

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, February 20, 1917.

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

Prayer by the Rev. Mr. Smith of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

Senate 6. Resolve in favor of the co-operative survey of the boundary line between the State of Maine and the State of New Hampshire.

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

Education.

By Mr. Cates of Vassalboro: An Act to amend Section 110 of Chapter 16 of the Revised Statutes, relating to teachers' associations.

Inland Fisheries and Game.

By Mr. Longley of Sidney: An Act to amend Section 2 of Chapter 33 of the Revised Statutes of 1916, relating to inland fisheries and game.

By Mr. Ranney of Winn: Remonstrance of H. E. White and others of Passadumkeag protesting against the passage of House Document 44, being an Act relative to Sunday hunting of game or birds.

By Mr. Ryder of Brownville: Remonstrance of C. C. Whidden and 12 others of Brownville against same.

By Mr. Harris of Boothbay Harbor: Remonstrance of O. W. Peterson and 70 others of Newcastle against same.

By Mr. Rowe of Yarmouth: Remonstrance of D. H. Bennett and 27 others of Yarmouth against same.

By Mr. Morison of Corinth: Remonstrance of T. Edward Fairchild and 26 others against same.

Judiciary.

By Mr. Garcelon of Auburn: An Act to amend Section 51 of Chapter 82 of the Revised Statutes, relating to trial terms of the supreme judicial court. (1000 copies ordered printed.)

Placed on File.

By Mr. Brewster of Portland: Petition of Herbert Kilby and 21 others of Eastport in favor of Women's Suffrage; also petition of Ella Wight and 24 others of South Paris in favor of same; also petition of Fred I. Luce and 20 others of Old Orchard in favor of same; also petition of C. W. B. Clough and 46 others of Kennebunkport in favor of same; also petition of Elizabeth M. Sleeper and 67 others of Camden in favor of same.

Labor.

By Mr. Garcelon of Auburn: An Act to amend Section 8 of Chapter 350 of the Public Laws of 1915, entitled "An Act relative to the hours of employment of women and minors." (1500 copies ordered printed.)

Legal Affairs.

By Mr. Garcelon of Auburn: An Act to license and regulate the business of making loans in sums of three hundred dollars or less, at a greater rate of interest than 12 per centum per annum, and regulating the assignment of wages or salaries given as security therefor. (1500 copies ordered printed.)

Public Health.

By Mr. Anderson of Portland: An Act amending Section 40 of Chapter 16, Revised Statutes, in relation to the appointment of school physicians, and repealing Section 48 of said Chapter 16. (500 copies ordered printed.)

Sea and Shore Fisheries.

By Mr. Cole of Eliot: Petition of William Witham and 21 others of Kittery in favor of a nine-inch lobster law; also petition of F. E. Cooper and 47 others of Kittery in favor of same; also petition of F. W. Dorr and 26 others of Kittery in favor of same; also petition of Harry Handoff and 18 others of Kittery in favor of same; also petition of A. L. Hutchins and 14 others of Kittery in favor of same.

By Mr. Harman of Stonington: Petition of Leroy H. Greenlaw and 32 others of Stonington asking the repeal of Chapter 92 of the Public Laws of 1915, relating to taking scallops during the summer months; also petition of A. M. Hatch and 29 others of Stonington in favor of same.

Telephones and Telegraphs.

By Mr. Knight of Kennebunk: Petition of Frank M. Lowell and 33 others in favor of bill, An Act to provide for better telephone service.

Ways and Bridges.

By Mr. Allen of Sanford: An Act to amend Section 23 of Chapter 26 of the Revised Statutes, relating to registration of motor vehicles. (500 copies ordered printed.)

Reports of Committees.

Mr. Clifford, from the committee on claims, reported in a new draft and "ought to pass" on Resolve in favor of George A. Dow.

Mr. Rounds, from the same committee, reported "ought to pass" on Resolve in favor of Samuel N. Packard.

Mr. Ryder, from the committee on federal relations, reported "ought to pass" on bill, An Act authorizing a Centennial week in 1920, and cities and towns to raise and appropriate money for the observance thereof. (On motion by Mr. Farrington of Augusta, the rules were suspended, and the bill given its two several readings.)

