

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

SENATE.

Thursday, March 1, 1917.

Senate called to order by the President.

Prayer by Rev. W. F. Livingston of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Remonstrances of Charles Roy and 27 others; of Joseph Delorne and 62 others; of Joseph Levesque and 8 others, against the passage of the Lewiston Police Commission bill unless it contains the referendum clause

In the House referred to the committee on judiciary.

In the Senate on motion by Mr. Davies of Cumberland, placed on file in non-concurrence.

House Bills in First Reading.

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

H. D. 199. An Act to amend Section 107 of Chapter 52 of the Revised Statutes relating to loans by loan and building associations.

H. D. 273. An Act to establish the Presque Isle municipal court. (On motion by Mr. Stanley of Oxford, tabled pending assignment for second reading.)

H. D. 400. An Act to provide a police commission for the city of Lewiston and to promote the efficiency of the police department thereof. (On motion by Mr. Higgins of Penobscot the rules were suspended and the bill was given its second reading and was passed to be engrossed, in concurrence.)

House 381. An Act to amend Section 31 of Chapter 3 of the Revised Statutes, so as to provide for a maximum number of annual reports of the public utilities commission.

House 382. An Act additional to Chapter 51 of the Private and Special Laws of 1907, relating to the pollution

of the waters of North, or Varnum's pond.

House 384. An Act to extend the charter of the North Bridgton Village Corporation.

House 385. An Act to amend Chapter 132 of the Private and Special Laws of 1913, relating to the ferry between Indian Island, so-called and the city of Old Town.

House 386. An Act to amend Section 28 of Chapter 64 of the Revised Statutes, relating to registration of vital statistics.

House 387. An Act relating to the jurisdiction of the municipal court of Dexter.

House 388. An Act amendatory of the existing law relating to review by the supreme judicial court of certain orders, decrees and decisions of the public utilities commission.

House 389. An Act providing for court jurisdiction in criminal cases originating in Hibbert's Gore.

House 390. An Act to amend Chapter 239 of the Private and Special Laws of 1913, relative to Lincoln municipal court, giving the recorder of said court authority to issue warrants upon complaints for criminal offenses.

House 393. An Act to give more power to the local sealers of weights and measures and their deputies.

House 391. Resolve in favor of Freeman Boynton of Boothbay Harbor, in the county of Lincoln, for refund of money paid in lieu of military service in the late war of the Rebellion.

House 392. Resolve to amend Chapter 32 of the Resolves of 1905, as amended by Chapter 96 of the Resolves of 1909, relating to the authority of the commissioner of agriculture.

From the House: Majority and minority report of the committee on claims on Resolve in favor of Michael Burns.

Majority report, ought to pass in new draft.

Minority report, ought not to pass.

In the House the minority report was accepted.

On motion by Mr. Davies of Cumber-

land the minority report was accepted in concurrence.

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

Placed on File

By Mr. Ricker of Hancock: Remonstrance of C. B. Gray of Orland and 19 others, and Fred M. Blake of West Brooksville, against the passage of Senate bill No. 144, relating to hawkers and peddlers.

Appropriations and Financial Affairs

By Mr. Higgins of Penobscot: Resolve in favor of the Augusta State hospital.

By Mr. Higgins of Penobscot: Resolve in favor of the University of Maine. (On motion by Mr. Walker of Somerset the vote was reconsidered whereby this resolve was referred to the committee on appropriations and financial affairs. On further motion by the same Senator the resolve was tabled.)

By Mr. Higgins of Penobscot: Resolve authorizing the treasurer of State to reissue matured State highway bonds.

By Mr. Higgins of Penobscot: An Act to amend Section 62 of Chapter 2 of the Revised Statutes relating to deposits of State funds. (Ordered printed.)

Judiciary

By Mr. Burleigh of Aroostook: An Act to amend Section 16 of Chapter 7 of the Revised Statutes of 1916, relating to manner of voting. (Ordered printed.)

By Mr. Lord of York: An Act to provide for the adjustment of claims against the State. (Ordered printed.)

Legal Affairs

By Mr. Lord of York: An Act to amend Chapter 67, Section 26 of Chapter 70, Section 44 of Chapter 68; Sections 9 and 10 of Chapter 72, Section 95 of Chapter 86, and Sections 14, 15, 20 and 21 of Chapter 92; and to repeal Sections 42 and 43 of Chapter 68 and Sections 16 and 21 of Chapter 92, relating to notice of appointment of executors, administrators, guardians of adults and conservators; and to limitation of actions against the estate of deceased persons. (Ordered printed.)

State Lands and Forest Preservation

By Mr. Ames of Washington, An Act to amend Sections 20 and 21, Chapter 8 of the Revised Statutes, relating to lands reserved for public use. (Ordered printed.)

Bills in First Reading

S. D. 242. An Act to legalize and make valid the doings of the municipal officers of Vinalhaven laying out a way over the tide waters across Indian creek in said Vinalhaven, and authorizing the construction of a suitable bridge across the same.

S. D. 243. Resolve relating to equestrian statue of Major General Oliver O. Howard, and a standing statue of Brevet Major General Joshua L. Chamberlain at Gettysburg.

