

# 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 22, 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.

Unanimous consent being granted, the following resolution was offered out of order by Mr. Buzzell of Belfast:

Whereas, God in his infinite wisdom, has seen fit to remove from this earthly world the wife of our friend and colleague, Representative Edwin C. Holbrook of Brooks:

Be it resolved, that this House expresses its deepest sympathy to him in his hour of affliction; and

Be it further resolved, that a copy of this resolution be forwarded to Representative Holbrook, as well as spread upon the records of this House.

The resolution received a passage.

Papers from the Senate disposed of in concurrence.

From the Senate: House Doc. 283, An Act to amend the charter of the Portland Water District.

Came from the Senate, referred to the Portland, South Portland and Scarborough Delegations, in non-concurrence with the House.

Mr. ALLAN of Portland: Mr. Speaker, in order that that bill may reach some committee, I move that we insist on our action and ask for a committee of conference.

Mr. ROUNDS of Portland: Mr. Speaker, the only question here is on the Portland Water District—Scarboro, Falmouth, Cumberland and Portland. I think it is only fair that they should have it before that committee as they are the only ones interested. It is not a matter that concerns either Aroostook, Kennebec or Somerset; it is just the towns I have named that are interested. Therefore, I think it right that it should go to that committee.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Allan, that the House insist on its action.

Mr. ALLAN: I will withdraw that motion.

On motion by Mr. Allan, the House then voted to recede and concur with the Senate in referring the bill to the Portland, South Portland and Scarborough Delegations.

### Senate Bills on First Reading.

Senate 189. An Act to extend the charter of the Salisbury Cove Water Company.

### Messages and Documents from the Heads of Departments.

Communication from Hon. Frank W. Ball, secretary of State, submitting copy of concurrent resolution of the Senate and assembly of the state of New York, relative to convention between the United States and Great Britain for the protection of migratory birds.

On motion by Mr. Barnes of Houlton, the communication was accepted and placed on file.

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

### Inland Fisheries and Game.

By Mr. Phillips of Southwest Harbor: Petition of Charles A. Thompson and 25 others for a law prohibiting fishing through the ice in Blunt's Pond in the town of Lamoine.

By Mr. Clason of Lisbon: Remonstrance of J. R. Roberts of Bowdoin and others against the passage of House Document No. 44, "An Act to repeal Section 73 of Chapter 33 of the Revised Statutes, relative to Sunday being a closed season for game or birds"; also remonstrance of J. R. Pitts and others of Lisbon against same.

By Mr. Greenlaw of Presque Isle: Remonstrance of C. H. Richardson and 29 others of Presque Isle against same.

By Mr. Andrews of Warren: Remonstrance of J. C. Munsey and 28 residents of Warren against same; also remonstrance of W. M. Teague and 41 residents of Warren against same.

By Mr. Barnes of Houlton: Remonstrance of Almon E. Little and 28 others, residents of Littleton, against same; also remonstrance of Charles B. Porter and 73 others, residents of Monticello and other towns of Aroostook county, against same.

By Mr. Bragdon of Westbrook: Remonstrance of A. T. June and 21 others, against same; also remonstrance of Charles T. Ames and 45 others of Westbrook, against same.

#### Salaries and Fees.

By Mr. Barnes of Houlton: An Act to amend Chapter 117, Section 23 of the Revised Statutes of 1916, relating to the industrial accident commission.

#### State Sanatoriums.

By Mr. Barnes of Houlton: An Act to amend Chapter 146, Section 5, relating to State sanatoriums. (1000 copies ordered printed.)

#### Taxation.

By Mr. Barnes of Houlton: An Act to amend Chapter 9, Section 38 of the Revised Statutes of 1916, relating to computation of tax on telephones and telegraph companies. (1000 copies ordered printed.)

By the same gentleman: An Act to amend Chapter 9, Section 18 of the Revised Statutes of 1916, relating to the taxation of corporate franchises. (1000 copies ordered printed.)