Mr. Washburn, from the committee on Indian affairs, reported in a new draft and "ought to pass" on Resolve in favor of the Penobscot tribe of Indians for the general care, maintenance, relief and education thereof.

Same gentleman, from same committee, reported in a new draft and "ought to pass" on Resolve making appropriations for the Passamaquoddy Tribe of Indians for the years 1917 and 1918.

Mr. Stubbs, from the committee on interior waters, reported "ought to pass" on bill, An Act to change the name of McGurdy or Crowell Pond, so-called, to Lake Waukesha.

Mr. Baxter, from the committee on judiciary, reported in a new draft and

"ought to pass" on bill, An Act to create a board of prison commissioners.

Mr. Cole, from same committee, reported "ought to pass" on bill, An Act to authorize the erection of a dam across the East Branch of Spruce Creek, in the town of Kittery.

Mr. Anderson, from the committee on legal affairs, reported "ought to pass" on bill, An Act to amend Section 23 of Chapter 124 of the Revised Statutes, relating to assaults upon or interference with officers. (On motion by Mr. Dutton of Bingham, the rules were suspended and the bill given its two several readings.)

Mr. Buzzell, from same committee, reported "ought to pass" on bill, An Act to authorize the town of Boothbay Harbor to construct a bridge across the harbor in said town.

Mr. Garcelon, from same committee, reported "ought to pass" on bill, An Act to amend Section 1 of Chapter 79, Revised Statutes, relating to wills.

Mr. Conary, from same committee, reported in a new draft and "ought to pass" on bill, An Act amending Section 11 of Chapter 117, of the Revised Statutes, relative to the salaries of stenographers of the superior court.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to ratify the proceedings of the special town meeting of Baileyville, held April 17, 1916.

Mr. Kneeland, from the committee on pensions, reported in a new draft and "ought to pass" on Resolve in favor of Zebedee M. Cushman.

Mr. Emerson, from same committee, reported in new draft and "ought to pass" on Resolve in favor of John Lamson.

Mr. Chaplin, from same committee, reported "ought to pass" on Resolve in favor of Flora Stevens of Lewiston.

Same gentleman, from same committee, reported "ought to pass" on Resolve in favor of Mary Allen of Bowdoinham.

Same gentleman, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Emma A. Gannett.

Mr. Stanley, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Vinnie E. Saunders.

Same gentleman, from same committee, reported "ought to pass" on Resolve in favor of Amanda H. Loud of Randolph.

Mr. Lawrence, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Cora M. Libby.

Same gentleman, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Lucena P. Andrews.

Same gentleman, from same committee, reported "ought to pass" on Resolve granting a pension to Myra G. Millett of Portland.

Same gentleman, from same committee, reported "ought to pass" on Resolve in favor of James D. Wilder of Hiram.

Mr. Albert, from same committee, reported "ought to pass" on Resolve in favor of Patrick A. Galvin of Auburn.

Same gentleman, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Susan B. Merrill.

Same gentleman, from same committee, reported "ought to pass" on Resolve providing a State pension for Joann P. Libby of Lock's Mills.

Mr. Clement, from same committee, reported "ought to pass" on Resolve in favor of Addie L. Coombs of Montville.

Same gentleman, from same committee, reported "ought to pass" on Resolve in favor of Dorcas M. Watkins.

Same gentleman, from same committee, reported in new draft and "ought to pass" on Resolve in favor of Charles C. Burt of Norway.

Mr. Goldthwait, from committee on sea and shore fisheries, reported "ought to pass" on bill, An Act to amend Section 1 of Chapter 36 of the Private and Special Laws of 1913, relative to the taking of alewives in Patten's Bay in the town of Surry, Hancock county.

Same gentleman, from same committee, reported in a new draft and "ought to pass" on bill, An Act relating to marking of lobsters in transit.

Mr. Coffin, from the committee on State sanatoriums, reported "ought to pass" on Resolve to provide funds to pay the outstanding debts of the Central Maine Association for the relief and control of tuberculosis.

