

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

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HOUSE.

Friday, March 2, 1917.

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

Prayer by the Rev. Mr. Townsend of Hallowell.

Journal of previous session read and approved.

Mr. ROUNDS of Portland: Mr. Speaker, it is understood that there has been a railroad wreck and that our Speaker is behind it, or something of that kind, and I move you that Mr. Percival P. Baxter of Portland act as our Speaker pro tem. The motion was agreed to.

(Mr. Baxter takes the chair.)

Senate papers disposed of in concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Tuesday, March 6th, at 10 o'clock in the forenoon.

Mr. ROUNDS of Portland: Mr. Speaker, next Monday is election day in many places. A good many people would like to be at home in order to vote, and some of them could not get back at that time. Why wouldn't it be well, when we adjourn, to adjourn till Tuesday afternoon at 4.30 so that everybody could stay at home and vote and get back so as to be here on duty. I move we non-concur.

The SPEAKER pro tem: The gentleman from Portland, Mr. Rounds, moves that we non-concur with the Senate in ordering adjournment until Tuesday, March 6, at 10 o'clock in the forenoon, and he offers as an amendment that we adjourn to Tuesday, Mar. 6, at 4.30 in the afternoon. Is it the pleasure of the House that we non-concur with the Senate?

The motion was agreed to and the order, as amended, sent to the Senate for concurrence.

From the Senate: Remonstrances of Charles Roy and 27 others against the passage of the Lewiston Police Commission Bill unless it contains the referendum clause; remonstrances of Joseph Delorne and 62 others against same; remonstrance of Joseph Levesque and 8 others against same.

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

On motion by Mr. Merrill of Gray, the House voted to recede and concur with the Senate and that these remonstrances be placed on file.

On motion by Mr. Barnes of Houlton, the rules were suspended and the regular calendar was proceeded with, Senate bills and papers to be taken up later on ascertaining the action taken by the Senate on the adjournment order.

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

Placed on File.

By Mr. Langley of Lewiston: Petition of Joseph Voyer and 27 others in favor of the Lewiston police commission bill; also petition of Alphie Gosselin and 74 others of Lewiston in favor of same; also petition of Jeremiah W. O'Reilly and 34 others of Lewiston in favor of same; also petition of Phillip H. Hines and 65 others of Lewiston in favor of same; also petition of George F. Libby and 64 others in favor of same; also petition of John Lacroix and 17 others in favor of same; also petition of J. F. Boothby and 31 others of Lewiston in favor of same; also petition of George B. Pomerell and 32 others in favor of same; also petition of Fr. Stephen B. Ferie and 24 other in favor of same; also petition of Robert J. Hodgson and 22 others in favor of same; also petition of George Ouellette and 23 others in favor of same; also petition of Charles J. Rowe and 35 others in favor of same; also petition of Phillip McGraw and 12 others in favor of same; also petition of Francois H. Michaud and 20 others in favor of same.

By Mr. Emerson of Lewiston: Remonstrance of Isadore J. Trial and 30 others against the passage of the Lewiston police commission bill unless it contains the referendum clause.

Appropriations and Financial Affairs.

By Mr. Brown of South Portland: Resolve in favor of Frank I. Brown, secretary, for expenses incurred by committee on State School for Boys, State School for Girls, and Women's reformatory.

Education.

By Mr. Billings of North Berwick: Petition of York county Pomona Grange asking for the passage of an act to provide for the distribution of State school funds on the basis of aggregate attendance; also resolution and petition of Hollis Grange, in the town of Hollis, in favor of same; also resolution and petition of York Grange in the town of York, asking for same; also resolution and petition of Ogunquit Grange, in the town of Wells, asking for same.

By Mr. Washburn of Perry: Resolution of Lubec Grange of the town of Lubec, asking for same; also resolution and petition of Cathance Grange in the town of Cooper, asking for same; also resolution and petition of Princeton Grange in the town of Princeton, asking for same; also resolution and petition of Alexander Grange in the town of Alexander asking for same.

