

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 16, 1917.

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

Prayer by the Rev. Mr. Livingston of Augusta.

Journal of previous session read and approved.

Unanimous consent was given Mr. Rounds of Portland to take up out of order, informally, the matter of the trip to Portland, today.

Mr. ROUNDS: Mr. Speaker and gentlemen of the House. Two cars will be here at the State House at a quarter of 12. The train leaves at five minutes past 12. The understanding last night was that the forward car was for ourselves and our wives. The tickets will be distributed to you on the train. The invitation includes an invitation for the banquet and to everything on the program. We hope it will be a good day and that you will have a fine time. You are the guests in every way of the citizens of Portland. (Applause.) Mr. Speaker, I move that my remarks be expunged from the record.

Mr. HOLT of Skowhegan: I do not think I correctly understood the gentleman's motion from Portland.

The SPEAKER: The motion was that his remarks be expunged from the record.

Mr. HOLT: I do not think that motion should prevail. I think his remarks should remain upon the record of the House.

The SPEAKER It is competent for the House to judge.

Mr. ROUNDS One thing more I would like to say. The baggage will be checked on the train and you will find the baggage at the Falmouth Hotel after you get there.

Mr. SAWYER of Madison: Mr. Speaker, it seems to me that more than a passing notice should be given to this very cordial invitation to partici-

pate with Portland in the activities of the day; and, if it is in order, I move that we extend a rising vote of thanks to the city of Portland, through its representative, Mr. Rounds, for the kindly invitation that they have given us to participate with them in the activities of the day.

The SPEAKER Will the gentleman (Mr. Sawyer) put his motion in writing so that it may be a matter of record?

Mr. SAWYER If the invitation is not to be a matter of record, Mr. Speaker, I would ask that this also be stricken from the record.

The SPEAKER: The Chair would inform the gentleman from Madison that the House, by vote passed a joint resolution accepting the invitation as a matter of record two days ago. Therefore, a vote of thanks from the House would of course be competent. The Chair would ask the gentleman from Madison to put his motion in writing and when ready it will be presented.

Papers from the Senate disposed of in concurrence.

From the Senate: Communication from Hon. W. E. Lawry, Secretary of the Senate.

In the Senate, March 14, 1917.

To the Clerk of the House: Notice is hereby given that on a majority report "ought not to pass" and minority report "ought to pass in new draft" of the committee on claims on resolve in favor of Morrison Libby, Senate Document No. 217, the Senate voted to adhere to its former action in accepted the majority report.

The communication was received and placed on file.

On motion by Mr. Farrington of Augusta, the House voted to adhere to its former action.

From the Senate: Communication from Hon. W. E. Lawry, Secretary of the Senate.

In the Senate, March 15, 1917.

To the Clerk of the House: Notice is hereby given that on resolve in favor

of the town of Solon in the county of Somerset for repairing Robin's Hill in said town, the Senate voted to adhere to its former action of referring the same to the next legislature.

The communication was received and placed on file.

On motion by Mr. Jordan of Baileyville, the House voted to adhere to its former action.

The SPEAKER: The Chair takes this opportunity to congratulate the members of the House on the large amount of business that has been transacted during the days of the present week. And is glad to state that very few new bills have come in this week. It is the sincere wish of both the President of the Senate and the Speaker of the House, as well I am sure of all other members in both bodies, that no more bills be introduced this session, because it is a general feeling that, if possible, we would like to get through and adjourn week after next, and we believe it can be done.

The Chair also wishes to express its acknowledgements to the House for the kindly manner in which it has received two suggestions along the line of parliamentary procedure.

From the Senate: Communication from W. E. Lawry, Secretary of the Senate.

To the Clerk of the House: Notice is hereby given that on a majority report "ought not to pass" and minority report "ought to pass" of the committee on taxation on An Act to amend Sections 26 and 37 of Chapter 9 of the Revised Statutes of 1916, relating to State taxation of railroads, telephone and telegraph companies, Senate Document 102, the Senate has voted to adhere to its former action in the acceptance of the majority report.