By the same gentleman: An Act to amend Chapter 9, Section 27 of the Revised Statutes of 1916, relating to the amount of tax on railroads, how ascertained. (1000 copies ordered printed.)

#### Orders.

Mr. Berry of Waterville presented the following order:

Ordered, that the committee on military affairs be granted the use of the hall of the House of Representatives Tuesday afternoon, February 27, 1917.

Mr. NEWCOMB of Scarboro: Mr. Speaker, haven't you already granted the

use of the House for the sea and shore fisheries hearing that afternoon and evening?

The SPEAKER: The Chair calls the attention of the House to the fact that the use of the hall of the House of Representatives has been granted for February 27 for the sea and shore fisheries hearing. Does the gentleman from Waterville wish to name a different date?

Mr. BERRY: Mr. Speaker, I cannot name a different date without consultation with the chairman of the committee.

The order was withdrawn.

On motion by Mr. Bragdon of Westbrook, it was

Ordered, that the hall of the House of Representatives be granted for the use of the committee on temperance on the afternoon of Wednesday, February 28.

#### Reports of Committees.

Mr. Harris, from the committee on sea and shore fisheries, reported "ought to pass" on bill, An Act relating to the digging of clams within the limits of the towns of Newcastle and Damariscotta.

Mr. Harman, from same committee, reported "ought to pass" on bill, An Act to amend Section 67 of Chapter 45 of the Revised Statutes, relating to scallops.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to amend Section 18 of Chapter 45 of the Revised Statutes, relating to lobster license law. (On motion by Mr. Harris of Boothbay, the rules were suspended, and the bill given its two several readings.)

Mr. Snow, from committee on claims, reported "ought to pass" on Resolve in favor of A. L. Dow & Company.

Same gentleman, from same committee, reported "ought to pass" on Resolve in favor of the town of Westfield for reimbursement for expense incurred on account of State pauper.

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

Majority and minority reports of the committee on claims on Resolve in favor of Michael Burns; majority report "ought to pass" in new draft, signed by Messrs.

Packard, Snow, Googin, Chick, Rounds, Clifford and Neilon; minority report "ought not to pass," signed by Messrs. Frost and Holt.

On motion by Mr. Barnes of Houlton, both reports were tabled, pending acceptance of either report.

Reports A and B of the committee on claims on Resolve in favor of N. J. Hanna for services rendered and for money expended while performing his regular duties as a fish warden for the State of Maine; Report A, reporting "ought to pass," signed by Messrs. Rounds, Frost, Packard and Clifford; Report B, reporting "ought not to pass," signed by Messrs. Snow, Googin, Neilon and Holt.

Mr. ROUNDS of Portland: Mr. Speaker, I would like also to have this one lie on the table and I would like, if it is right, to have the gentleman from Houlton (Mr. Barnes) assign a day for both hearings.

The SPEAKER: The Chair inquires if any member of the House will assign a day for the hearing?

Mr. ROUNDS: Automatically, it will come up next Wednesday, as I understand it.

The SPEAKER: That is the effect.

On motion by Mr. Rounds of Portland, Reports A and B were tabled, pending the acceptance of either report.

Mr. Goldthwait, from the committee on sea and shore fisheries, on bill, An Act to amend Chapter 235, Section 3, of the Public Laws of 1915, providing for the granting of lobster licenses, reported "ought not to pass."

Mr. Ames, from same committee, on bill, An Act to prevent the shipping of flounders out of the State between October 1 and December 15 of each year, reported "ought not to pass."

The reports were accepted.

### First Reading of Printed Bills and Resolves

House 362. An Act to permit savings banks to invest in certain railroad bonds.

House 364. An Act to permit savings banks to invest in certain corporation bonds.

House 363. An Act to grant legislative assent to the provisions of the Federal Aid Road Act and to authorize the State Highway Commission to co-operate with the federal government according to the provisions of said act.

### Passed to be Engrossed

Senate 183. Resolve in favor of Charles F. Barnes for services as page at the organization of the 78th Legislature.

House 348. An Act to change the name of McGurdy or Crowell Pond, so-called, to Lake Waukesha.

