexter, and Ripley Pond in Ripley.

By the same gentleman: Petition of M. S. Roberts and 46 other residents of Dexter, asking for repeal of the law prohibiting ice fishing in Puffer Pond in Dexter, Penobscot county; also petition of A. R. Page and 22 other residents of Dexter and vicinity in favor of same.

By Mr. Longley of Sidney: Petition of George P. Boynton and 149 others asking the right to fish through the ice one day in the week in Lake Messalonskee, in Kennebec county; also petition of C. L. Swift and 63 others in favor of same; also petition of C. O. Page and 92 others in favor of same.

By Mr. Morison of Corinth: Remonstrance of A. M. Foss and 33 others against the passage of the resident hunters' license law.

#### Interior Waters.

By Mr. Daigle of Wallagrass: An Act authorizing Fort Kent Electric Company, its successors and assigns to erect and maintain a dam across Wal-

lagrass Stream in Wallagrass Plantation, Aroostook county, at its power station as now located on said Wallagrass Stream. (500 copies ordered printed.)

By the same gentleman: An Act authorizing Stanley Burrill and Frank W. Mallett, of Fort Kent, county of Aroostook, and Maurice O. Brown of Dover, county of Piscataquis, to erect and maintain piers, piles and booms in the Allagash river. (500 copies ordered printed.)

By the same gentleman: An Act authorizing Ward and Bradbury Incorporated, its successors and assigns, to erect and maintain piers, piles and booms, in the Saint John and Saint Francis rivers. (500 copies ordered printed.)

By Mr. Meserve of Naples: An Act to authorize the National Camps and Hotel Company to construct and maintain a wharf in Sebago Lake.

#### Judiciary.

By Mr. Gurney of Portland: An Act relative to the filing of interrogatories in civil actions. (500 copies ordered printed.)

By the same gentleman: An Act to amend Section 2 of Chapter 346 of the Private and Special Laws of 1905, amended by Chapter 27 of the Private and Special Laws of 1915, relating to the powers and duties of the probation officer of Cumberland county. (500 copies ordered printed.)

By Mr. Farrington of Augusta: An Act to amend the charter of the city of Hallowell. (1500 copies ordered printed.)

By Mr. O'Connell of Millinocket: An Act for the purpose of lessening the hours of labor or increasing the wages or bettering the condition of the members of labor organizations. (2000 copies ordered printed.)

By Mr. Cole of Eliot: An Act to create a municipal court in the city of Lewiston, having the powers and duties of a juvenile court. (1000 copies ordered printed.)

By Mr. Berry of Waterville: An Act to regulate the practice of chiropody. (1000 copies ordered printed.)

By Mr. Driscoll of Lewiston: An Act to authorize the city of Lewiston to issue its bonds to the amount of \$200,000 to pay its bonds now outstanding and maturing in the year 1917. (1000 copies ordered printed.)

By Mr. Leavitt of Livermore: An Act to further amend Chapter 120 of the Private and Special Laws of 1899, as amended by Chapter 233 of the Private and Special Laws of 1913, relating to the establishment of a municipal court in the town of East Livermore. (500 copies ordered printed.)

By Mr. Phillips of Southwest Harbor: An Act to amend Chapter 187 of the Private and Special Laws of 1911, granting certain powers to the Hancock County Trustees of Public Reservations.

By Mr. Berry of Waterville: Petition of H. C. Buzzell and 36 others favoring the passage of an act to regulate the practice of chiropody; also petition of Dr. F. C. Thayer and 42 others in favor of same.

#### Legal Affairs.

By Mr. Hart of Holden: An Act to provide a police commission for the appointment of the police force, and a chief of police and inspector for the administration of the police force of Bangor, Maine. (1500 copies ordered printed.)

By Mr. Emerson of Lewiston: An Act authorizing the maintenance of a bridge between the mill and storehouse by the Worumbo Manufacturing Company of Lisbon Falls, Maine. (500 copies ordered printed.)

By Mr. Holbrook of Brooks: An Act to incorporate the trustees of Brooks Industrial Academy.

#### Library.

By Mr. Greenlaw of Presque Isle: Resolve providing for the purchase of 125 copies of the History of Presque Isle.

#### Mercantile Affairs and Insurance.

By Mr. Wilson of Portland: An Act to incorporate Maine Fire & Marine Insurance Company. (500 copies ordered printed.)

#### Military Affairs.

By Mr. Allan of Portland: Resolve authorizing the Governor and Council

to accept in behalf of the State an oil painting of General Charles W. Tilden, presented by the 16th Maine Regimental Association. (500 copies ordered printed.)

#### Pensions.

By Mr. Hart of Holden: Resolve in favor of Caroline E. Remick of Otis.

By Mr. Bragdon of Westbrook: Resolve providing a State pension for John H. Sawyer.

#### Public Utilities.

By Mr. Cole of Eliot: An Act to amend Chapter 424 of the Private and Special Laws of 1907, relating to Kittery Water District. (500 copies ordered printed.)