By Mr. Webb of Cherryfield: Resolution and petition of Buck's Harbor Grange, in the town of Machiasport asking for same; also resolution and petition of Milbridge Grange, in the town of Milbridge in favor of same; also resolution and petition from Indian River Grange in the town of Addison in favor of same; also resolution and petition of Natural Bridge Grange in the town of Cutler in favor of same.

Inland Fisheries and Game

By Mr. Round's of Portland: Petition of E. F. Clifford and 40 others in favor of the Sunday hunting law.

By Mr. Ellis of York: Remonstrance of Edward C. Cook and 27 others against same.

By Mr. Gurney of Portland: Remoi-

strance of C. C. Tilley and 15 others, residents of Harpswell, against same.

By Mr. Longley of Sidney: Remonstrance of Rev. Thomas Frost and 20 others against same.

By Mr. Knight of Kennebunk: Remonstrance of C. H. Clark and 111 others against same.

By Mr. Fletcher of Kennebunkport: Remonstrance of Thomas P. Baker and 36 others against same.

Judiciary

By Mr. Tuttle of Caribou: An Act to authorize and direct the county commissioners of Aroostook county to enlarge and repair the court house at Caribou in said county. (1000 copies ordered printed.)

By Mr. Gurney of Portland: An Act additional to Revised Statutes, Chapter 51, relating to corporations. (1000 copies ordered printed.)

By Mr. Speirs of Westbrook: An Act for optional referendum for cities and towns. (1500 copies ordered printed.)

Legal Affairs

By Mr. Garcelon of Auburn: An Act to amend Section 10, Chapter 7, of the Revised Statutes, relating to the furnishing of ballots to presiding election officers on election day. (500 copies ordered printed.)

By Mr. Murray of Bangor: An Act to amend Section 6, Chapter 42, of the Revised Statutes, concerning intelligence of offices. (500 copies ordered printed.)

By Mr. Boman of Vinhaven: An Act to amend Section 17 of Chapter 12 of the Revised Statutes, relating to registers of deeds. (1500 copies ordered printed.)

By Mr. Ellis of Gardiner: An Act to amend Section 4, Chapter 64, of the Revised Statutes, relating to marriage and its solemnization. (1000 copies ordered printed.)

Mercantile Affairs and Insurance

By Mr. Holley of North Anson: An Act to amend Section 6, Paragraph 4, of Chapter 50, of the Revised Statutes of 1916, relating to compensation for personal injuries for employes. (1000 copies ordered printed.)

Ways and Bridges

By Mr. Redman of Ellsworth: Petition of George F. Mansfield and 34 others, residents of Jonesport, in favor of the enactment of the resolve appropriating money to construct a road around Chick hill; also petition of D. N. Gardner and 34 others, residents of Calais, in favor of same; also petition of W. D. Sprague and 22 others, residents of Pembroke, in favor of same; also petition of Herbert H. Allen and 28 others, residents of Dennysville, in favor of same; also petition of D. E. Hurley and 47 others, residents of Ellsworth, in favor of same; also petition of R. S. Goodwin and 21 others, residents of Waltham, in favor of same; also petition of J. W. Longfellow and 30 others, residents of Machias, in favor of same; also petition of Willard S. Cates and 31 others, residents of Machiasport, in favor of same.

The SPEAKER pro tem: The clerk will read the order regarding adjournment.

The clerk: In the Senate, March 2. On motion by Senator Walker of Somerset, the vote was reconsidered where by the Senate passed the order setting the time of adjournment for Tuesday, March 6, at 10 o'clock, and subsequently on motion by the same senator, the amendment by the House was adopted in concurrence.

Reports of Committees

Mr. Nicholas, from committee on appropriations and financial affairs reported "ought to pass" in new draft under same title on Resolve appointing a commission to investigate and report the advisability of making improvements in Portland harbor, defining the duties of the commissioners and providing for the payment of their expenses.

Mr. Allen, from committee on education, reported "ought to pass" on Resolve in favor of John F. Moody of Hebron. (The rules were suspended and the resolve given its first reading.)

