

# 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.

Thursday, February 8, 1917.

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

Prayer by Rev. Mr. Walsh of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

### Senate Bills on First Reading.

Senate 96. An Act relating to duplicate books of deposit, in case of loss of original.

Senate 97. An Act to amend Section 72, Chapter 52 of the Revised Statutes, relating to increase of capital stock of trust companies.

Mr. DUTTON of Bingham: Mr. Speaker, I would like to ask unanimous consent to introduce a bill out of order under a suspension of the rules, "An Act to create the Maine Power Commission, prescribe its powers and duties, and provide for their regulation and control, and provide for the purchase or taking of water powers for the development and transmission of electricity for heating, lighting and power purposes."

Mr. BARNES of Houlton: Mr. Speaker, until we have further information of the intent and purpose of the framers of the bill than can be gained by a reading of the title, I feel obliged to object.

The SPEAKER: The Chair informs the House that it requires unanimous consent to introduce the act out of order, and the Chair rules that unanimous consent has not been obtained, and that the act can not be laid before the House.

Mr. WILSON of Portland: Mr. Speaker, I would like unanimous consent to introduce an act and resolve out of order. I will say, for the information of the House, that these two matters were just handed to me this morning,

and they relate to the "Good Roads Proposition". The committee had advertised a "Good Roads" hearing next Wednesday, and it is desired that these two matters should be before the committee at that time. In order to do this, it is necessary to have them introduced out of order this morning.

Unanimous consent being given, Mr. Wilson then presented the following:

An Act to amend Sections 7, 33 and 35 of Chapter 25 of the Revised Statutes, relating to funds for State highways.

Resolve amending Article Nine of the Constitution so as to permit an increased bond issue for construction and improvement of State and State-aid highways.

On motion by Mr. Wilson, the above act and resolve were referred to the committee on ways and bridges, and were sent to the Senate at once for concurrence.

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

### Appropriations and Financial Affairs.

By Mr. Nicholas of Eastport: Resolve in favor of H. M. Rogers.

By the same gentleman: Resolve in favor of Fortunat Belleau.

By the same gentleman: Resolve in favor of F. K. Jack.

### Education.

By Mr. Lewis of Boothbay: An Act to amend Section 103 of Chapter 16 of the Revised Statutes relating to state aid for academies having income from invested funds. (500 copies ordered printed.)

By Mr. Kneeland of Lincoln: Resolve in favor of Eastern Maine Institute for finishing and equipping its school building.

By Mr. Purington of Mechanic Falls: Resolve in favor of the town of Mechanic Falls for the payment of additional state school funds for the year 1915.

### Indian Affairs.

By Mr. Jordan of Baileyville: An Act for the relief of members of Passamaquoddy Tribe of Indians found destitute beyond tribal reservations.

### Inland Fisheries and Game.

By Mr. Berry of Waterville: An Act to amend Section 70 of Chapter 33 of the Revised Statutes relating to licensed marketmen. (1,000 copies ordered printed.)

By Mr. Conary of Bucksport: An Act amending Section 55 of Chapter 33 of the Revised Statutes of 1916 relating to closed time on partridge and woodcock. (1,000 copies ordered printed.)

By Mr. Cates of Vassalboro: An Act to close Wilson Erook in town of Winslow to fishing.

By Mr. Stearns of Hiram: Resolve in favor of screening the Stanley Ponds, in Hiram, in the county of Oxford.

By Mr. Snow of Bluehill: Petition of S. B. Condon and ten others in favor of a close time on McCaslin Brook and Turtle Pond Brook, so-called, in the town of Penobscot.

By Mr. Libby of Litchfield: Petition of H. F. Woodard and 37 others for a law permitting ice fishing in Little Purgatory Pond in Litchfield.

By the same gentleman: Petition of F. N. Adams and 20 others, residents of Litchfield, Kennebec County, and members of the Litchfield Fish and Game Association, for a law to close Cunningham Brook, in said Litchfield, to all fishing.

By Mr. Sisson of Island Falls: Petition of F. L. Mooney and others of Island Falls asking for close time on fishing in Dyer and Whitney Brooks, in Aroostook County.

