

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

SENATE

Friday, March 2, 1917.

Senate called to order by the President.

Prayer by Rev. Howard R. Sisson of Island Falls.

Journal of previous session read and approved.

On motion by Mr. Butler of Knox, the rules were suspended and that Senator presented the following order:

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

The order was passed and sent down for concurrence.

Subsequently the President announced that the House had amended the adjournment order as follows: "That when the Senate and House adjourn they adjourn to meet Tuesday, March 6 at 4.30 o'clock P. M."

Mr. WALKER of Somerset: Mr. President, I move that we reconsider the vote whereby we passed this order, and concur with the House in the adoption of the amendment.

Mr. BUTLER of Knox: Mr. President, it seems to me if we are going to make any progress by being here at 10 o'clock, that we ought not to concur with the House. I for one feel that we ought to be making progress, and should favor insisting upon our order.

Mr. STANLEY of Oxford: Mr. President, I do not know what the object of the amendment was in the House, but it seems to me that the probable reason is that next Monday in a large majority of the towns of the state is the annual election day, and many of the members would not be able to get back so as to be present at 10 o'clock. Probably that is the reason the amendment was adopted.

I would be in favor of concurring with the House.

Mr. BUTLER: Mr. President, I understand that part of the towns of the state hold their elections next Mon-

day, and part on the following Monday, and some later than that. It does not seem to me as though that would materially affect us.

Mr. DAVIES of Cumberland: Mr. President, I think the first Monday of March is generally considered as town meeting day, and it seems to me it would work a hardship on many of the members of the House and perhaps the Senate, who desire to attend the annual town meeting if they were compelled to be here Tuesday morning at 10 o'clock. It does not seem to me that the concurrence of the Senate with the House would do any harm, neither do I think it will lose any time, considering the general status of business in the legislature at the present time.

Mr. DEERING of York: Mr. President, do I understand the order to read 2.30 o'clock?

The PRESIDENT: 4.30 o'clock.

The pending question being on the motion of the Senator from Somerset, Senator Walker, that the Senate reconsider the vote whereby this order was adopted, the motion was agreed to.

On further motion by the same Senator, House Amendment was adopted in concurrence, and the order passed as amended.

At this time former President of the Senate, Hon. Ira G. Hersey, of Aroostook County, appeared in the Senate, and upon invitation by President Bailey took a seat by the side of the President. (Applause.)

Papers from the House disposed of in concurrence.

From the House: 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 reimbursement for necessary expenses in attendance at the terms of the Supreme Judicial Court held at Caribou.

The PRESIDENT: This bill was passed to be engrossed by the House. When it came to the Senate it was recommitted to the committee on salaries and fees, and was returned to the House. The House insisted on its former action and appointed a conference committee.

Mr. MARSHALL of Cumberland: Mr. President, I move that a committee of conference be appointed on the part of the Senate.

The Chair appointed on such committee on the part of the Senate, Messrs. Marshall of Cumberland, Conant of Waldo and Grant of Cumberland.

From the House: Resolve in favor of the town of Solon for the repair of Robin hill in said town.

The PRESIDENT: This is a private and special bill introduced in the House and referred to the committee on ways and bridges. In the Senate it was referred to the next legislature, was returned to the House and the House insisted on its former action.

Mr. DAVIES of Cumberland: Mr. President, I move that the Senate insist upon its former action.

The motion was agreed to.

From the House: An Act to secure information relating to the yearly cut of timber from the wild land townships.

In the Senate this bill was passed to be engrossed. In the House it was recommitted to the committee on taxation, in non-concurrence.

On motion by Mr. Holt of Cumberland, the Senate reconsidered the vote whereby this bill was passed to be engrossed, and on further motion by the same Senator, recommitted the bill to the committee on taxation.

House Bills in First Reading

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.

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. Butler of Franklin: Remonstrances of B. F. Weatheren and others; of R. McCleary and others; and of W. D. Frederick and others; against the Senate Bill No. 144, known as peddlers' license law.

Education.

By Mr. Ames of Washington: An Act to amend Section 30 of Chapter 16 of the Revised Statutes of 1916, relating to the age of pupils allowed to attend the public schools. (Ordered printed.)

By Mr. Wood of Hancock: Petition of F. P. Merrill of Bluehill and 15 others in favor of act regulating fall opening of schools.

Legal Affairs.

By Mr. Peacock of Washington: An Act to amend Section 15 of Chapter 136 of the Revised Statutes of Maine, 1916, relating to proceedings in court in criminal cases. (Ordered printed.)

Salaries and Fees.

By Mr. Merrill of Somerset: An Act to fix the salaries of the board of State assessors.

