

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.

Thursday, March 1, 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: Remonstrance of Benjamin F. Keegan and 76 others against the passage of the Police Commission Bill of Lewiston unless it contains the referendum clause; remonstrance of F. O. Golden and 27 others, against passage of same; remonstrance of George Kavanagh and 38 others against passage of same.

Came from the Senate, ordered placed on file in non-concurrence.

On motion by Mr. Cole of Eliot, the House receded from its position in referring these remonstrances to the committee on judiciary and concurred with the Senate.

From the Senate: Resolve in favor of the secretary of the committee on education for certain committee expenses.

Came from the Senate, referred to the committee on appropriations and financial affairs, in non-concurrence.

On motion by Mr. Cole of Etna, the House voted to recede from its position in referring the resolve to the committee on Education and concurred with the Senate in referring it to the committee on appropriations and financial affairs.

From the Senate: An Act to amend Chapter 218 of the Private and Special Laws of the State of Maine for the year 1911, entitled "An Act to supply the town of North Haven with pure water."

Came from the Senate, recommitted to the committee on public utilities.

On motion by Mr. Barnes of Houlton, the House voted to concur with the Senate in recommitting the bill to the committee on public utilities.

From the Senate: Resolve in favor of John E. Sewall and C. F. A. Phair with statement of facts.

Came from the Senate recommitted to the committee on inland fisheries and game.

On motion by Mr. Murphy of Calais, the House voted to concur with the Senate in recommitting the bill to the committee on inland fisheries and game.

From the Senate: An Act relating to state stipend for support of public libraries.

Came from the Senate recommitted to the committee on library.

On motion by Mr. Murray of Bangor, the House voted to concur with the Senate in recommitting the bill to the committee on library.

From the Senate: An Act relating to librarians receiving instruction.

Came from the Senate recommitted to the committee on library.

On motion by Mr. Powers of Fort Fairfield, the House voted to concur with the Senate in recommitting the bill to the committee on library.

From the Senate: An Act to amend Section 75 of Chapter 4 of the Revised Statutes, relating to free public libraries.

Came from the Senate, recommitted to the committee on library.

On motion by Mr. Baxter of Portland, the House voted to concur with the Senate in recommitting the bill to the committee on library.

From the Senate: An Act to establish a Legislative Reference Bureau in the State Library.

Came from the Senate recommitted to the committee on library.

On motion by Mr. Ranney of Winn, the House voted to concur with the Senate in recommitting the bill to the committee on library.

From the Senate: An Act to establish the wages of the clerks in the office of the Aroostook Registry of Deeds, Southern District, and clerk of courts of Aroostook county, and to secure to such clerk of courts reimburse-

ment for necessary expenses in attendance at the terms of the Supreme Judicial Court held at Caribou.

Came from the Senate recommitted to the committee on salaries and fees.

Mr. ROUNDS of Portland: Mr. Speaker, we have heard that case and the whole of the Aroostook county delegation—all they asked for—and I do not feel that this should be recommitted. We said the other day that we want to get through here some time, and, if in order, I move you that we non-concur and pass the thing right through.

The SPEAKER: The Chair would suggest to the gentleman from Portland, Mr. Rounds, that perhaps business would be expedited if he would make the motion that the House insist on its action and asks for a committee of conference.

Mr. ROUNDS: I withdraw my first motion and make the one suggested.

Mr. FARRINGTON of Augusta: I don't believe the House understands the condition in which this comes. Does it not come to the House on report of the committee?

The SPEAKER: The bill has been passed to be engrossed in the House and the Senate has recalled the bill.

Mr. FARRINGTON: It must come up, Mr. Speaker, on a report. May I ask if it has been through the House and passed to be engrossed once?

The SPEAKER: The Chair would inform the gentleman (Mr. Farrington) that it has. It has had its three several readings and been passed to be engrossed. The report has been accepted in the Senate and given its first reading and then it has been recommitted to the committee. The gentleman from Portland, Mr. Rounds, moves that the House insist on its action, and asks for a committee of conference. Is it the pleasure of the House that the motion prevail?