By Mr. Buzzell of Belfast: Petition of E. J. Evans and 33 others of Brownville in favor of the repeal of the Sunday Hunting Law; also petition of N. H. Fay and 105 others in favor of same; also petition of E. A. Graham and 60 others of Bar Harbor in favor of same.

By Mr. Bowman of Detroit: Petition of S. J. Jackson of Guilford and 128

others favoring the repeal of the Sunday Hunting Law.

By Mr. Holt of Gouldsboro: Remonstrance of S. S. Scammon and others against the passage of any amendment of Chapter 334 of the Public Laws of 1915, or the passage of any law that will remove foxes from the list of protected fur-bearing animals.

### Insane Hospitals.

By Mr. Fleming of Bangor: An Act to amend Section 17 of Chapter 145 of the Revised Statutes of 1916, relating to the examination and commitment of persons to insane hospitals.

### Interior Waters.

By Mr. Hammond of Van Buren: An Act to authorize Allen E. Hammond and his associates to erect piers and to maintain booms in the St. John River in Hamlin Plantation. (500 copies ordered printed.)

By Mr. McNally of Ashland: An Act to authorize the erection and maintenance of a bridge across that part of the Aroostook River known as the back channel, in the town of Ashland.

By Mr. Hammond of Van Buren: Petition of John T. Parent and 29 others relating to erecting piers and maintaining booms in the St. John River in Hamlin Plantation.

### Judiciary.

By Mr. Farrington of Augusta: An Act to authorize guardians of insane widows to waive the provisions of their husband's wills. (500 copies ordered printed.)

By the same gentleman: An Act to amend Section 36, Revised Statutes, (Chapter 51) relating to manner of signing certificates of shares. (500 copies ordered printed.)

By Mr. Berry of Waterville: An Act to amend Section 27, Chapter 120 of the Revised Statutes, relating to offenses against the lives and persons of individuals. (500 copies ordered printed.)

By Mr. Barnes of Houlton: An Act to insure the purity of elections. (1000 copies ordered printed.)

By Mr. Garcelon of Auburn: An Act to establish a superior court in the

county of Androscoggin. (500 copies ordered printed.)

By Mr. Burbank of Chelsea: Resolve in favor of Ida E. Heath of Chelsea, Maine.

**Placed on File.**

By Mr. Watson of Parkman: Petition of L. D. Howard and 16 others urging the passage of a resolution referring to the people an amendment to the Constitution granting suffrage to women.

By Mr. Allen of Sanford: Petition of G. F. Hennigar and 26 others of Springvale in favor of same.

By Mr. Brewster of Portland: Petition of Carrie R. Dolloff and 196 others of Biddeford in favor of same; also petition of Eva E. Walker and 74 others of South Paris in favor of same; also petition of Hazel Gray and 26 others of Blaine in favor of same.

**Legal Affairs.**

By Mr. Gurney of Portland: An Act to amend Section 7 of Chapter 117 of the Revised Statutes, relating to payments of proportional parts of salaries to retired justices of the supreme and superior courts. (500 copies ordered printed.)

By Mr. Murray of Bangor: An Act additional to Chapter 94 of the Revised Statutes, relating to liens on automobiles. (1000 copies ordered printed.)

By Mr. Murphy of Calais: An Act to incorporate the Calais Water and Power Company. (1000 copies ordered printed.)

By Mr. Murray of Bangor: An Act to amend Chapter 25 of the Revised Statutes relating to the collection of taxes on automobiles. (1500 copies ordered printed.)

By Mr. Murphy of Calais: An Act to incorporate the St. Croix Water Company. (500 copies ordered printed.)

By Mr. Holt of Gouldsboro: An Act for the proper regulation of franchise. (500 copies ordered printed.)

By Mr. Allan of Portland: An Act to change the date of annual town meetings. (1000 copies ordered printed.)

By Mr. Anderson of Portland: An

Act to amend Section 12, Chapter 181, Laws of 1911, relating to prisoners escaping from county farm. (500 copies ordered printed.)