The communication was accepted, and on motion by Mr. Barnes of Houlton, was tabled pending further action by the House.

From the Senate: Ordered, the House concurring, that Resolve in favor of Mrs. Mabel G. Sanborn of Augusta for money expended in the support of Kate C. Robbins, be recalled

from the committee on pensions and referred to the committee on claims.

The order received a passage in concurrence.

From the Senate: An Act relating to annual or biennial reports of State charitable or correctional institutions.

In the Senate the bill was passed to be engrossed as amended by Senate Amendment A.

The House voted to concur with the Senate in the adoption of Senate Amendment A. The bill was then given its two several readings.

On motion by Mr. Farrington of Augusta, the rules were suspended and the bill given its third reading and passed to be engrossed as amended.

From the Senate: Senate report of the committee on judiciary, reporting "ought not to pass" on bill, An Act to repeal Section 27, Chapter 51 of the Revised Statutes of Maine, relating to duties of cashiers to return list of stockholders to the secretary of State. In the Senate, report read and accepted.

On motion by Mr. Gurney of Portland, the report was tabled pending acceptance in concurrence.

Unanimous consent being given, Mr. Sawyer of Madison presented out of order the following order and moved its passage:

Ordered, that the House extend to the city of Portland its sincere thanks for the invitation to participate in the patriotic celebration to be held in that city today, and that the invitation be accepted by a rising vote.

The order received a passage, and The House indicated its acceptance by a rising vote.

Mr. HOLBROOK of Brooks: Mr. Speaker, I would ask unanimous consent at this time to present a special act making valid the doings of the town meeting of the town of Jackson, the annual town meeting. If this is the proper time to present it, I ask unanimous consent to do so.

The SPEAKER: The Chair would inquire of the gentleman from Brooks, Mr. Holbrook, if the provisions of this act extend to the recent town meeting—the town meeting of the present year?

Mr. HOLBROOK: The present year. I will explain in a very few words. The facts were these: The town clerk was sick that day and sent his son over to the town meeting to take minutes of the proceedings. He did not call the town meeting to order, swear in the officers, or anything of the sort. He simply took minutes of the proceedings. Strictly, according to law, he should have been elected clerk pro tempore and sworn in. There is no complaint whatever that his notes were not full and accurate and that everything was not fair and above board. The people there have consulted lawyers and I have consulted some here. There is some difference of opinion. Some think that it would not affect the legality of the meeting anyway; others think it would. Of course, with everything considered, and their taxes, the people feel that the validity of that meeting should be placed beyond question; and, as long as the Legislature is in session, it seems to be necessary and proper for us to make valid those proceedings.

No objection appearing, the bill was received.

On motion by Mr. Holbrook, the bill was referred to the committee on legal affairs.

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

Education.

By Mr. Andrews of Warren: Resolution and petition from Evening Star Grange, in the town of Washington, asking for the passage of an act to provide for the distribution of State school funds on a basis of aggregate attendance.

By same gentleman, Resolution and petition of Good Will Grange, in the town of Warren, in favor of same.

By Mr. Coffin of Freeport: Petition

from Harraseeket Grange, in the town of Freeport, in favor of same.

By Mr. Cummings of Hebron: Resolutions and petition from Hebron Grange, in the town of Hebron, in favor of same.

By Mr. Harman of Stonington: Resolutions and petition of New Century Grange, in the town of Dedham, in favor of same.

By same gentleman, Petition from Castine Grange, in the town of Castine, in favor of same.

By same gentleman, Resolution and petition from Verona Grange, in the town of Bucksport, in favor of same.

By same gentleman, Resolutions and petition from Halcyon Grange, in the town of Bluehill, in favor of same.

By Mr. Knight of Kennebunk: Resolution of Riverside Grange, in the town of Lebanon, in favor of same.