Sea and Shore Fisheries.

By Mr. Peacock of Washington: An Act amending Section 17 of Chapter 45 of the Revised Statutes for granting lobster licenses. (Ordered printed.)

By the same Senator: Petition of S. A. Fickett and 56 others of Milbridge in favor of changing present lobster law to conform with the law of the state of Massachusetts.

By Mr. Wood of Hancock: Remonstrances of Leslie A. King of Manset and 38 others; of C. W. Sargent and 21 others of Gouldsboro; of Chester Walls and 34 others of Mt. Desert; and of R. B. Jackson and 34 others of Bass Harbor; against any change in the lobster law.

By Mr. Peacock of Washington: Petition of Willard L. Carver and 58 others of Jonesport in favor of retaining the present lobster law, and for enforcement of the same.

Bills in First Reading.

S. D. 249. 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.

S. D. 250. Resolve in favor of the Machias Electric Light Company in payment for current furnished the Washington State Normal School.

S. D. 251. An Act to define and amend the laws in regard to tuition. (On motion by Mr. Ames of Washington, pending first reading, recommitted to the committee on education.)

S. D. 252. An Act to amend Section 117 of Chapter 16 of the Revised Statutes relating to the employment of agents for schools in unorganized townships.

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

S. D. 254. An Act to amend Section 76 of Chapter 16 of the Revised Statutes relating to the inspection of secondary schools.

S. D. 255. Resolve in favor of L. E. Bradstreet and Sons Company for the balance due on the Farmington State Normal school dormitory construction.

S. D. 256. Resolve in favor of certain private, charitable and benevolent institutions, for the care, support and education of indigent persons, and for other purposes.

S. D. 257. Resolve in favor of the board of dental examiners for equipment consisting of twelve operating tables, and steel cabinets, printing, postage.

S. D. 258. Resolve providing for the payment of steel filing equipment in the office of the secretary of the senate.

S. D. 259. Resolve appropriating money for electoral college.

Reports of Committees.

By Mr. Swift from the committee on insane hospitals, on

Resolve in favor of the Augusta State hospital, for renovation of the bath and toilet rooms, new hardwood floors in the wards, and new electric wiring of the male and female pavilion buildings;

Resolve in favor of the Augusta State hospital for equipping the second and third male stone buildings, now being renovated;

Resolve in favor of the Augusta State hospital for renovation of the bath and toilet rooms in the Harlow and Sanborn buildings;

Resolve in favor of the Augusta State hospital for a nurses' home;

Resolve in favor of the Augusta State hospital for a new reception building;

Resolve in favor of the Augusta State hospital for the full maintenance and support of all State charges for the years 1917 and 1918;

Resolve in favor of the Bangor State hospital;

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reported same in a new draft, under title of

"Resolve in favor of the State hospitals for maintenance and other purposes, for the years 1917 and 1918," and that it ought to pass.

Mr. Lord from the committee on interior waters, on An Act additional to and amendatory of Chapter 206 of the Private and Special Laws of 1907, relating to the West Branch Driving and Reservoir Dam Company, (House 18) reported same in a new draft under the same title, and that it ought to pass.

Mr. Wood from the committee on legal affairs, on 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, reported same ought to pass.

Mr. Marshall from the committee on legal affairs, on An Act to amend Section 24 of Chapter 26 of the Revised Statutes of 1916, relating to the registration of manufacturers and dealers in motor vehicles (Senate No. 113), reported same in a new draft, under the same title, and that it ought to pass.

Mr. Lord from the committee on public utilities on An Act relating to the Clark Power Company, (Senate No. 150), reported same ought to pass. (On motion by Mr. Lord of York, under suspension of the rules, this bill was given its first reading.)

Mr. Holt from the same committee, on An Act requiring the placing of warning signs at grade crossings, cross and entering roads, and dangerous curves. (Senate No. 74), reported same in a new draft, under title of "An Act requiring the placing of warning signs at grade crossings," and that it ought to pass.

Mr. Lord from the same committee, on An Act to extend the charter of the Androscoggin Valley Railroad Company, reported same in a new draft, under the same title, and that it ought to pass.

Mr. Merrill from the committee on towns, on An Act to annex certain islands in Casco Bay to the county of Sagadahoc, and the town of Phippsburg, reported same in a new draft un-

der the same title, and that it ought to pass.

Mr. Baxter from the committee on ways and bridges, on An Act to require certain vehicles to carry lights at night, and to control the glare of headlights, (Senate No. 36), reported same ought to pass. (On motion by Mr. Conant of Waldo, under suspension of the rules, this bill was given its first reading.)