By the same gentleman: An Act to prevent officers and employees of Life and Fire Institutions from making copies of records. (500 copies ordered printed.)

By Mr. Garcelon of Auburn: An Act to provide for a police commission and for the appointment and terms of members of the police force of the city of Auburn. (1000 copies ordered printed.)

By Mr. King of Orono: An Act compelling the New England Telephone and Telegraph Company to give toll rates to Associated Press newspapers. (500 copies ordered printed.)

By Mr. Lewis of Boothbay: An Act to extend the charter of the town of Southport to obtain supply of pure water.

By Mr. Berry of Waterville: An Act to amend Section 2 of Chapter 64 of the Revised Statutes, relating to marriage of insane or feeble-minded persons.

By Mr. Wilson of Portland: An Act to change the name of Marsh Island.

By Mr. Sisson of Island Falls: An Act to legalize and confirm the incorporation and doings of the Congregational Parish of Weld, Maine, and to authorize the conveyance of its real estate.

By Mr. Lawrence of Fairfield: An Act to legalize the doings of the Fairfield Center Cemetery Association.

**Military Affairs.**

By Mr. Cates of Vassalboro: Resolve appropriating money to reimburse the town of Winslow for money expended to aid dependent families of members of the National Guard of the State of Maine.

**Pensions.**

By Mr. Clement of Montville: Resolve in favor of a State pension for Lorenzo D. Wright.

By the same gentleman: Resolve in favor of a State pension for Achsa E. Lawry.

By Mr. Emerson of Lewiston: Resolve providing a State pension for Harmon J. Dill.

By the same gentleman: Resolve providing a State pension for Johanna J. Kelleher.

By Mr. Hartwell of Old Town: Resolve in favor of a State pension for Mary J. Goodwin of Old Town.

#### Portland Delegation.

By Mr. Wilson of Portland: An Act to repeal Chapter 99 of the Private and Special Laws of 1915, relating to the office of corporation counsel for the city of Portland. (1000 copies ordered printed.)

By Mr. Rounds of Portland: An Act to create a board of harbor commissioners for the harbor of Portland, and define their powers. (1000 copies ordered printed.)

By Mr. Baxter of Portland: An Act repealing Chapter 276 of the Private and Special Laws of 1911, authorizing the city of Portland to construct public buildings upon public grounds.

(Tabled by Mr. Anderson of Portland pending reference.)

#### Public Utilities.

By Mr. Packard of Rockland: An Act relating to the Knox Gas and Electric Company. (500 copies ordered printed.)

By the same gentleman: An Act relating to the Rockland, Thomaston and Camden Street Railway. (500 copies ordered printed.)

By Mr. Gannett of Augusta: An Act to amend the charter of the Central Maine Power Company. (1000 copies ordered printed.)

(Tabled by Mr. Dutton of Bingham pending reference.)

By Mr. Ellis of Gardiner: An Act to amend Chapter 82 of the Private and Special Laws of 1903, entitled "An Act to incorporate the Gardiner Water District," as amended by Chapter 89 of the Private and Special Laws of 1905. (500 copies ordered printed.)

By the same gentleman: An Act additional to Chapter 82 of the Private and Special Laws of 1903, entitled "An Act to incorporate the Gardiner

Water District." (500 copies ordered printed.)

By Mr. Besse of Clinton: An Act relating to the Vassalboro, China and Windsor Light and Power Company. (500 copies ordered printed.)

By Mr. Averill of Prentiss: An Act to incorporate the Independence Developing Company of Kingman. (500 copies ordered printed.)

By Mr. Allan of Portland: An Act relating to closing of accounts of public utilities and filing of balance sheets. (500 copies ordered printed.)

By Mr. Russell of Farmington: An Act to extend the charter of the Farmington-Oakland Interurban Railway.

By Mr. Kneeland of Lincoln: An Act to extend the charter of the Lincoln Sewerage Company.

By Mr. Conary of Bucksport: Remonstrance of C. M. Wilson and 68 others of the town of Bucksport against the granting of a charter to the Penobscot River Ferry Company.