Mr. Cushman, from committee on interior waters, reported "ought to pass" on bill, An Act to repeal Chapter 279 of the Private and Special Laws of

1880 entitled "An Act incorporating the Dead River Log Driving Co.," as amended by Chapter 143 of the Private and Special Laws of 1909. (The rules were suspended and the bill given its two several readings.)

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to authorize the National Camps and Hotel Co. to construct and maintain a wharf in Sebago lake.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to extend and amend the charter of the Bangor Boom Co.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to amend and repeal Chapter 208 of the Private and Special Laws of 1891, entitled "An Act to incorporate the Dead River North Branch Log Driving Company." (The rules were suspended and the bill given its two several readings.)

Mr. Buzzell, from committee on legal affairs, reported "ought to pass" on bill, An Act providing for the reviving and extension of the charter of the Penobscot Bay Water Company. (The rules were suspended and the bill given its two several readings.)

Mr. Garcelon, from same committee, reported "ought to pass" on bill, An Act to legalize the doings of the Fairfield Center Cemetery Association.

Mr. Brewster, from same committee, reported "ought to pass" on bill, An Act to change the name of Marsh Island.

Mr. Conary, from same committee, reported "ought to pass" on bill, An Act to complete the records in the Hancock county registry of deeds. (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 authorize the town of Richmond to acquire the property of Richmond Water Works, and to construct and maintain a system of water works within said town. (The rules were suspended and the bill given its two several readings.)

Mr. Clason from the committee on library, reported "ought to pass" on

bill, An Act to provide for a county law library at Rumford in the county of Oxford.

Mr. Gurney, from the Portland Delegation, reported "ought to pass" on bill, 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.

Mr. Wilson, from the committee on public utilities, on bill, An Act to extend the charter of the Waldo Street Railway Company, reported same in a new draft under title of "An Act to extend the charter of the Waldo Street Railway" and that it "ought to pass."

Mr. Emerson, from same committee, reported "ought to pass" in new draft under same title on bill, An Act relating to the Knox Gas and Electric Company.

Mr. Merrill, from same committee, reported "ought to pass" in new draft under same title, on bill, An Act to provide for physical connection and certain auxiliary service between steam railroads and electric railroads.

Mr. Redman, from same committee, reported "ought to pass" on bill, An Act relating to the Rockland, Thomaston & Camden Street Railway. (The rules were suspended and the bill given its two several readings.)

Same gentleman from same committee, reported "ought to pass" in new draft on bill, An Act to extend the charter of the Farmington-Oakland Interurban Railway.

Mr. Tate, from same committee, reported "ought to pass" in new draft on bill, An Act to extend the charter of the Lincoln Sewerage Company.

Same gentleman, from same committee, reported "ought to pass" on bill, An Act to amend Chapter 424 of the Private and Special Laws of 1907, relating to Kittery Water District. (The rules were suspended and the bill given its two several readings.)

Mr. Ryder, from committee on railroads and expresses, reported "ought to pass" in new draft on bill, An Act to extend and amend the charter of the Eastern Maine Railroad.

Mr. Howard, from committee on salaries and fees, reported "ought to pass" on bill, An Act to specify the times when county commissioners shall receive their salaries. (The rules were suspended and the bill given its two several readings.)

Mr. Hart, from committee on telegraphs and Telephones, reported "ought to pass" in new draft on bill, An Act to provide for increasing the capital stock of the Franklin Farmers' Co-operative Telephone Company.

Mr. Rounds, from committee on towns, reported "ought to pass" on bill, 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.

The reports were accepted and the several bills and resolves tabled for printing under the joint rules.

Mr. Cushman, from the committee on interior waters, reported "ought not to pass" on bill, An Act to incorporate the Grindstone Boom Company.

Mr. Descoteaux, from the committee on labor, reported "ought not to pass" on bill, An Act to repeal Section 12 of Chapter 128 of the Revised Statutes of 1916, relating to intention to defraud in lumbering operations, and commonly known as the peonage law.

Mr. DUTTON of Bingham: Mr. Speaker, I move that the report be laid upon the table and specially assigned for Thursday next.