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

Mr. Higgins from the committee on appropriations and financial affairs, on An Act to amend Chapter 138 of the Public Laws of the State of Maine, for 1895, relating to the appointment of commissioners for the promotion of uniformity of legislation in the United States, reported same ought not to pass, as the same has been provided for in the first appropriation bill.

Mr. Butler from the committee on Interior waters, on An Act to provide for a commission to be known as the People's Rights and Water Power Commission, for the State of Maine (Senate No. 56), reported same ought not to pass.

Mr. Butler from the same committee, on An Act to amend Section 33 of Chapter 33 of the Revised Statutes (1916), relating to the depositing of mill waste in the inland waters of the State (Senate No. 88), reported same ought not to pass.

Mr. Merrill from the committee on legal affairs, on An Act to regulate the practice and business of horseshoeing; providing for the issuance of licenses; providing for the appointment of examiners and defining their duties; defining certain misdemeanors and providing penalties therefor (Senate No. 25), reported same ought not to pass.

Mr. Wood from the committee on legal affairs, on An Act to incorporate the Narraguagus Boom Association (Senate No. 91), reported legislation thereon is inexpedient.

Mr. Gordon from the committee on public health, on An Act relating to the inspection of hotels, inns and rooming houses (Senate No. 176), reported same ought not to pass.

The reports were accepted and sent down for concurrence.

Passed to be Engrossed.

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

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 to enlarge 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 235 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.

H. D. 362. An Act to permit savings banks to invest in certain railroad bonds. (On motion by Mr. Stanley of Oxford recommended to the committee on banks and banking.)

H. D. 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. (On motion by Mr. Holt of Cumberland, tabled pending second reading.)

H. D. 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. (On

motion by Mr. Holt of Cumberland, tabled pending second reading.)

H. D. 391. Resolve to reimburse Freeman Boynton for money paid in lieu of military service in the Civil war. (On motion by Mr. Conant of Waldo, tabled pending passage to be engrossed.)

H. D. 392. Resolve to amend Chapter 96 of the Resolves of 1909, relating to animal industry.

S. D. 179. An Act to amend Section 125 of Chapter 57 of the Revised Statutes, relating to special insurance brokers. (On motion by Mr. Deering of York, tabled pending passage to be engrossed.)

S. D. 242. An Act to legalize and make valid the doings of the municipal officers of Vinalhaven in 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.

(On motion by Mr. Marshall of Cumberland Senate Amendment A to Senate Document 242 was adopted: "Amend said bill by adding thereto the following section: Section 2. In view of the emergency set forth herein this act shall take effect when approved.")

On further motion by the same Senator the bill as amended was passed to be engrossed.)

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. (On motion by Mr. Butler of Knox tabled pending passage to be engrossed.)

Orders of the Day.

Mr. WALKER of Somerset: Mr. President, I move we take from the table, Resolve in favor of the University of Maine.

The motion was agreed to.

On motion by the same senator, referred to the committee on appropriations and financial affairs.

Mr. WALKER of Somerset: Mr. President, I move we take from the table the 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 or credit to pay same, and providing a penalty therefor."

The motion was agreed to.

On further motion by the same senator the joint resolution was given a passage.

Mr. LORD of York: Mr. President, I move to take from the table an act to amend Section 30 of Chapter 24 of the Revised Statutes, relating to the crossing of railroad tracks by townways and highways, Senate Document No. 234.

The motion was agreed to.

On further motion by the same senator the bill was passed to be engrossed.

Mr. LORD of York: Mr. President, I move to take from the table an Act to amend Section 34 of Chapter 24 of the Revised Statutes, relating to highway crossings of railroads. Senate Document No. 235.

The motion was agreed to.

On further motion by the same senator the bill was passed to be engrossed.

Mr. BARTLETT of Kennebec: Mr. President, I move to reconsider the vote whereby the resolve authorizing the treasurer of the State to reissue matured state highway bonds was referred to the committee on appropriations and financial affairs.

The motion was agreed to.

On further motion by the same senator, referred to the committee on ways and bridges.

Mr. DAVIES of Cumberland: Mr. President, I desire to present a statement of facts and general and specific comments made by Hon. Joseph E. F. Connolly, judge of the superior court of Cumberland county, to be considered in connection with Senate Document No. 146, entitled An Act to amend Section 2 of Chapter 65 of the Revised Statutes of 1916, and Section 80 of Chapter 82 of the Revised Statutes of 1916, relating to the jurisdiction of the superior court for Cumberland county.

The statement of facts was received, and upon further motion by the same senator was tabled for printing.

On motion by Mr. Stanley of Oxford,
Adjourned until 4.30 P. M. next Tuesday, March 6.