By Mr. Longley of Sidney: Resolution and petition from Cobbosseecontee Grange, in the town of West Gardiner, in favor of same.

By same gentleman: Resolutions of Kennebec County Pomona Grange asking for same.

By same gentleman: Resolutions and petition of Silver Lake Grange, in the town of China, asking for same.

By same gentleman, Resolutions and petition of Capitol Grange, in the city of Augusta, asking for same.

By same gentleman, Resolutions and petition of Sidney Grange, in the town of Sidney, asking for same.

By same gentleman, Resolutions and petition of Readfield Grange, in the town of Readfield, asking for same.

By same gentleman, Resolutions and petition of Cascade Grange, in the town of Oakland, asking for same.

By same gentleman, Petition from China Grange, in the town of South China, in favor of same.

By same gentleman, Resolutions of Cushnoc Grange, in the town of Vassalboro, in favor of same.

By Mr. Purington of Mechanic Falls: Resolutions and petition of Cornish

Grange, in the town of Cornish, asking for same.

By Mr. Tuttle of Caribou: Resolutions of Washburn Grange, in the town of Washburn, asking for same.

By Mr. Welch of Machiasport: Resolutions and petition from Pembroke Grange in the town of Pembroke, asking for same.

By same gentleman, Petition of Lubec Grange, in the town of Lubec, asking for same.

By same gentleman, Resolutions and petition from Naraguagus Grange, in the town of Deblois, asking for same.

By same gentleman, Resolutions and petition of Liberty Grange, in the town of Machiasport, asking for same.

Inland Fisheries and Game.

By Mr. Washburn of Perry: Remonstrances of Harry Ritchie and 14 others of Perry against the passage of Resident Hunter's License Law.

By same gentleman: Remonstrances of James G. Brown and 29 others of Perry against same.

Legal Affairs.

By Mr. Garcelon of Auburn: An Act to amend Section 10, Chapter 137, Revised Statutes, relating to the appointment of probation officers. (500 copies ordered printed.)

By Mr. Rounds of Portland: An Act relating to the incorporating and management of credit unions. (1 000 copies ordered printed.)

By Mr. Murray of Bangor: An Act to amend Paragraph 10, Section 45, of Chapter 117, Revised Statutes, relating to clerk hire in county offices.

By Mr. Lyford of Atkinson: Remonstrance of William M. Peaks and 50 others of Dover and Foxcroft, protesting against the passage of Senate Bill No. 212, being An Act relating to the State Department of Health.

Reports of Committees

Mr. Cushman, from the committee on interior waters, reported "ought to pass" on bill "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.

Same gentleman, from same committee, on bill "An Act to incorporate the Musquacook Stream Dam and Improvement Co.," reported same in a new draft, under same title and that it ought to pass.

Same gentleman, from same committee, on bill "An Act to incorporate the Mattakeunk Stream Dam and Improvement Company," reported same in a new draft, under same title, and that it ought to pass.

Mr. Brewster, from the committee on legal affairs, on bill "An Act authorizing the maintenance of a bridge between the Mill and Store House, by the Worumbo Manufacturing Company, Lisbon Falls, Maine," reported same in a new draft, under same title, and that it ought to pass.

Same gentleman, from same committee, reported "ought to pass" on resolve proposing amendment to Article 4, Section 3 of the Constitution in regard to apportionment of representatives in accordance with population.

(The rules were suspended and the resolve given its first reading.)

Same gentleman, from same committee, reported same on resolve proposing an amendment to Section 5, Article 4, of the Constitution allowing absent voting.

(The rules were suspended and the resolve was given its first reading and on motion by Mr. Farrington of Augusta, tabled pending its second reading and specially assigned for consideration on Wednesday, March 21st.)

Mr. Chaplin from the same committee, on bill "An Act to amend Section 82 of Chapter 115 of the Revised Statutes of 1916, relating to support of debtors in jail," reported same in a new draft, under same title, and that it ought to pass.