The motion was agreed to.

The SPEAKER: The Chair will name as the committee of conference the gentleman from Portland, Mr.

Rounds, the gentleman from Houlton, Mr. Barnes, and the gentleman from Bangor, Mr. Murray.

From the Senate: An Act relating to marking of lobsters in transit.

Came from the Senate recommitted to the committee on sea and shore fisheries.

On motion by Mr. Cole of Eliot, the House voted to concur with the Senate in recommitting the bill to the committee on sea and shore fisheries.

From the Senate: Resolve in favor of Samuel N. Packard.

Came from the Senate recommitted to the committee on claims.

On motion by Mr. Larrabee of Bath, the House voted to concur with the Senate in recommitting the bill to the committee on claims.

Senate Bills on First Reading.

Senate 227. An Act additional to and amendatory of Chapter 347 of the Private and Special Laws of 1901, entitled "An Act to authorize the Great Northern Paper Company to increase its capital stock.

Senate 57. An Act enlarging the powers of judges of probate.

Senate 226. An Act to correct an error in Chapter 67 of the Private and Special Laws of 1915, relating to the Rockland, Thomaston & Camden Street Railway.

Senate 228. An Act to repeal Chapter 271, Private and Special Laws of 1911, relating to ways and bridges, Plantation No. 14, Washington county.

From the Senate: An Act to extend the powers of the Milo Electric Light & Power Company.

Came from the Senate with Senate Amendment A adopted as follows:

"Senate Amendment A to Senate Document 195.

Amend by adding to Section 2 the following:

"But it shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this State, or to contract with any person or corporation for the transmission or

sale of electric current beyond the limits of this State and said corporation shall not be permitted to acquire in any manner the franchises of, or consolidate with or transfer or lease its property, rights and franchises to any other corporation or person now transmitting or having the right to transmit electric power beyond the confines of the State without express authority of the Legislature."

On motion by Mr. Rounds of Portland, Senate Amendment A was adopted in concurrence.

The bill was then given its first reading as amended.

From the Senate: Majority and minority reports from the committee on claims on Resolve in favor of Morrison Libby; majority report, reporting "ought not to pass" signed by Messrs. C. M. Holt, Neilon, Googin, Snow and Packard; minority report, reporting "ought to pass," signed by Messrs. Frost, Rounds, Clifford and Chick.

In the Senate, the majority report was read and accepted.

On motion by Mr. Farrington of Augusta, both reports were tabled pending acceptance of the majority report in concurrence with the Senate.

The SPEAKER: The Chair is pleased to invite the gentleman from Bangor, Mr. Murray, to preside. (Applause.)

(Mr. Murray in the Chair.)

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

Education.

By Mr. Phillips of Southwest Harbor: An Act to amend Section 172 of Chapter 16 of the Revised Statutes of 1916, relating to teachers' pensions. (500 copies ordered printed.)

Inland Fisheries and Game.

By Mr. Boynton of Liberty: Remonstrance of B. F. Harriman and 23 others against the passage of An Act relative to Sunday being a closed season for game or birds.

By Mr. Hartwell of Old Town: Remonstrance of Albert E. Luce and 19 others of Old Town, Maine, against same.

By Mr. Billings of North Berwick: Remonstrance of P. E. Miller and 20 others against same.

Judiciary.

By Mr. Gurney of Portland: An Act to amend Section 29, Chapter 29, Revised Statutes, relating to relief of State paupers. (500 copies ordered printed.)

By Mr. Bowman of Detroit: An Act to better protect sheep, poultry and other domestic animals from dogs and wild animals. (1000 copies ordered printed.)

By Mr. Greenlaw of Presque Isle: Remonstrance of G. R. Watson and others of Presque Isle against the passage of House Bill 138, 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; also remonstrance of Ernest T. McGlauffin and 330 others against same.

Sea and Shore Fisheries.

By Mr. Harman of Stonington: Remonstrance of L. H. Simmons and 135 others of Jonesport against the so-called double gauge law for the measurement of lobsters.

