

# 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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**SENATE.**

Friday, February 23, 1917.

Senate called to order by the President.

Prayer by Rev. E. W. Webber of Hallowell.

Journal of previous session read and approved.

On motion by Mr. Hastings of Androscoggin the rules were suspended and that Senator introduced the following order.

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Tuesday, February 27 at 10 o'clock in the forenoon.

On further motion by the same Senator the order was passed and sent down for concurrence.

Subsequently the President announced that the House has passed the order in concurrence.

Papers from the House disposed of in concurrence.

**House Bills in the First Reading.**

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

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

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 225. 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 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.

H. D. 329. Resolve providing a state pension for Charles C. Burt.

Mr. FULTON of Aroostook: Mr. President, I move that this resolve be recommitted to the committee on pensions. I shall also make the same motion in regard to the other pension resolves. I will say in explanation that this is the wish of the Governor. His reasons for it will be given later.

Mr. WALKER of Somerset: Mr. President, I move that we reconsider the vote whereby the Senate concurred with the House in accepting the report of the committee on pensions on this resolve.

The motion was agreed to.

House 342. 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 335. 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 Joan 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 345. Resolve in favor of Zeb-edeo M. Cushman.

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

(The foregoing resolves with accom-panying reports, on motion by Mr. Fulton, were recommitted to the com-mittee on pensions, pending accept-ance of the reports.)

The following bills, petitions, etc., were received, and on recommendation of the committee on reference of bills were referred to the following com-mittees:

#### Legal Affairs.

By Mr. Merrill of Somerset: An Act additional to Chapter 139 of the Re-vised Statutes of 1916, relative to the disposal of insane criminals. (Ordered printed.)

#### Mercantile Affairs and Insurance.

By Mr. Bartlett of Kennebec: An Act relating to the construction of chimneys. (Ordered printed.)

#### Salaries and Fees.

By Mr. Walker of Somerset: An Act to provide for the payment of travel-ling expenses of registers of probate when attending terms of court in plac-es other than county seats. (Ordered printed.)

By Mr. Higgins of Penobscot: An Act to amend the Revised Statutes, Chapter 117, Section 16, relating to the State Treasurer

#### State School for Boys and State School for Girls and Women's Reformatory.

By Mr. Walker of Somerset: Resolve in favor of the reformatory for women for maintenance and other purposes for the years 1917 and 1918.

By the same Senator: Resolve in fa-vor of the Reformatory for Women for permanent improvement of the grounds and other purposes for the year 1917.

By the same Senator Resolve in favor of the reformatory for women for the construction of additional buildings and other purposes for the years 1917 and 1918.

#### Taxation.

By Mr. Holt of Cumberland: An Act establishing a uniform tax on intang-ible personal property. (Ordered print-ed.)

#### Bills in First Reading.

S. D. 216. An Act relating to insurance agents and brokers.

S. D. 218. An Act to enlarge the powers of the Western Maine Power Company.

S. D. 219. Resolve in favor of the board of registration of medicine.

S. D. 220. An Act relating to re-serves of fire and Marine Companies.

#### Reports of Committees.

Mr. Deering from the committee on judiciary reported "ought to pass" on An Act to amend Section 35 of Chap-ter 68 of the Revised Statutes of 1916, (S. D. 90), relating to powers of Spec-ial Administrators.

The report was accepted.

Under suspension of the rules the bill was given its first reading.

The same Senator from the same committee reported ought to pass on (S. D. 67) An Act to incorporate the Cumberland Bar Association. (Given its first reading under suspension of the rules.)

The same Senator from the same committee reported ought to pass on (S. D. 52) Resolve proposing an amendment to the Constitution of the State of Maine, relative to the office of sheriffs. (Given its first reading under suspension of the rules.)

The same Senator from the same committee reported ought to pass on An Act amendatory to 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."

The same Senator from the same committee, reported ought to pass on An Act to enlarge the powers of the judges of probate.

Mr. Burleigh from the committee on public buildings and grounds to which was referred the order of January 31 instructing the superintendent of buildings to procure and have placed above the President's Chair in the Senate Chamber a suitable coat of arms of the State of Maine appropriately draped at a cost not exceeding \$500. And ordered further, that a special committee of three, consisting of the President of the Senate and two others, act with the superintendent of buildings in making a contract for said coat of arms and hangings and see that the same is put in place as soon as possible, reported resolve appropriating the sum of \$500 for a coat of arms of the State of Maine for the Senate Chamber.

The report was accepted.

(On motion by Mr. Burleigh under suspension of the rules the resolve was read twice, passed to be engrossed, and sent down for concurrence.)

Mr. Butler from the committee on public utilities reported ought to pass on An Act to amend Chapter 218 of the Private and Special Laws of 1911, entitled "An Act to supply the town of North Haven with pure water."

The same Senator from the same committee reported ought to pass on An Act to correct an error of Chapter 67 of the Private and Special Laws of 1916 relating to the Rockland, Thomaston and Camden Street Railway.

Mr. Peacock from the committee on ways and bridges, to which was re-committed An Act to repeal Chapter 271 of the Private and Special Laws of 1911, relating to ways and bridges in Plantation No. 14, Washington county, reported same in a new draft under the same title and that it ought to pass.

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

Mr. Deering from the committee on judiciary, reported ought not to pass on An Act to amend Chapter 51 of the Revised Statutes, relating to corporations.