#### Sea and Shore Fisheries.

By Mr. Harris of Boothbay Harbor: An Act relating to the digging of clams within the limits of the towns of Newcastle and Damariscotta.

By Mr. Drisko of Addison: Petition of Charles H. Faulkingham and 111 others of Jonesport asking for repeal of lobster license laws; also petition of same gentleman and 103 others of Jonesport in favor of same.

#### Towns.

By Mr. Sawyer of Madison: An Act to change the limits of the Madison Village Corporation and to set off therefrom certain real estate belonging to Theodore B. Weston and Addie S. B. Weston. (500 copies ordered printed.)

#### Ways and Bridges.

By Mr. Jennings of Wayne: Resolve appropriating money to aid the town of Rome in repairing its highways.

By Mr. Welch of Machiasport: Resolve in favor of the town of Machiasport.

By Mr. Jennings of Wayne: Petition of Frank H. Monks and 15 others in favor of resolve for highway in the town of Rome.

#### Orders.

On motion by Mr. Bragdon of Westbrook, it was

Ordered, that the hall of the House of Representatives be granted to the committee on temperance for a public hearing on Tuesday, February 13, at 2 o'clock in the afternoon.

#### Reports of Committees.

Mr. Cole from the committee on judiciary, reported "ought to pass" on bill, An Act to amend Section 73, Chapter 52 of the Revised Statutes, relating to the making of false reports by trust companies.

Mr. Anderson from the committee on legal affairs, reported "ought to pass" on bill, An Act to make valid the organization and records of the Fourth Congregational (Abyssinian) Church of Portland, and to authorize said corporation to convey certain real estate.

Mr. Gurney from the Portland Delegation reported "ought to pass" on bill, An Act to authorize the city of Portland to pension Dora B. McIntosh.

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

#### First Reading of Printed Resolve.

House 117. Resolve in favor of Rachel Stanley.

#### Passed to Be Engrossed.

House 88. An Act to enable Forest Hill Cemetery Association to convey its real estate and personal property to the inhabitants of Bridgton as body corporate and to dissolve said association.

House 89. Resolve reimbursing the State legislative printer for overtime work.

House 90. Resolve in favor of 12th Company, C. A. C., N. G. S. M., on account of Presidential Inauguration.

#### Passed to Be Enacted.

An Act to incorporate the Old Folks Home in Bath.

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

#### Orders of the Day.

On motion by Mr. Largay of Bangor, the rules were suspended and that gentleman presented out of order the following protests against the passage of the Resident Hunters' License Bill:

Remonstrance of H. B. Grant and others.

Remonstrance of James A. Tozier and others.

Remonstrance of H. E. Tourtillotte and others.

Remonstrance of R. L. Stevens and others.

Remonstrance of Benjamin D. Thayer and others.

Remonstrance of F. E. Wiley and others.

Remonstrance of E. C. Strout and others.

Remonstrance of James H. Dougherty and others.

Remonstrance of D. E. Dougherty and others.

Remonstrance of J. Edward Hayes and others.

Remonstrance of A. W. Bean and others.

Remonstrance of Byron M. Leach and others.

Remonstrance of C. S. Winch and others.

Remonstrance of L. A. Strout and others.

Remonstrance of Edward Sourcey and others.

Remonstrance of H. L. Graham and others.

Remonstrance of Charles J. Ferry and others.

Remonstrance of Frank T. Mason and others.

Remonstrance of John O. Johnson and others.

Remonstrance of J. B. Mountaine and others.

Remonstrance of Albert E. Kelliher and others.

Remonstrance of Calvin S. Bachelor and others.

Remonstrance of J. U. Gordon and others.

Remonstrance of Charles P. Allen and others.

Remonstrance of J. H. Thompson and others.

Remonstrance of E. P. Wentworth and others.

Remonstrance of Merle S. Richardson and others.

Remonstrance of Lloyd Burr and others.

Remonstrance of N. V. Harris and others.

Remonstrance of F. E. Pratt and others.

Remonstrance of C. D. Fowler.

Remonstrance of A. Davis and others.

Remonstrance of N. L. Priest and others.

Remonstrance of J. W. Day and others.

On further motion by Mr. Largay, the foregoing protests were referred to the committee on inland fisheries and game.

Mr. FARRINGTON of Augusta: Mr. Speaker, may I inquire to what these petitions relate?

The SPEAKER: The Chair understood the gentleman from Bangor, Mr. Largay, to indicate that they should be referred to the committee on inland fisheries and game, and that they refer to the passage of the so-called Resident Hunters' License Law.

On motion by Mr. Cushman of Auburn, House Doc. No. 50, bill, An Act concerning the use of firearms and air rifles by children under the age of sixteen years, was taken from the table, and on further motion by the same gentleman was referred to the committee on judiciary.

On motion by Mr. Cushman of Auburn, House Doc. No. 54, bill, An Act to amend Revised Statutes relating to the sale or loaning of firearms to children, was taken from the table, and on further motion by the same gentleman was referred to the committee on judiciary.