Orders.

On motion by Mr. Allan of Portland, it was

Ordered, that the Hall of the House of Representatives be granted the committee on taxation for a public hearing on Thursday afternoon, March 1st, at 2 P. M.

On motion by Mr. Holt of Skowhegan, it was

Ordered, that 500 additional copies of House Bill No. 49 be printed for the use of the members of the Legislature.

On motion by Mr. Tuttle of Caribou, it was

Ordered, that the Department of Agriculture have the use of the Hall of the House of Representatives on Thursday evening, March 8th, to exhibit moving pictures of farm scenery in Aroostook county and scenes of Northern Maine farm at Presque Isle.

Reports of Committees.

Mr. Buzzell, from the committee on legal affairs, reported "ought to pass" on bill, An Act to ratify and confirm the incorporation of the Pine Grove Cemetery Association of Brownfield.

Mr. Garcelon, from same committee, reported "ought to pass" on bill, An Act to extend the provisions of Chapter 214 of the Private and Special Laws of 1915, authorizing the town of Lisbon to supply gas and electricity.

Mr. Conary, from same committee, reported "ought to pass" on bill, An Act to extend the charter of the Blue-hill Water Company.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act relating to municipal elections in the town of Mount Desert. (On motion by Mr. Barnes of Houlton, the rules were suspended and the bill given its two several readings.)

Mr. Murray, from same committee, reported "ought to pass" on bill, An Act to amend Section 2 of Chapter 64 of the Revised Statutes, relating to marriage of insane or feeble-minded persons.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act confirming and ratifying the organization of the Penobscot Law Library Association.

Mr. Lewis, from the committee on mercantile affairs and insurance, reported "ought to pass" on bill, An Act relating to casualty assessment insurance companies. (On motion by Mr. Barnes of Houlton, the rules were suspended and the bill given its two several readings.)

Mr. Largay, from committee on appropriations and financial affairs, reported "ought to pass" on Resolve in favor of the Maine School for Deaf.

Same gentleman, from same committee, reported "ought to pass" on Resolve making appropriation for the expenses for the work of the State Board of Charities and Corrections prescribed by law for the years 1917 and 1918.

Mr. Nicholas, from same committee, reported "ought to pass" on Resolve in favor of Peter W. Ranco, representative of the Penobscot Tribe of Indians.

Mr. Powers, from same committee, reported on Resolve in favor of the Bath Military and Naval Orphans' Asylum, Bath, Sagadahoc county, State of Maine, "ought to pass" in new draft under title of "Resolve in favor of the Bath Military and Naval Orphan Asylum for maintenance and other purposes for the years 1917 and 1918."

Mr. Snow, from the committee on education, on Resolve in favor of the Madawaska Training School at Fort Kent for permanent repairs and improvements,

Resolve in favor of the Madawaska Training School at Fort Kent for the finishing and furnishing of the boys' dormitory, known as Dickey Hall,

Resolve in favor of the Aroostook State Normal School at Presque Isle for permanent improvements and repairs,

Resolve in favor of the Aroostook State Normal School at Presque Isle, Maine, for building and equipping a new school building at said school,

Resolve in favor of the Eastern State Normal School at Castine for permanent repairs and improvements,

Resolve in favor of the Eastern State Normal School at Castine,

Resolve in favor of the Washington State Normal School at Machias, for the completion of the construction of the Normal School building at said school,

Resolve in favor of the Washington State Normal School at Machias, for repairs on the O'Brien House,

Resolve in favor of the Washington State Normal School at Machias, for permanent repairs and improvements,

Resolve in favor of the Western State Normal School at Gorham, for repairs and permanent improvements,

Resolve in favor of the Western State Normal School at Gorham, for the construction of an addition to the recitation building,

Resolve in favor of the Farmington State Normal School at Farmington for repairs and permanent improvements,

Resolve in favor of the Farmington State Normal School at Farmington,

for the construction of a dormitory and equipment for same.