Mr. Conary, from the same committee, reported "ought to pass" on bill "An Act to incorporate the Pilgrim's Home Cemetery Association in the town of Monroe."

Same gentleman, from the same committee, reported same on bill, An Act to amend Section 10 of Chapter 7 of the Revised Statutes relating to the

furnishing of ballots to presiding election officers on election day. (The rules were suspended and the bill given its two several readings.)

Same gentleman, from the same committee, on bill, An Act to amend Section 17 of Chapter 12 of the Revised Statutes relating to registers of deeds, reported same in a new draft, under same title, and that it ought to pass.

Same gentleman, from the same committee, on bill, An Act in addition to Section 13 of Chapter 14, Revised Statutes of Maine, relating to adoptions in the Penobscot Tribe, reported same in a new draft, under same title and that it ought to pass.

Mr. Murray, from same committee, on bill, An Act to amend Section 6 of Chapter 42 of Revised Statutes concerning intelligence offices, reported same in a new draft, under same title and that it ought to pass.

Mr. Cole, from the committee on library, reported "ought to pass" on bill, An Act to amend Section 75 of Chapter 4 of the Revised Statutes relating to free public libraries.

Mr. Phillips, from same committee, reported same on bill, An Act to amend Section 82 of Chapter 4 of the Revised Statutes relating to instruction of librarians.

Same gentleman, from the same committee, on bill, An Act to amend Section 78 of Chapter 4 of the Revised Statutes relative to State stipend for public libraries, reported same in a new draft, under same title and that it ought to pass.

Same gentleman, from the same committee, reported "ought to pass" on bill, An Act relating to assistance to towns in establishing free public libraries.

Mr. Rowe, from same committee, reported same on bill An Act to establish a legislative reference bureau in the State library.

Mr. Merrill, from the committee on public utilities, reported same on bill, An Act to repeal Chapter 453 of the private and Special Laws of 1868, and all Acts additional and amendatory relating to the ferry cross the Penobscot river between the towns of Orono

and Bradley. (The rules were suspended and the bill given its two several readings.)

Mr. Tate, from the same committee, on bill, An Act relative to notice by public utilities of changes of rates, reported same in a new draft, under same title, and that it ought to pass.

Same gentleman, from same committee, reported "ought to pass" on Resolve providing for the completion of the book of plans of Waldo county and appropriating money therefor.

(The rules were suspended and the resolve given its first reading.)

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

Majority report of the committee on mercantile affairs and insurance, reporting "ought not to pass" on bill "An Act amendatory of and additional to Section 29, Chapter 50 of the Revised Statutes of Maine of 1916, entitled 'The Workmen's Compensation Act';"

(Signed) Messrs. Gillin, Grant, Bartlett, Dutton, Lewis, Morison, Wilson.

Minority report of the same committee, on same subject matter reporting "ought to pass."

(Signed) Mr. Tate.

(Both reports tabled by Mr. Descoteaux of Biddeford pending the acceptance of either report.)

Majority report of the committee on sea and shore fisheries, reporting "ought not to pass" on bill "An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes, relating to the measurement of Lobsters, with accompanying petitions and remonstrances."

(Signed) Messrs. Peacock, Butler, Wood, Ames, Harman, Holt.

Minority report of the same committee, on same subject matter, reporting "ought to pass."

(Signed) Messrs. Newcomb, Fletcher, Harris, Goldthwait.

(Both reports tabled by Mr. Goldthwait of Biddeford pending acceptance of either report and especially assigned for Thursday, March 22.)

Mr. Nicholas, from the committee on appropriations and financial affairs, re-

ported "ought not to pass" on bill "A Resolve providing for the payment of a bounty on bears killed in the State."

(Tabled by Mr. Farrington of Augusta pending acceptance.

Mr. Farrington, from the committee on judiciary, reported same on resolve proposing an amendment to the constitution of the State of Maine providing for the election on the Tuesday next after the first Monday in November biennially of Governors, Senators, Representatives and other officers now required to be elected on the second Monday of September biennially."