Mr. DESCOTEAUX of Biddeford: I want to explain, Mr. Chairman, that the report is wrong. It should have been "ought to pass," and I move that the bill be recommitted to the committee.

The SPEAKER pro tem: There is a motion before the House. Is it the pleasure of the House that the motion of the gentleman from Bingham, Mr. Dutton, prevails, and that the report be laid on the table and assigned for Thursday, March 8th?

The motion was agreed to.

Mr. JORDAN of Baileyville: Mr. Speaker, it seems to me that there is an error in the report, and it appears to me that the report ought to be withdrawn and corrected "ought to pass" instead of "ought not to pass."

The SPEAKER pro tem: The motion having been made and carried it would be in order to reconsider the vote.

Mr. DUTTON of Bingham: Mr. Speaker, I understand that the report is not as intended, and, if that is the case, I will withdraw my motion with the understanding that the report shall be returned to the committee for correction.

On motion by Mr. Dutton, the House voted to reconsider its motion whereby the report was laid on the table and specially assigned for Thursday, March 8.

On motion by Mr. Descoteaux of Biddeford, the report was recommitted to the committee on labor.

Mr. Murray from the committee on legal affairs reported "ought not to pass" on bill, An Act to amend Chapter 144 of the Public Laws of 1913, relating to the practice of professional public accounting.

Mr. Chaplin, from same committee, reported "ought not to pass" on bill, An Act to incorporate Savings Association, Fort Kent, Maine.

Mr. Sisson, from the committee on library, reported "ought not to pass" on Resolve relating to the documentary history of Maine.

Mr. Rowe, from same committee, reported "ought not to pass" on Resolve relating to the publication of "Maine in the Northeastern Boundary Controversy."

Mr. Bussabarger, from same committee, reported "ought not to pass" on Resolve in favor of the purchase of 200 copies of the History of the Town of York.

Mr. Clason, from same committee, reported "ought not to pass" on Resolve appropriating money for and authorizing the purchase of the History of Pemaquid.

Mr. Cole of Etna, from same committee, reported "ought not to pass" on Resolve

providing for the purchase of 100 copies of the History of Norway, Maine.

Mr. Gurney, from the Portland delegation, reported "ought not to pass" on bill, An Act to amend Section 4 of Chapter 203 of the Special Laws of 1913, relating to the park commissioners of the city of Portland.

Same gentleman, from same delegation, reported "ought not to pass" on bill, 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.

Same gentleman, from same delegation, reported "ought not to pass" on bill, An Act to amend Section 6 of Chapter 164 of the Private and Special Laws of 1915, entitled "An Act to provide for the establishment of a Board of Recreation for the city of Portland."

Same gentleman, from same delegation, reported "ought not to pass" on bill, An Act to incorporate the Portland Traffic District

Mr. Wilson from the committee on public utilities, reported "ought not to pass" on bill, 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.

Mr. Goldthwait, from the committee on sea and shore fisheries, reported "further legislation inexpedient" on Resolve in favor of the printing of the biennial report of the Maine State Sea Food Commission.

Mr. Sawyer, from the committee on ways and bridges, reported "ought not to pass" on bill, An Act to regulate the use of motor vehicles.

The reports were accepted.

First Reading of Printed Bills and Resolves

House 445. An Act to ratify and confirm the incorporation of the Pine Grove Cemetery Association of Brownfeld.

House 444. 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.

House 443. An Act to extend the charter of the Bluehill Water Company.

House 442. An Act to amend Section 2 of Chapter 64 of the Revised Statutes, relating to marriage by insane or feeble minded persons.

House 441. An Act confirming and ratifying the organization of the Penobscot Law Library Association.

House 440. Resolve in favor of the Maine School for Deaf.

House 439. 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.

House 438. Resolve in favor of Peter W. Ranco, Representative of the Penobscot Tribe of Indians.

House 437. Resolve in favor of the Bath Military and Naval Orphan Asylum for maintenance and other purposes for the years 1917 and 1918.

House 436. 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.

House 435. Resolve in favor of the town of Mechanic Falls for the payment of additional State school funds for the year 1915.