Mr. Lawrence, from the same committee, on Resolve making an appropriation for the general maintenance and support of the Central Maine Sanatorium for 1917; Resolve making an appropriation for the general maintenance and support of the Central Maine Sanatorium for 1918; Resolve in favor of the Central Maine Sanatorium at Fairfield, for the construction and equipment of three buildings, the renovation and alteration of the Chase Memorial building, and for sewer and water main; Resolve making an appropriation for the general maintenance and support of the Western Maine Sanatorium for 1917; Resolve making an appropriation for the general maintenance and support of the Western Maine Sanatorium for 1918; Resolve in favor of the Western Maine Sanatorium at Hebron for the construction of sewerage tanks, piggery, coal pocket and spur track to coal pocket; Resolve in favor of the Bangor Anti-Tuberculosis Association for the care and treatment of indigent persons suffering from tuberculosis, reported same in new draft under title of "Resolve in favor of the State Tuberculosis Sanatoriums for maintenance and other purposes for the years 1917 and 1918," and that it "ought to pass."

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

Mr. Snow, from the committee on claims, reported "ought not to pass" on Resolve in favor of J. Julian Heath of Tremont praying for relief of lawfu holder, the account of Certificate No. 478.

Mr. Nicholas from the committee on appropriations and financial affairs, on Resolve in favor of M. W. Curtis of Waterville, Maine, reported "that the same be referred to the committee on inland fisheries and game."

Mr. O'Connell, from the committee on inland fisheries and game, on bill, An Act to amend Section 29 of Chapter 33, of Revised Statutes, 1916, relating to transportation of fish, under special tag, reported "that it be placed on file, as the subject matter in a new draft (permitting the transportation of fish under special tag once in five days) will be incorporated in the Revised Code of inland fish and game laws to be reported later."

Mr. Webb, from same committee, on bill, An Act to amend Section 50 of Chapter 33 of the Revised Statutes of 1916, relating to the licensing of trappers of fur-bearing animals, reported "that same be placed on file as the subject matter will be incorporated in the Revised Code of inland fish and game laws to be reported later."

Mr. Stanley, from same committee, on bill, An Act to amend Section 2 of Chapter 32 of the Revised Statutes (1903), relating to fishing in Rapid river, between Lower Richardson lake and Umbagog lake, and in Pond-in-the-River, in the county of Oxford, with petition of E. F. Coburn and others for same, reported "same be placed on file as the subject matter will be incorporated in the Revised Code of the inland fish and game laws to be reported later."

Same gentleman, from same committee, on petition of E. G. Bassett and 31 others, of Peru, Oxford county, for a law closing the tributaries to Worthley Pond, in said Peru, to all fishing, reported "that the same be placed on file, as the subject matter has been incorporated in the Revised Code of the inland fish and game laws to be reported later."

Mr. Flint from same committee, on bill, An Act to authorize the hunting of raccoons and to extend the time of such hunting, and petition of Von E. Gerry and others for same, reported "that the same be placed on file, and that the subject matter in new draft (permitting the hunting of raccoons from August 16th each year to the first day of March the following year) be incorporated in the Revised Code of inland fish and game laws to be reported later."

Same gentleman from same committee on bill, An Act to amend Section 46 of

Chapter 33 of the Revised Statutes, relating to closed season on fur-bearing animals, with remonstrance of Charles F. Shea of Eden and 42 others against same, reported "ought not to pass."

Same gentleman, from same committee, on petition of H. J. Dudley and 20 others, residents of Washington county, asking for additional restrictions upon fishing in Moosehorn stream, in Baring, in said county, reported "that same be placed on file, as the subject matter has been incorporated in the Revised Code of inland fish and game laws to be reported later."

Mr. McNally, from same committee, on bill, an Act to amend Sections 13 and 14 of Chapter 33 of the Revised Statutes (1916) relating to the registration of guides, reported "that same be placed on file, as the subject matter of said act is to be incorporated in the Revised Code of inland fish and game laws to be reported later."

Same gentleman, from same committee, on bill, An Act relating to ice fishing in Cary lake and Ross lake, in Littleton, in Aroostook county, reported "that same be placed on file as the subject matter has been incorporated in the Revised Code of inland fish and game laws to be reported later."

Same gentleman, from same committee, on Petition of Louis F. Higgins and 31 others, residents of Hancock county, asking that Blunt's pond, in the town of Lamoine, Hancock county, be closed to all ice fishing, reported "that same be placed on file, as the subject matter has been incorporated in the Revised Code of inland fish and game laws to be reported later."