Mr. Gurney, from the same committee, reported same on bill "An Act to repeal Chapter 213 of the Public Laws of 1913, relating to the appointment of road commissioners."

(On motion by Mr. Meserve of Naples, the House voted to reconsider its action whereby it accepted the report, and, on further motion by the same gentleman, the report was tabled pending its acceptance and assigned for Thursday, March 22.)

Mr. Canary, from the committee on legal affairs, on bill "An Act to amend Section 4, Chapter 64 of the Revised Statutes relating to marriage and its solemnization," reported "ought not to pass" as subject matter is covered in another bill.

Mr. Sisson from the committee on library reported "ought not to pass" on bill "An Act to amend Chapter 4, Sections 76, 78, 80 and 81, of the Revised Statutes of 1916, relating to free public libraries.

Same gentleman from same committee, on Resolve providing for the purchase of 125 copies of the History of Presque Isle, reported legislation thereon inexpedient.

Mr. Allen from the committee on public utilities reported "ought not to pass" on bill "An Act to permit municipal corporations to own and operate street railways, gas, electric light, water and other public utilities and other corporations.

Mr. Gannett from same committee reported same on bill "An Act relating to storage, demurrage and car service on railroads."

Mr. Redman from same committee re-

ported same on bill "An Act in relation to supplying electric current at reduced rates for educational purposes."

Mr. Purington from same committee on bill "An Act in relation to the sale of timber on reserved lands in all townships or tracts," reported that legislation thereon is inexpedient.

(Tabled by Mr. Dutton of Bingham, pending acceptance and assigned for Wednesday, March 21.)

Mr. Ranney from same committee reported "ought not to pass" on Resolve in favor of Highland plantation in Somerset county, and to quiet the title to certain lands therein.

The reports were accepted.

(Mr. Baxter of Portland assumes the Chair.)

The SPEAKER pro tem: The gentleman from Houlton, Mr. Barnes, moves that the rules be suspended and the following joint resolution be received from the Senate:

"Resolved: That we, the members of the Senate and House of Representatives of the 78th Legislature of the State of Maine, condemn any action by any portion of the citizens of this nation which may bring about a railroad strike and thereby injure the interests of the whole people at this time when the shadow of war is hanging over this grand republic, and we earnestly invoke the patriotic manhood of the entire nation to protest against it."

The motion prevailed.

On motion by Mr. Reed of Bangor the resolution received a passage in concurrence.

House 560. An Act to amend Chapter 121 of the Private and Special Laws of 1913 to enable the annual meetings of Madison Water District to be held at any time in the month of July of each year.

House 561. An Act to extend the charter of the Lubec, East Machias and Machias Railway Company.

(On motion by Mr. Bussabarger of Lubec, tabled pending its third reading.)

House 563. An Act to prevent officers

and employes of banking institutions from making copies of records.

House 564. An Act to amend Section 100 of Chapter 98 of the Revised Statutes, relating to loan and building associations.

House 562. Resolve in favor of Ernest E. Graffam of Poland.

Passed to be Engrossed

Senate 85. An Act to amend Section 19, Chapter 117 of the Revised Statutes of Maine, relating to the banking department.

Senate 121. An Act to extend the rights, powers and privileges of the Guilford Manufacturing Co. for the erection and maintenance of piers and booms in the Piscataquis river.

Senate 159. An Act to authorize the erection of dams and water storage basins on Bog brook and tributaries in Dead River plantation in Somerset county.

Senate 218. An Act to enlarge the powers of the Western Maine Power Co.

Senate 253. An Act to amend Section 176 of Chapter 16 of the Revised Statutes relating to the appropriation for teachers' pensions.

Senate 265. An Act to amend and amendatory of Chapter 206 of the Private and Special Laws of 1907 relating to the West Branch Driving & Reservoir Dam Co.

Senate 268. An Act relating to the issuing of blank writs by clerks of the supreme judicial courts, clerks and recorders of municipal and police courts and trial justices.