Reports of Committees

Mr. Higgins from the committee on appropriations and financial affairs, on Resolve in favor of the Children's Aid Society of Maine, for Maintenance;

Resolve in favor of the Children's Heart Work Society of Maine, for maintenance and the carrying on of its work;

Resolve in favor of the Children's Protective Society of Maine, for maintenance;

Resolve in favor of the Girls' Orphans' Home (Mount Saint Michael's), Bangor, Maine;

Resolve in favor of the Girls' Orphanage of Lewiston, for maintenance;

Resolve in favor of the Good Samaritan Home Association, for maintenance;

Resolve in favor of the Healy asylum, for maintenance and also for a heating plant and the repair of buildings;

Resolve in favor of the Lewiston and Auburn Children's Home for maintenance;

Resolve in favor of the Maine Children's Home Society, for maintenance;

Resolve in favor of the Maine Home for Friendless Boys for the care, support and education of friendless boys;

Resolve in favor of the Saint Elizabeth's Roman Catholic Orphans' asylum, Portland, Maine;

Resolve in favor of the Temporary Home for Women and Children for maintenance;

Resolve in favor of the W. C. T. U. Temporary Home for Children located at Gardiner, Kennebec county, State of Maine;

Resolve in favor of the York County Children's Aid Society for maintenance;

Resolve in favor of the Holy Innocents Home, Portland, Maine;

Resolve in favor of Augusta General hospital, for maintenance;

Resolve in favor of the Bar Harbor Medical and Surgical hospital for maintenance;

Resolve in favor of the Bath City hospital;

Resolve in favor of the Central Maine General hospital of Lewiston;

Resolve in favor of the Children's hospital of Portland, (Senate No. 50);

Resolve in favor of the Daughters of Wisdom for maintenance;

Resolve in favor of the Eastern Maine General hospital for the care and medical or surgical treatment of indigent persons;

Resolve in favor of the hospital of the Young Men's Christian Association at Greenville Junction for care and medical or surgical treatment of indigent persons;

Resolve in favor of the Knox county General hospital for maintenance, repairs, alterations, extension and equipment;

Resolve in favor of the Madigan Memorial hospital at Houlton;

Resolve in favor of the Maine Eye and Ear Infirmary;

Resolve in favor of Maine General hospital at Portland for an isolation ward;

Resolve in favor of the Northern Maine General hospital for maintenance;

Resolve in favor of the Presque Isle General hospital for maintenance;

Resolve in favor of the Rumford hospital Association for maintenance;

Resolve in favor of Saint Mary's hospital of Lewiston, Maine;

Resolve in favor of the Somerset hospital for the care and medical or surgical treatment of indigent persons therein;

Resolve in favor of the Waldo County General hospital for maintenance;

Resolve in favor of the Webber hospital Association for Biddeford;

Resolve in favor of the York hospital;

Resolve in favor of the Maine Institution for the Blind for maintenance;

Resolve in favor of the Maine Mission for the Deaf;

Resolve in favor of the Hayes Young Women's Home of Lewiston for assistance in the carrying on its work;

Resolve in favor of the Old Town hospital, for care, support, medical or surgical treatment of indigent persons, reported the same in a new draft, entitled;

Resolve in favor of certain private charitable and benevolent institutions for the care, support and education of indigent persons, and for other purposes, and that it ought to pass.

Mr. Bartlett from the committee on appropriations and financial affairs, on resolve in favor of the Board of Dental Examiners, for the purchase of certain equipment, and for the prosecution of violators of the provisions of Chapter 53 of the Public Laws of 1913, reported same in a new draft, under title of "Resolve in favor of the Board of Dental Examiners, for equipment, consisting of 12 operating tables and steel cabinet, printing, postage" and that it ought to pass.

Mr. Higgins from the same committee, on Resolve appropriating money for electoral college, reported same ought to pass.

Mr. Bartlett from the same committee, on Resolve providing for the payment for steel filing equipment in the office of the secretary of the Senate, reported ought to pass.

Mr. Ricker from the committee on education, on An Act to amend Section 76 of Chapter 16 of the Revised Statutes relating to the inspection of secondary schools, reported same ought to pass.

Mr. Walker from the same committee, on An Act to amend Section 117 of Chapter 16 of the Revised Statutes, relating to the employment of agents for schools in unorganized townships, reported same ought to pass.

The same senator from the same committee, on An Act to amend Section 176 of Chapter 16 of the Revised Statutes, relating to the appropriation

for teachers' pensions, reported same ought to pass.

Mr. Ames from the committee on education, on An Act to define and amend the laws in regard to tuition, reported same ought to pass.

The same senator from the same committee, on Resolve in favor of the Machias Electric Light Co., in payment for current furnished the Washington State Normal school, reported same ought to pass.

Mr. Walker from the same committee, on Resolve in favor of L. E. Bradstreet and Sons Co. for the balance due on the Farmington State Normal school dormitory construction reported same ought to pass.

Mr. Wood from the committee on legal affairs, on An Act to authorize the county commissioners of the county of Oxford to remodel, enlarge and repair the registry of deeds building of the western registry district of said county (Senate No. 72), 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 resolves tabled for printing under the joint rules.