#### Railroads and Expresses.

By Mr. Russell of Farmington: An Act to authorize the Sandy River and Rangeley Lakes Railroad to extend its line from Carrabasset to Hurricane Falls and to discontinue its present road from Carrabasset to Bigelow. (500 copies ordered printed.)

#### Salaries and Fees.

By Mr. Hartwell of Old Town: An Act fixing the salary of the recorder of the Old Town municipal court.

By Mr. Buzzell of Belfast: An Act to amend Paragraph 15, Section 45, Chapter 117 of the Revised Statutes, relative to clerk hire in the office of register of deeds in Waldo county.

By Mr. Grant of Hope: An Act to amend Chapter 337 of the Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox county.

#### Taxation.

By Mr. Allan of Portland: An Act to change the date of assessment of taxes. (500 copies ordered printed.)

#### Ways and Bridges.

By Mr. Ryder of Brownville: An Act to authorize the American Thread

Company to erect a bridge across the Sebec river in the town of Milo.

By Mr. Stubbs of Strong: Resolve in favor of aid in repairing highway in the towns of Salem and Freeman.

By Mr. Cole of Etna: Resolve appropriating money for aid in repairing and permanently improving a highway in the town of Etna.

By Mr. Cummings of Hebron: Resolve appropriating money to aid in repairing highways in the town of Hebron and providing for the future maintenance thereof.

By Mr. Andrews of Norway: Resolve appropriating a sum of money for aid in building a road in the town of Oxford.

By Mr. Clement of Montville: Resolve appropriating money for aid in repairing the road leading from Leonard Bridge to Winnecook Station in the town of Burnham.

#### Orders.

On motion by Mr. Brewster of Portland, it was

Ordered, that the use of the hall of the House of Representatives be granted to the committee on education on the afternoon of February 8th for a public hearing.

On motion by Mr. Hammond of Van Buren, it was

Ordered, the Senate concurring, that the petitions in favor of "An Act to incorporate the Van Buren Light and Power District," of Emily Michaud and 11 others of Van Buren, also petition of W. W. Thomas and 13 others, also petition of J. H. Michaud and 25 others, also petition of John Lawson and 50 others, also petition of Joseph Bernier and 66 others, also petition of Willie F. Paradis and 170 others, also petition of F. A. Higgins, Jr., and 96 others, be recalled from the committee on public utilities.

#### Reports of Committees.

Mr. Holt, from the committee on sea and shore fisheries, on petition of Sidney Havey and 14 others to prohibit the taking of smelts in certain waters in Frenchman's Bay other than by

hook and line, reported bill entitled "An Act to amend Section 1 of Chapter 4 of the Private and Specials Laws of 1913, entitled 'An Act to regulate the taking of smelts in the waters of Egypt Bay, Franklin Bay, Taunton Bay and River in the towns of Hancock, Franklin and Sullivan, in Hancock county.'"

The report was accepted and the bill ordered printed under the joint rules.

Mr. Wilson, from the committee on mercantile affairs and insurance, reported "ought not to pass" on bill, "An Act to repeal Chapter 78 of the Public Laws of 1915, relative to the adjustment and payment of fire losses by insurance companies."

(Tabled by Mr. Gurney of Portland pending acceptance of the report.)

#### First Reading of Printed Bills and Resolves.

House 137. An Act to amend Section 73, Chapter 52, of the Revised Statutes, relating to the making of false reports by trust companies.

House 135. 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.

House 136. An Act to authorize the city of Portland to pension Dora B. McIntosh, widow of Charles E. McIntosh, police officer of said city, shot in the performance of duty.

#### Passed to Be Engrossed.

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.

House 117. Resolve in favor of Rachel Stanley.

#### Orders of the Day.

On motion by Mr. Rounds of Portland, House Doc. No. 22, bill, An Act additional to Chapter 433, Private and Special Laws of 1907, incorporating the Portland Water District, was taken from the table.