Senate 302. An Act to amend Chapter 147, Revised Statutes, relating to the State Board of Charities and Corrections.

Senate 298: An Act to amend Sections 55, 56, 57, 58, 69, 61 and 62 of Chapter 16 of the Revised Statutes to provide for the formation of unions for the employment of superintendents of schools.

(On motion by Mr. Meserve of Naples, tabled, pending its third reading.)

Senate 258. Resolve providing for the payment for steel filing equipment in the office of the secretary of the Senate.

Senate 295. Resolve in favor of the reformatory for women for maintenance and other purposes for the years 1917 and 1918.

Senate 297: Resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of the commissioners of inland fisheries and game, and other expenses incident to the administration of the department of inland fisheries and game.

Senate 299. Resolve in favor of the University of Maine.

Passed to Be Enacted

An Act to amend Section 3 of Chapter 10 of the Revised Statutes defining what constitutes real estate for the purposes of taxation.

An Act to amend and extend the charter of the Bangor Boom Co.

An Act to amend Section 24 of Chapter 26 of the Revised Statutes, relating to the registration of manufacturers and dealers in motor vehicles.

(Tabled by Mr. Holt of Skowhegan pending its passage to be enacted and assigned for Tuesday, March 20.)

An Act to amend Section 21 of Chapter 83 of the Revised Statutes, relating to the authority of county commissioners to procure temporary loans.

An Act to amend Sections 5 and 40 of Chapter 5 of the Revised Statutes, relating to Boards of Registration of voters.

Orders of the Day

Mr. FARRINGTON of Augusta: Mr. Speaker, earlier in the session I tabled Resolve proposing an amendment to the Constitution in relation to absent voting. I move to take that from the table at this time and let it go on its regular course under a suspension of the rules.

The SPEAKER pro tem: The gentleman from Augusta, Mr. Farrington, moves we take from the table Resolve proposing an amendment to Section 5 of Article 4 of the Constitution allowing absent voting.

The motion was agreed to.

The SPEAKER pro tem: The Chair would inquire of the gentleman from

Augusta (Mr. Farrington) if he moves that the rules be suspended and this be given its second reading at the present time?

Mr. FARRINGTON: I move that it be assigned for its second reading in the regular course on Tuesday at 9.30 o'clock.

The motion was agreed to.

On motion by Mr. Boman of Vinalhaven the House reconsidered its vote whereby it accepted the report "ought not to pass" on Resolve proposing an amendment to the Constitution of the State of Maine providing for the election on Tuesday next after the first Monday in November biennially of governors, senators, representatives and other officers now required to be elected on the second Monday of September biennially.

Mr. FARRINGTON of Augusta: Mr. Speaker, I trust that that motion will not prevail.

The SPEAKER pro tem: The Chair declared that the motion prevailed before recognizing the gentleman from Augusta.

Mr. BOMAN of Vinalhaven: I did not understand the remarks of the gentleman from Augusta.

The SPEAKER pro tem: The gentle-

man from Augusta said that he thought that the motion of the gentleman from Vinalhaven should not prevail, and the Chair informed him that the Chair had already declared your motion carried.

Mr. BOMAN: Thank you. I now move that the report lie on the table.

The motion was agreed to.

On motion by Mr. Holt of Skowhegan, bill, An Act to amend Section 4 of Chapter 26 of the Revised Statutes, relating to registration of manufacturers and dealers in motor vehicles, was taken from the table and on further motion by the same gentleman the bill was passed to be enacted.

On motion by Mr. Anderson of Portland, Senate Document No. 256, Resolve in favor of certain private charitable and benevolent institutions for the care, support and education of indigent persons, and for other purposes, was taken from the table, and on further motion by the same gentleman the resolve was given its second reading and passed to be engrossed.

On motion by Mr. Nicholas of Eastport, Adjourned until Tuesday morning at 9.30 o'clock.