Mr. Berry, from same committee, on Petition of S. B. Condon and 10 others, in favor of a close time on McCaslin brook and Turtle Pond brook, so called, in the town of Penobscot, reported "that same be placed on file as the subject matter has been incorporated in the Revised Code of inland fish and game laws to be reported later."

Same gentleman, from same committee, on petition of C. Willis White of Burlington, and eight others, asking for ad-

ditional restrictions upon fishing in the outlet of Nicauous Lake, Hancock county, reported "that same be placed on file as the subject matter has been incorporated in the Revised Code of the inland fish and game laws to be reported later."

Same gentleman, from same committee, on bill, An Act prohibiting fishing in the brooks flowing into Hot Hole pond, so called, in the town of Orland, for three years, with petition of W. H. Farnham and 15 others favoring same, reported "that same be placed on file as the subject matter has been incorporated in the Revised Code of the inland fish and game laws to be reported later."

Same gentleman, from same committee, on bill, An Act to amend Section 22 of Chapter 33 of the Revised Statutes, relating to the unlawful selling or purchasing of fish, with petitions of John A. Storey and C. H. Bradford and others in favor of the shipment of white perch from Grand Lake waters, reported "that the same ought not to pass." (Tabled by Mr. Jordan of Baileyville pending acceptance.)

Same gentleman, from same committee, on bill, An Act to amend Paragraph 4 of Section 19 of Chapter 33 of the Revised Statutes, (1916), relating to fishing in certain waters in Cumberland county, reported "ought not to pass."

Mr. McNally, from same committee, on petition of F. L. Mooney and others of Island Falls, asking for close time on fishing in Dyer and Whitney brooks, in Aroostook county, reported "that same be placed on file, as the subject matter will be incorporated in the Revised Code of inland fish and game laws to be reported later."

Mr. Webb, from same committee, on petitions of Frank A. Babbidge and L. V. Joyce and others for the repeal of Chapter 85 of the Private and Special Laws of 1916, relating to fishing, reported "that same be referred to the committee on sea and shore fisheries."

Mr. Stubbs, from the committee on interior waters, reported "ought not to pass" on Resolve in aid of navigation on Grand and Junior lakes in Washington county.

Mr. Farrington, from the committee on judiciary, reported "ought not to pass" on bill, An Act in relation to the care of female prisoners and to amend Chapters 83 and 85, Revised Statutes, relating to county commissioners and jails.

Mr. Baxter, from same committee, reported "ought not to pass" on bill, An Act in relation to contracts for the care of the poor and to amend Section 14, Chapter 29, Revised Statutes, relative thereto.

Mr. Hutchins, from same committee, reported "ought not to pass" on bill, An Act to prevent detention of property belonging to educational institutions.

Mr. Cole, from same committee, reported "ought not to pass" on bill, An Act to amend Chapter 143, Revised Statutes, relating to workhouses and houses of correction.

Mr. Hutchins, from same committee, reported "ought not to pass" on bill, An Act to amend Section 2 of Chapter 99 of the Revised Statutes of 1916, entitled "Forcible entry and detainer."

Mr. Albert, from committee on pensions, reported "ought not to pass" on Resolve providing a State pension for Thaddeus Cross of Norway.

Mr. Lawrence from same committee, reported "ought not to pass" on Resolve granting a State pension to Mrs. Jennie C. Young of Norway.

Mr. Kneeland, from same committee, reported "ought not to pass" on Resolve in favor of Mary F. Fernald of Kennebunk.

Mr. Emerson, from same committee, reported "ought not to pass" on Resolve in favor of Helen M. Perkins of Kennebunk.

Mr. Goldthwait, from committee on sea and shore fisheries, reported "ought not to pass" on Resolve authorizing the payment of a bounty on dog fish.

The reports were accepted.

First Reading of Printed Bills and Resolves.

House 317. An Act to amend Section 33 of Chapter 40 of the Revised Statutes of 1916, relative to Old Home Week.

House 316. An Act to extend the charter of the Lincoln County Street Railway.

House 319. An Act granting Charles H. Scott the right to maintain a ferry across Eggemoggin Reach in Hancock county.