Report the same in new draft under title of "Resolve in favor of the several State normal schools and the Madawaska Training School for the construction of new buildings, and for permanent repairs and improvements," and that it "ought to pass."

Mr. Williams from same committee, reported "ought to pass" on Resolve in favor of the town of Mechanic Falls for the payment of additional school funds for the year 1915.

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

Mr. Eaton, from the committee on appropriations and financial affairs, reported "ought not to pass" on Resolve in favor of the secretary of the Maine State Sea Food Protective Commission.

Mr. Holley, from same committee, reported "ought not to pass" on Resolve in favor of the trustees of Piscataquis County hospital of Dover and Foxcroft for maintenance.

Same gentleman, from same committee, reported "ought not to pass" on Resolve in favor of the Augusta General Hospital for the construction of a new wing.

Mr. Larrabee, from same committee, reported "ought not to pass" on Resolve in favor of Moulton Hospital, Springvale, for maintenance.

Same gentleman, from same committee, reported "ought not to pass" on Resolve in favor of Maine General Hospital of Portland, for improvement of grounds.

Mr. Snow, from committee on education, reported "ought not to pass" on bill, An Act to amend Section 18 of Chapter 16 of the Revised Statutes, relating to the payment of school money by towns.

Mr. Cates, from same committee, reported "ought not to pass" on Resolve in favor of the Madawaska Training school at Fort Kent for the construction of an addition to the school building, known as Cyr Hall; also on Resolve in favor of the Eastern State Normal school at Castine for the finishing of 10 rooms in the dormitory known as Richardson Hall;

also on Resolve in favor of the Western State Normal school at Gorham for alterations in the dormitory known as Robie hall; also on 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; and also on Resolve in favor of the Western State Normal school at Gorham for interior alterations and furniture in the recitation building.

Mr. Washburn, from same committee, reported "ought not to pass" on bill, An Act to regulate the time for beginning the fall term of schools. (Tabled by Mr. Newcomb of Scarborough pending acceptance.)

Mr. Buzzell, from committee on legal affairs, reported "ought not to pass" on bill, An Act to amend Section 5 of Chapter 83 of the Revised Statutes of 1916 of Maine, relating to terms of court of county commissioners.

Mr. Conary, from same committee, reported "ought not to pass" on bill, An Act to establish a county insurance agent for and within the county of Cumberland.

Same gentleman, from same committee, on bill, An Act to amend the act incorporating the proprietors of the Anson and Madison bridge, reported that "legislation thereon is inexpedient."

The reports were accepted.

First Reading of Printed Bills and Resolves.

House 421. 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.

Passed to Be Engrossed.

Senate 90. An Act to amend Section 35 of Chapter 68 of the Revised Statutes of 1916, relating to powers of special administrators.

Senate 67. An Act to incorporate the Cumberland Bar Association.

Senate 220. An Act relating to reserves of fire and marine insurance companies.

Senate 216. An Act relating to insurance agents and brokers.

Senate 52. Resolve proposing an amendment to the Constitution of the State of Maine, relative to the tenure of office of sheriffs. (Tabled pending its second reading and specially assigned for consideration on Thursday, March 8, on motion by Mr. Rounds of Portland.)

Senate 219. Resolve in favor of the Board of Registration of Medicine.

House 402. An Act to extend the charter of the Washington County Light & Power Company.

House 403. An Act to authorize the Public Utilities Commission to investigate any proposed changes in the rates of any public utility and to suspend the same pending investigation.

House 404. An Act to amend Section 57, Chapter 55 of the Revised Statutes, to authorize revision of the decree of railroad commissioners.

House 405. An Act to extend the charter of the Rumford Falls and Bethel Street Railway.

House 407. An Act to amend Section 8, Chapter 58 of the Revised Statutes, relating to approval of location of street railroads.

House 406. An Act to amend Sections 7, 33 and 35 of Chapter 25 of the Revised Statutes, relating to funds for State highways.

House 401. Resolve to provide for the appointment of a commission to perfect plans for the celebration of Maine's centennial and 300th anniversary of the landing of the pilgrims.

Orders of the Day.