Mr. Gillin from the committee on mercantile affairs and insurance, on An Act relating to special insurance brokers (Senate No. 179), reported same ought to pass. (On motion by Mr. Gillin of Penobscot, under suspension of the rules this bill was given its first reading.)

Mr. Grant from the committee on appropriations and financial affairs, on Resolve in favor of the commission of pharmacy, reported same ought not to pass.

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

Mr. Bartlett from the same committee, on An Act to appropriate moneys for the payment of salaries fixed by law for the year 1917 (Senate No. 29), reported same ought not to pass, as the same has been incorporated in the first appropriation bill.

Mr. Higgins from the same committee, on Resolve in favor of Hillcrest hospital, reported same ought not to pass.

Mr. Grant from the same committee, on so much of the Governor's message as relates to the budget system, reported that the recommendations of the Governor have been followed in reporting all matters, and that this document be placed on file.

Mr. Higgins from the same committee, on An Act in relation to conferences of public officials of charity and correction, reported legislation thereon is inexpedient.

Mr. Ricker from the committee on education, on 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, reported same ought not to pass.

Mr. Holt from 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, reported that same be placed on file.

The reports were accepted and sent down for concurrence.

Passed to Be Engrossed

H. D. No. 72. An Act to amend Section 18 of Chapter 45 of the Revised Statutes relating to the lobster license law.

H. D. No. 93. An Act to amend Section 10 of Chapter 9 of the Revised Statutes, relating to the employment of assistance by the board of State assessors in the reassessment of real and personal property.

H. D. No. 373. Resolve, reimbursing the town of Westfield for money expended for a State pauper.

H. D. No. 374. Resolve, in favor of A. L. Dow & Co. for extra labor and material furnished in installing plumbing at the State school for boys in the years 1905 and 1906.

H. D. No. 375. An Act to amend Section 67 of Chapter 45 of the Revised Statutes, relating to close time on scallops.

H. D. No. 376. An Act relating to the digging of clams within the limits of the towns of Newcastle and Dam-ariscotta.

S. D. 233. Resolve in favor of Albert Yankouer, for information furnished the attorney general regarding certain estates liable to inheritance tax. (Senator Burleigh presented a statement of facts for this resolve.)

S. D. 234. An Act to amend Section 30 of Chapter 24 of the Revised Statutes relating to the crossing of railroad tracks by town ways and highways. (On motion by Mr. Lord tabled pending passage to be engrossed.)

S. D. 235. An Act to amend Section 34 of Chapter 24 of the Revised Statutes relating to highway crossings of railroads. (On motion by Mr. Lord tabled pending passage to be engrossed.)

S. D. No. 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.

S. D. No. 237. An Act to ratify the change of name and amount of capital stock of Mercantile Trust Co., and to amend its charter.

Orders of the Day

The PRESIDENT: Under orders of the day the Chair will state that An Act making it unlawful to give checks or drafts on banks where the maker has not sufficient funds of credit to pay same and providing a penalty therefor, has been returned by the Governor to the Senate.

The Chair awaits the pleasure of the Senate in this matter.

Mr. DAVIES of Cumberland: Mr. President, I offer a resolution and ask its passage for the purpose of straightening out the procedure of calling from the Governor the act, the title of which has just been read by the Chair.

The PRESIDENT: The senator from Cumberland, Senator Davies, offers the following:

Joint resolution of the Legislature of Maine, providing for rescinding the action of the President of the Senate and Speaker of the House in signing

enacted Senate Bill No. 137, entitled "An Act making it unlawful to give checks or drafts on banks where the maker has not sufficient funds of credit to pay same and providing a penalty therefor."

Resolved, by the Senate, the House concurring, that the action of the President of the Senate and Speaker of the House in affixing their signatures to Senate Bill No. 137 entitled "An Act making it unlawful to give checks or drafts on banks where the maker has not sufficient funds to credit to pay same, and providing a penalty therefor" on the passage of the same to be enacted, is hereby rescinded.

Mr. WALKER of Somerset: Mr. President, I move that the resolution lie on the table.

The motion was agreed to.

Mr. DEERING of York: Mr. President, a bill, entitled, An Act to provide for the establishment of district almshouses or infirmaries and to repeal Sections 15, 16 and 17 of Chapter 29, Revised Statutes, has been reported to the Senate for printing, and to be re-committed to the committee on judiciary. I move that the bill be taken from the table.

The motion was agreed to, and upon further motion by the same Senator the bill was recommitted to the committee on judiciary.

On motion by Mr. Davies of Cumberland, H. D. 364, An Act to permit savings banks to invest in certain corporation bonds, was taken from the table, and on further motion by the same Senator was given its second reading and passed to be engrossed.

On motion by Mr. Davies of Cumberland, S. D. 142, An Act to amend Section 27, Chapter 52 of the Revised Statutes, relating to investment of deposits in savings institutions, was taken from the table, and on further motion by the same Senator was passed to be engrossed and sent down for concurrence.

On motion by Mr. Stanley of Oxford, Adjourned.