On motion by Mr. Cushman of Auburn, House Doc. No. 53, bill, An Act to prohibit the selling or giving of air rifles to children under sixteen years of age, was taken from the table, and on further motion by the same gentleman, referred to the committee on judiciary.

On motion by Mr. Greenlaw of Presque Isle, bill, An Act to enable the town of Presque Isle to assume the obligations of the Presque Isle Village Fire Department arising out of a contract with the Presque Isle Water Company, was taken from the table.

The pending question being the reference of the bill,

Mr. Greenlaw then offered House Amendment A as follows:

"House Amendment A to An Act to enable the town of Presque Isle to assume the obligations of the Presque Isle Village Fire Department arising out of a contract with the Presque Isle Water Company.

Whereas, important contracts relating to adequate fire protection for the inhabitants of said town of Presque Isle are affected by this act, so that it will become necessary for provision to be made therefor by the inhabitants of said town at the next annual meeting thereof, to be held in March 1917, in event this act becomes effective as herein provided by the votes of the inhabitants of said town of Presque Isle and by said Presque Isle Village Corporation;

And whereas, by reason of the foregoing facts an emergency exists such as is contemplated by the Constitution, and the passage of this act is immediately necessary to public health, peace and safety;

Resolved, in view of the emergency set forth herein, this act, two-thirds of all the members elected to each House have so directed, shall take effect when approved.

The question being on the adoption of the amendment,

The amendment was adopted.

On further motion by the same gentleman, the bill as amended was referred to the committee on judiciary, and 500 copies ordered printed.

The SPEAKER: The Chair wishes briefly and informally to present to the House for its consideration the matter of amendments, referred to last week. The Chair has no wish to seem to dictate or to impose rules upon the House. The Chair understands itself to be the servant of the House, and that it is its duty to see that the rules formulated by the majority for their own guidance are followed out. After consultation with many of the leaders of the House, and with those who have had experience in the other branch, this suggestion is being presented to the House this morning by the Speaker: That amendments to resolves and to bills be taken up during

their final reading. There is no general provision of parliamentary law that covers at what time amendments shall be introduced except in general assemblies, the usual practice being that a bill is read entirely once, and then read again and taken up section by section and sentence by sentence and amended. In the National House of Representatives, Jefferson's Manual gives the following rule, that in the House, amendments are offered to any part of the bill after it is read the second time. It goes on further to say that a Senate bill may not be amended in the House after it has passed through the third reading. It is the feeling of the Chair that every bill and every resolve will have an equal and a fair chance, and that every member will have an opportunity to amend as he sees fit if he waits until the bill is in its third reading before offering amendments. Of course the first step is the report of the committee and the report is for the House either to accept or reject. The Chair would recognize a motion to substitute the bill for the report in case the report was "ought not to pass." The Chair would naturally prefer not to regard that as an amendment, or a motion to endeavor to postpone, provided the report was favorable. Naturally, that could not be regarded as an amendment and would not be so construed. There are several members here who, in point of experience and knowledge, know very much more about the method of procedure than does the Chair; and, if the Chair has not made itself plain, it would regard it as a privilege and a pleasure if any member would add anything to what the Chair has attempted to present to the House. The only object is, as the Chair stated in the first place, to give every bill and every resolve an opportunity to be amended and give every member of the majority and minority—and when the Chair uses the word "majority" and the word "minority," of course it is understood that the former means one more than half of the members present at the time, the Chair's understanding of parliamentary law being that its whole fabric is erected for the purpose of giving the



majority an opportunity to express its will in action, at the same time safeguarding the rights of the minority. The Chair, as it stated in the first place, has no disposition to make any suggestion to the House other than the majority of the House wishes, the suggestion simply being that amendments to bills be kept back until bills are in their third reading, or resolves in their second reading. Of course under our custom the first reading of a bill is very short, the second reading is at "the present time and by title only," and then the bill is assigned for the next day or some succeeding day. Thus every member, on referring to his calendar, knows exactly the day when a bill is to come up for its third reading, and amendments can be presented at that time, and the friends of a bill, if it is understood generally that the bill is to be amended on its third reading, would not need to be on the watch for things that might happen to it.

Mr. ROUNDS of Portland: Mr. Speaker, do you mean to say that a

man can not substitute a bill for a report?

The SPEAKER: The Chair wishes to be understood exactly to the contrary. The Chair tried to make it plain that such a motion coming from the floor on the first or second reading would not be regarded as an amendment, and certainly we should look for things of that sort.

The SPEAKER: The Chair would call attention to the fact that Friday, February 9th, is the last day, or rather the day set by the two Houses on joint order, for the reception of private bills and resolves. Of course Friday being the last day, the inference naturally would be that a bill that is received any time before four o'clock Monday would come into the House or into the Senate Tuesday morning.

On motion by Mr. Barnes of Houlton,

Adjourned until ten o'clock tomorrow morning.