House 350. An Act to create a Board of Prison Commissioners. (Tabled by Mr. Rounds of Portland, pending its passage to be engrossed.)

House 349. An Act to authorize the erection of a dam across the east branch of Spruce creek in the town of Kittery.

House 347. An Act to authorize the town of Boothbay Harbor to construct a bridge across the harbor in said town.

House 353. An Act to amend Section 1 of Chapter 79 of the Revised Statutes, relating to wills.

House 352. An Act amending Section 11 of Chapter 117 of the Revised Statutes relating to the salaries of the stenographers of the superior courts.

House 346. An Act to ratify, confirm and make valid the proceedings of the special town meeting of the inhabitants of the town of Baileyville, held April 17, 1916, and the bonds issued by said town at said meeting for the purpose of erecting a school-house in said town.

House 328. An Act to amend Section 1, Chapter 36, of the Private and Special Laws of 1913, entitled "An Act for the better protection of alewives in Patten's bay in the town of Surry, in Hancock county."

House 325. An Act relating to marking lobsters in transit.

House 79. An Act relating to issuance of duplicate pass books and certificates, in case of loss of the original, in loan and building associations.

House 356. Resolve in favor of George A. Dow.

House 355. Resolve reimbursing Samuel N. Packard for the loss of two cattle.

House 354. Resolve in favor of the Penobscot tribe of Indians for the general care, maintenance, relief and education thereof.

House 351. Resolve making appropriations for the Passamaquoddy tribe of Indians for the years 1917 and 1918.

House 345. Resolve in favor of Zedee M. Cushman.

House 344. Resolve providing a State pension for John Lamson.

House 343. Resolve providing a State pension for Flora Stevens of Lewiston.

House 342. Resolve in favor of Mary Allen.

House 341. Resolve providing an increased State pension for Emma A. Gannett.

House 340. Resolve providing a State pension for Vinnie E. Saunders.

House 339. Resolve in favor of Amanda H. Loud of Randolph.

House 337. Resolve in favor of Cora M. Libby.

House 338. Resolve in favor of a State pension for Lucena P. Andrews.

House 336. Resolve granting a State pension to Mrs. Myra G. Millett.

House 335. Resolve in favor of James D. Wilder of Hiram, Maine, for State pension.

House 334. Resolve in favor of Patrick A. Galvin of Auburn.

House 333. Resolve providing a State pension for Susan B. Merrill.

House 332. Resolve providing for a State pension for Joann P. Libby.

House 331. Resolve in favor of Ad-die L. Coombs of Montville for State pension.

House 330. Resolve providing a state pension for Dorcas N. Watkins of Lewiston.

House 329. Resolve providing a state pension for Charles C. Burt.

House 327. Resolve to provide funds to pay the outstanding debts of the Central Maine Association for the Relief and Control of Tuberculosis.

House 326. Resolve in favor of the State Tuberculosis Sanatoriums for maintenance and other purposes for the years 1917 and 1918.

#### Orders of the Day.

On motion by Mr. Wilson of Portland. House Document No. 316, bill, "An Act to extend the charter of the Lincoln County Street Railway", was taken from the table.

The same gentleman thereupon offered House amendment "A", to amend by striking out the entire second section and substituting therefore the following: "Section 2. Nothing herein contained is intended to repeal, or shall be construed as repealing, the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of Chapter 55 of the Revised Statutes."

The question being on the adoption of House amendment "A",

On motion by the same gentleman, the amendment was adopted.

The pending question then being the third reading of the bill,

On motion by the same gentleman, the bill received its third reading and was passed to be engrossed as amended by House amendment "A".

On motion by Mr. Holt of Gouldsboro, unanimous consent was given, and that gentleman introduced out of order at the present time, bill, "An Act to incorporate the Summer Harbor Water Company", and, on further motion by the same gentleman, the bill was referred to the Committee on Public Utilities.

On motion by Mr. Jordan of Baileyville,

Adjourned until ten o'clock tomorrow morning, Friday, February 23.