House 315. An Act to create the Van Buren Sewerage District.

House 318. An Act to establish the wages of clerks in the offices of Aroostook Registry of Deeds, Southern District, and clerk of courts of Aroostook county, and to secure to such clerk of courts reimbursement for necessary expenses in attendance at the terms of the supreme judicial court held at Caribou.

Passed to Be Engrossed.

Senate 156. An Act to amend Sections 4 and 5 of Chapter 78 of the Revised Statutes of 1916, relating to the sale of real estate subject to contingent remainders.

Senate 152. An Act to provide whole family protection for members of fraternal benefit societies.

Senate 153. An Act to amend Section 1, Chapter 85, Revised Statutes, relating to the bonds of sheriffs.

House 310. An Act to provide compensation for town clerks for issuance and recording of burial permits.

House 309. Resolve in favor of the recording and other officers of the House of Representatives of the 77th Legislature for services at the organization of the 78th Legislature.

Passed to Be Enacted.

An Act to amend Section 1 of Chapter 4 of the Private and Special Laws of 1913, entitled "An Act to regulate the taking of smelts in the waters of Egypt Bay, Franklin county, Taunton bay and river in the towns of Hancock, Franklin and Sullivan, in Hancock county.

An Act authorizing the Songo River Line, Incorporated, to construct and maintain wharves at East Sebago and Long Beach, in the town of Sebago, in Cumberland county.

An Act to amend Section 19 of Chapter 80 of the Revised Statutes, relative to title by descent.

An Act to legalize and make valid the proceedings of the annual school meeting of the city of Augusta.

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

An Act to authorize the city of Portland to pension Dora B. McIntosh.

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.

On motion by Mr. Baxter of Portland, the Resolve proposing an amendment to the Constitution granting suffrage to women upon equal terms with men, was tabled, and on further motion by the same gentleman, it was assigned for discussion on its final passage tomorrow morning.

Orders of the Day.

On motion by Mr. Farrington of Augusta, Resolve for the improvement of the State park on the easterly side of State street, was taken from the table and, on further motion by the same gentleman, was referred to the committee on public buildings and grounds.

On motion by Mr. Farrington of Augusta, House Order, relative to the purchase of desks and chairs for the hall of the House, was taken from the table and, on further motion by the same gentleman, was referred to the committee on public buildings and grounds.

On motion by Mr. Newcomb of Scarborough, bill, An Act authorizing the town of Cape Elizabeth to issue its bonds for the construction of sewers, was taken from the table, and, on further motion by the same gentleman, was referred to the committee on public utilities.

Mr. Ames of Stockton Springs, presented out of order, under suspension of the rules, the following order, and moved its passage: Ordered, that House Bill No. 311 be withdrawn from the House committee on bills in the third reading.

The order received a passage.

The SPEAKER: The resolve in question is now in the hands of the Chair, having been withdrawn from the committee on bills in the third reading, and the Chair would inquire what disposition the gentleman from Stockton Springs (Mr. Ames) wishes to make of it.

On further motion by Mr. Ames of Stockton Springs, House Document No. 311, "Resolve to provide for a survey by the commissioner of sea and shore fisheries of areas suitable for the propagation of clams," was recommended to the committee on sea and shore fisheries.

The SPEAKER: The Chair would call the attention of the House to the notice which the Clerk will read. You will remember that two weeks ago we passed a resolution endorsing the action of the President of the United States and that the Chair instructed the clerk to forward a copy of the resolution to His Excellency. His Excellency, the President, has taken time from his duties to write a personal let-

ter of thanks to the Clerk, which the Clerk will now read.

The following communication was then read by the Clerk:

"White House,
"Washington, February 15, 1917.
"My dear Mr. Roix:

"I am very grateful for the generous assurances which the House of Representatives of the State of Maine give to me in the resolution, of which you were kind enough to send me a copy, and I hope that you will convey to them an expression of my hearty appreciation.

"Thanking you for your courtesy in the matter, I am,

"Sincerely yours,
"WOODROW WILSON."

"Hon. W. R. Roix,
Clerk of the House of Representatives, Augusta, Maine."

(Applause.)

On motion by Mr. Packard of Rockland,

Adjourned until 10 o'clock tomorrow morning, Wednesday, February 21.