On motion by Mr. Baxter of Portland, the House voted to reconsider its vote whereby it passed to be engrossed House Document No. 402, entitled "An Act to extend the charter of the Washington County Light and Power Company," and, on further motion by the same gentleman, the bill was laid upon the table pending its passage to be engrossed.

Mr. SAWYER of Madison: Mr. Speaker, I move that the House reconsider its vote whereby we voted to adhere in regard to the "Resolve in

favor of the town of Solon to repair Robin hill in said town," yesterday. I used the wrong word. I should have used the word "insist" instead of the word "adhere."

The SPEAKER pro tem: The motion before the House is the reconsideration of its vote to adhere to its position on February 3, when the resolve was referred to the committee on ways and bridges.

The motion was agreed to.

On further motion by Mr. Sawyer of Madison, the House voted to insist on its action of February 3, whereby "Resolve in favor of the town of Solon to repair Robin hill in said town," was referred to the committee on ways and bridges.

The SPEAKER pro tem: The Chair lays before the House, House Document No. 350, entitled "An Act to create a board of prison commissioners."

Mr. Rounds of Portland offered House Amendment "A," to amend by inserting after the word "prison" in the second line of Section 2, the following words "exclusive of any other board created by statute," so that said section as amended shall read as follows: "Section 2. The commission shall have the general direction and supervision of the State prison exclusive of any other board created by statute. It shall make and establish such rules and regulations, not inconsistent with law, as it may deem expedient, for the direction of the officers of the prison in the performance of their duties, for the government, discipline, instruction and employment of inmates, for the supply of food, clothing and bedding therein, and for the custody and preservation of the property connected therewith."

The amendment was adopted.

Mr. ROUNDS: Mr. Speaker, as I understand it, the bill is now before the House.

The SPEAKER pro tem: As I understand it, the bill is now before the House pending its third reading.

Mr. ROUNDS: Mr. Speaker, I would like to say something in regard to that bill. In the third and fourth lines of Section 1, it says that the commission shall consist of three members. One serves six years, one four years, and one two years. I think that length of time is too long for them to serve. I am not going to make any amendment to it, but it looks to me as if the long terms of office take it from the hands of the people. It looks to me as if the terms are too long and that we should look at it in a different light. The nearer you keep to the people, the better it is for the people.

Now, in the fourth and fifth lines of Section 4, it refers to the Governor, and says, "It shall make to him in writing, without publicity," etc. I think, if there is anything that should be public, it is the record of a man convicted of any crime. I do not think it should be so that would be covered up; therefore, I do not think that should be so.

In the eighth line, it says that the commission should have exclusive jurisdiction in cases of granting parole. It has been the custom for the committee on parole, the Governor and Council, to be the last ones to handle this thing; and I think that it is right that they should be the ones to handle it and to continue to handle it. I do not think it should be vested in other commissions. It looks to me as though it were piling commissions on top of commissions. The Governor and Council are the last ones to handle this thing, and they should look after

it altogether. I would like to have the bill lie on the table.

The SPEAKER pro tem: The gentleman from Portland, Mr. Rounds, moves that the bill lie on the table pending its third reading.

The motion was agreed to.

Mr. LAWRENCE of Fairfield: Mr. Speaker, I move to take from the table Senate Document No. 208, bill, "An Act to secure information relating to the yearly cut of timber from the wild land townships," and I yield the floor to Mr. Allan of Portland.

The motion was agreed to.

Mr. ALLAN of Portland: Mr. Speaker, since the consideration of that measure by the committee on taxation, a number of bills have come in involving that same measure, and I think it would be for the interest of all if that could be recommitted to the committee on taxation.

The pending question being on the motion of the gentleman from Portland, Mr. Allan, to recommit the bill, Senate Document No. 208, to the committee on taxation,

The motion was agreed to.

On motion by Mr. Allen of Sanford, Adjourned until 10 o'clock tomorrow morning, March 2.

(Upon the falling of the gavel, the Speaker pro tem, the gentleman from Bangor, Mr. Murray, was accorded applause.)