Passed to Be Engrossed

Senate 195. An Act to extend the powers of the Milo Electric Light and Power Company.

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

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

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

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."

House 104. An Act relating to municipal elections in the town of Mount Desert.

House 128. An Act relating to casualty assessment insurance companies.

House 421. Resolve in favor of N. H. 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 Enacted.

An Act changing the name of McCurdy pond to Hilton lake.

An Act to amend Chapter 387 of the Private and Special Laws of 1907 relating to the Penobscot East Branch Log Driving Company.

An Act to authorize the erection of a dam across the East Branch of Spruce creek in the town of Kittery.

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.

An Act to change the name of McCurdy or Crowell pond to Lake Waukesha.

An Act relating to issuance of duplicate passbooks and certificates by loan and building associations.

An Act to extend the charter of the Lincoln county street railway.

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

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

An Act to confirm and make valid the proceedings of the special town meeting of the inhabitants of the town of Baileyville held April 17, 1916.

The SPEAKER pro tem: The House will now take up Senate papers and first reading of accompanying bills and resolves, the consideration of which was postponed pending action of the Senate on the adjournment order.

Senate Bills on First Reading

Senate 237. An Act to ratify the change of name and the amount of

capital stock of Mercantile Trust Co., and to amend its charter.

Senate 236. An Act to authorize the Public Utilities Commission to require through routes and joint rates by common carriers for the transportation of persons or property.

Senate 142. An Act to amend Section 27, Chapter 52 of the Revised Statutes, relating to investing of deposits in savings institutions.

Senate 233. Resolve in favor of Albert Yankouer, for information furnished the attorney general regarding certain estates liable to inheritance tax.

From the Senate: Senate report of the committee on appropriations and financial affairs on so much of the Governor's message as relates to the Budget system, reporting that the recommendations of the Governor have been followed by this committee in reporting all matters referred for its consideration, and that this document be placed on file.

In the Senate, report read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on Resolve in favor of Hillcrest hospital, reporting "ought not to pass."

In the Senate, report read and accepted.

In the House accepted in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on bill, An Act to appropriate moneys for payment of salaries fixed by law for the year 1917, reporting "ought not to pass" as the same has been incorporated in the first appropriation bill.

In the Senate, read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of the committee on appropriations and financial

affairs on Resolve in favor of the Children's Protective Society for the care, support and education of dependent or neglected children, reporting "ought not to pass" as the same has been cared for in the first appropriation bill.

Came from the Senate, read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on Resolve in favor of the commission of pharmacy, reporting "ought not to pass."

Came from the Senate, read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of committee on appropriations and financial affairs on bill, An Act in relation to conferences of public officials of charity and correction, reporting "legislation thereon is inexpedient."

Came from the Senate, read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of the committee on education on bill, An Act to define the rights of persons of school age employed or residing in a town or city other than where they are enrolled, reporting "ought not to pass."

Came from the Senate, read and accepted.

In the House, accepted in concurrence.

From the Senate: Report of the committee on taxation on communication, the joint resolution of the California Legislature for Congress of states to urge upon Congress a definite policy for segregation of state and federal revenue; and for the appointment of delegates to such conferences, reporting that the same be placed on file.

Came from the Senate, read and accepted.

In the House, accepted in concurrence.

Orders of the Day.

On motion by Mr. Allan of Portland, Senate 60 bill, An Act to amend Section 1 of Chapter 11, Revised Statutes, relating to the collection of taxes and the commitment of poll taxes in incorporated places, was taken from the table.

Mr. ALLAN: Mr. Speaker, I wish to state that this bill was tabled for the purpose of offering a specific amendment. On examination of the bill we find that it does not follow the words of the statute and is inconsistent in other matters, and we would like to have it lie over at

least until Wednesday. I would move that it be retabled, which will bring it up Wednesday morning automatically, as I understand. The bill will probably have to be redrawn, which will take some time.

On motion by Mr. Allan the bill was retabled and specially assigned for Wednesday morning, March 7th.

On motion by Mr. Nicholas of Eastport. Adjourned until Tuesday afternoon at 4.30 o'clock in the afternoon.