Mr. ROUNDS of Portland: Mr. Speaker, I move that this bill be referred to the Portland and South Portland delegations, this being a Portland matter and the district composed of Portland and South Portland. The people there would like to be heard on this matter, and it would be better to have the hearing in Portland, as we have other matters of the same nature to be heard there.

The SPEAKER: The bill was referred to the public utilities committee, and was tabled by the gentleman from Portland (Mr. Rounds) and 1000 copies ordered printed. The gentleman from Portland (Mr. Rounds) now takes it from the table and moves that it be referred to the Portland and South Portland Delegations, and the question is on the reference of the bill.

Mr. ALLAN of Portland: Mr. Speaker, this bill refers to more than Portland; it covers perhaps the towns of Scarborough, Cumberland and Yarmouth. It seems to me to be entirely outside of the Portland Delegation to consider this matter. I think it ought to go to the committee to which the committee of reference assigned it—public utilities—and I make that motion.

Mr. ROUNDS: Mr. Speaker, I think that I made my motion Portland and South Portland. The act creating the district was made for Portland, South Portland and Westbrook. Westbrook refused to come in to it, and therefore it is a Portland and South Portland matter. There are somewhere in the neighborhood of 80,000 people concerned in this matter and quite a number of them would like to be heard. They cannot come here to Augusta unless they charter a special train, and that is why I make this motion. I have been requested by a number to have this referred to the Portland and South Portland Delegations, they being the only ones in the district.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland (Mr. Rounds) that the bill be referred to the Portland and South Portland Delegations. Are you ready for the question?

Mr. BARNES of Houlton: Mr. Speaker, I rise to inquire if it would not require a reconsideration of the reference to the committee on public utilities.

The SPEAKER: The Chair thinks not. The bill was tabled pending reference to a committee in this House.

Mr. ALLAN of Portland: Mr. Speaker, I do not know as I have a right to speak twice on the matter, but I would like to make myself clear. While the bill is drawn to cover the Portland and South Portland Water District, some of its extensions reach into the towns of Scarborough, Cumberland and Yarmouth, and the application of the entire bill covers the county. Therefore it does not seem to me that it should be considered by the local delegations of Portland and South Portland, and it is proper that it should go to some committee of the House. I do not care whether it goes to public utilities or where it goes, but I think it ought to go to a broader delegation than the one from Portland and South Portland.

Mr. ANDERSON of Portland: Mr. Speaker, this bill in my opinion should be referred to the Portland and South Portland Delegations for this reason: The Portland and South Portland people are stockholders in this corporation, and we as members of any other committee should not intrude upon the rights of the stockholders in the cities of Portland and South Portland. I think the proper way is to go to Portland and hear what is to be said down there.

Mr. NEWCOMB of Scarborough: Mr. Speaker, this seems to be a matter that directly interests the people of Scarborough. We contracted two years ago for the extension of mains into Scarborough. That extension has been made, and now there is a question of further extension and of taking over other water powers in the town, and it seems to me that in justice to the whole county of Cumberland, and particularly to the interests of Scarborough, this matter should be referred to some committee broader than the committee of Portland and South Portland. I



care not what committee it is referred to if it is a committee from this Legislature.

The question being on the motion of the gentleman from Portland, Mr. Rounds, that the bill be referred to the Portland and South Portland Delegations,

A viva voce vote being doubted,  
A division was had.

Sixteen voting in the affirmative and 46 in the negative,

The motion was lost.

The question being on the motion of the gentleman from Portland, Mr. Allan, that the bill be referred to the committee on public utilities,

The motion was agreed to.

On motion by Mr. Brewster of Portland, House Doc. No. 49, bill, An Act

to amend Chapter 144, Public Laws 1913, relating to the practice of professional public accounting, was taken from the table and on further motion by the same gentleman was referred to the committee on legal affairs.

On motion by Mr. Ryder of Brownville, Resolve in favor of the town of Brownville, and covering one-half the expense of a concrete bridge erected by said town across Pleasant river in the years 1915-16, was taken from the table and on further motion by the same gentleman was referred to the committee on ways and bridges.

On motion by Mr. Murray of Bangor,

Adjourned until ten o'clock tomorrow morning.