The same Senator from the same committee, reported ought not to pass on An Act additional to Chapter 87 of the Revised Statutes, relating to proceedings in civil actions in court.

The reports were accepted and sent down for concurrence.

#### Passed to Be Engrossed.

H. D. 33. An Act to amend Section 23 of Chapter 124 of the Revised Statutes, relating to assaults upon or interference with officers.

H. D. 68. An Act providing for a centennial week in 1920 and authorizing cities and towns to raise and appropriate money for the observance thereof.

H. D. 315. An Act to create the Van Buren Sewerage District.

H. D. 317. An Act to amend Section 38 of Chapter 40 of the Revised Statutes, relative to Old Home Week.

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

S. D. 58. An Act to amend Chapter 396 of the Private and Special Laws of 1909, authorizing the construction of a bridge across Ogunquit river in the town of Wells.

S. D. 158. An Act to provide a penalty for evading taxicab and public automobile fares.

S. D. 204. Resolve for indexing the documents filed by the Legislatures of Maine since 1820, now in the office of the secretary of the Senate.

S. D. 205. An Act to amend Section 10 of Chapter 117 of the Revised Statutes, relating to stenographers of the supreme judicial court.

S. D. 206. Resolve in favor of the Maine School for Feeble Minded for maintenance and other purposes for the years 1917 and 1918.

S. D. 208. An Act to secure information relating to the yearly cut of timber from the wild land townships.

S. D. 207. Resolve providing a State pension for Stephen Flood.

S. D. 209. Resolve in favor of Adeline M. Hannaford

On motion by Mr. Fulton of Aroostook these resolves were recommitted to the committee on pensions, pending second reading.

#### Orders of the Day.

On motion by Mr. Bartlett of Kennebec, it was

Ordered, that the use of the Senate Chamber be granted to the committee on State sanatoriums, on February 23, at 1.30 o'clock in the afternoon.

On motion by Mr. Holt of Cumberland, it was

Ordered that the Senate Chamber be assigned to the committee on taxation for the afternoon of Thursday, March 8.

Mr. BUTLER of Knox: Mr. President, I have here a petition which has to do with a matter already before the committee, and I move the rules be suspended and the petition received in order that it may get before the committee before the hearing.

The motion was agreed to and the Senator presented the petition of O. A. Spear and others relating to the preservation of salmon, shad and alewives in the St. Georges river.

On further motion by the same Senator the petition was referred to the

committee on sea and shore fisheries, and sent down for concurrence.

Mr. DAVIES of Cumberland: Mr. President, I rise for the purpose of an inquiry.

The PRESIDENT: The Senator may state his inquiry.

Mr. DAVIES: My understanding yesterday, in relation to an act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making, altering and repairing same, was that it was laid on the table for printing under the motion of Senator Butler of Knox, and I don't find that record on the calendar this morning. Am I correct about that?

Mr. BUTLER of Knox: Mr. President, if I remember what was said, the President stated that it would be printed under the joint rules and referred to the committee on judiciary. I asked to have it tabled for printing, but I don't understand that it was done.

The PRESIDENT: We will get the Journal and then we shall know just what was done. The secretary will read the part of the Journal that refers to that matter.

The SECRETARY (reading): "Mr. Butler of Knox presented bill, An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making, altering and repairing the same, which was referred to the committee on judiciary, and 500 copies ordered printed. Sent down for concurrence."

Mr. DAVIES: Mr. President, may I inquire where the bill is at the present time?

The PRESIDENT: In the hands of the printer.

Mr. DAVIES: And under the usual procedure, it goes from the hands of the printer to the House for concurrence and is not again in the possession of the Senate until the report of the judiciary committee is made?

The PRESIDENT: That is as I understand it.

Mr. DAVIES: I am correct about that. I misunderstood the motion of Senator Butler of Knox, yesterday. I understood him to make the motion that it lie on the table for printing.

Mr. BUTLER: I will state I did make that motion, Mr. President.

The PRESIDENT: The Chair will state that the Senator from Knox, when the bill was read by the Chair, did rise and make the motion that it be laid upon the table for printing, but the committee of reference had already ordered the bill printed under their authority, so the senator withdrew his motion.

Mr. DAVIES: I am not suggesting or hinting at the least criticism of the Senator from Knox or of the Chair, but I merely misunderstood the procedure yesterday.

Mr. GORDON of York: Mr. President, I have placed in my hands a resolve from the towns of Kennebunkport and North Kennebunk. I would ask suspension of the rules that I may introduce this out of order.

The PRESIDENT: Is this a private and special resolve?

Mr. GORDON: In explanation of this resolve: The town of North Kennebunk is a new town, a part of the

old town of Kennebunkport, and they have recently received from the town of Kennebunkport their proportion of the money which belonged to them, and they wish, as I understand, to appropriate it for the construction of a highway connecting the State highway between Kennebunk and Biddeford.

Mr. DAVIES of Cumberland: Mr. President, I regret very much that I feel compelled to object to the introduction of the resolve at this time. It is a matter of special legislation, and one bill or act has gone in this morning which is clearly special legislation, and under the order made sometime ago, published very generally and generally agreed to by the members of the House and the members of the Senate, no special legislation was to be received after February 9.

Mr. GORDON: Mr. President, I understand perfectly well that nothing of this sort can be introduced without unanimous consent.

The PRESIDENT: The Chair will have to rule that we cannot receive the resolve.

On motion of Mr. Ames of Washington,

Adjourned until next Tuesday, February 27, at 10 o'clock in the forenoon.