

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
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1916

SENATE

Friday, March 9, 1917.

Senate called to order by the President.

Prayer by Rev. A. Francis Walsh of Augusta.

Journal of previous session read and approved.

Under suspension of the rules Mr. Higgins of Penobscot presented the following order and moved its passage.

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Tuesday, March 13, at 9.30 o'clock in the forenoon.

Mr. WALKER of Somerset: Mr. President, I move to amend that order by making it 10 o'clock in the forenoon. I cannot possibly get here.

Mr. STANLEY of Oxford: Mr. President, I second the motion for the amendment.

Mr. HIGGINS: Mr. President and Senators, the trains arrive here from the east at 9.39 in the morning, and we meet at 9.30, and it is only routine matters for that first half hour. It would help out very much to meet at 9:30. And from the fact that we are not meeting on Monday at 4.30 in the afternoon, it seems to me we ought to have that half hour Tuesday morning.

The question being upon the adoption of the amendment of Senator Walker a viva voce vote was had, and the Chair being in doubt a rising vote was had, and 14 Senators voting in the affirmative and 7 in the negative the amendment was adopted.

The order as amended was then passed and sent down for concurrence.

Papers from the House disposed of in concurrence.

From the House: Resolve in favor of Freeman Boynton of Boothbay Harbor on account of refund of money paid in lieu of military service in the war of the Rebellion.

In the House this resolve was passed

to be engrossed. In the Senate it was indefinitely postponed, and was sent to the House for concurrence. The House voted to insist on its former action and asked for a committee of conference.

On motion by Mr. Conant of Waldo the Senate voted to insist upon its former action and join a committee of conference.

The Chair appointed on such committee of conference on the part of the Senate, Messrs. Conant, Grant and Butler.

House Bills in First Reading

H. D. 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.

H. D. 451. An Act to extend and amend the charter of the Bangor Boom Company.

H. D. 350. An Act to create a board of Prison Commissioners.

From the House: Report of the committee on sea and shore fisheries, ought not to pass, on An Act to amend Section 36 of Chapter 45 of the Revised Statutes, relating to seed lobsters.

(Recommitted to the committee on sea and shore fisheries, in concurrence, on motion by Mr. Peacock of Washington.)

Communication

To the Honorable W. E. Lawry, Secretary of the Senate:

In accordance with the order of the House passed this date, an attested copy of which is hereto attached, you are requested to deliver to the House Resolve in favor of the town of Solon, with accompanying papers, in order that the House may be enabled to ask for a committee of conference.

(Signed) W. R. ROIX.

Clerk, House of Representatives, Augusta, March 8, 1917.

State of Maine.

In House of Representatives, Thursday, March 8, 1917.

Ordered, that the Senate be requested to return to the House, the Resolve

in favor of the town of Solon, with accompanying papers, in order that the House may be enabled to ask for a committee of conference.

March 8, 1917.

Read and passed.

W. R. ROIX, Clerk.

Mr. DAVIES of Cumberland: Mr. President, I move that the secretary of the Senate be instructed to return the bill as provided in the order.

The motion was agreed to.

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

Education

By Mr. Walker of Somerset: An Act to amend Section 143 of Chapter 16 of the Revised Statutes relating to the admission of students to State Normal Schools. (Ordered printed.)

Bills in First Reading

S. D. 290. An Act to amend Chapter 215 of the Private and Special Laws of 1867, entitled "An Act to incorporate the City of Saco."

Reports of Committees.

Mr. Bartlett from the committee on appropriations and financial affairs, on An Act to amend Chapter 147, Revised Statutes, relating to the State board of charities and corrections, reported same in a new draft, under the same title, and that it ought to pass.

Mr. Higgins from the same committee, on An Act to regulate the payments or appropriations for the care, treatment, support and education of persons in charitable or benevolent institutions not wholly owned or controlled by the State (Senate No. 100) reported same in a new draft, under the same title, and that it ought to pass.

The same Senator from the same committee, on An Act in relation to annual or biennial reports of State charitable and correctional institutions (Senate No. 101) submitted the same in a new draft, under the same title, and that it ought to pass.

Mr. Grant from the same committee, on An Act to amend Section 62 of Chapter 2 of the Revised Statutes relating to deposit of State funds (Senate No. 264), reported same ought to pass. (On motion by Mr. Grant of Cumberland, read the first time, under suspension of the rules.)

The same Senator from the same committee, on Resolve in favor of the University of Maine, reported same ought to pass.

Messrs. Walker, Ricker, Ames, Brewster, Williams, Cates, Allen and Boman, from the committee on education, on An Act to amend Sections 55, 56, 57, 58, 59, 61 and 62 of Chapter 16 of the Revised Statutes to provide for the formation of unions for the employment of superintendents of schools (Senate No. 185) submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Chick from the committee on inland fisheries and game, on Resolve for the purpose of operating the fish hatcheries and feeding station for fish, for the protection of fish, game and birds, and for printing the report of the commissioners of inland fisheries and game (Senate No. 40) submitted same in a new draft, under title of 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, and that it ought to pass.

Mr. Walker from the committee on State school for boys, State school for girls' and women's reformatory, on Resolve in favor of the reformatory for women for maintenance and other purposes for the years 1917 and 1918, reported same ought to pass.

Mr. Walker from the same committee, on Resolve in favor of the reformatory for women for permanent improvement of the grounds and other purposes for the year 1917, reported same ought to pass.

Mr. Lord from the York delegation, on Resolve authorizing the county of

York to procure a loan (Senate No. 136), reported same ought to pass. (On motion by Mr. Deering of York, read first time under suspension of the rules.)

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

Passed to Be Engrossed

H. D. 27. An Act to amend Section 39, Chapter 30, Revised Statutes, relating to the inspection of safe guards and repairs, by town officers or fire engineers.

H. D. 96. An Act to amend Section 1 of Chapter 177 of the Private and Special Laws of 1899, relating to the taking of smelts in the Saco river.

H. D. 166. An Act additional to Chapter 6 of the Revised Statutes, relating to the purity of elections.

H. D. 184. An Act additional to Chapter 82 of the Private and Special Laws of 1903, entitled "An Act to incorporate the Gardiner Water District.

H. D. 402. An Act to extend the charter of the Washington County Light and Power Company. (In the House amended by the adoption of House Amendment A. In the Senate tabled on motion by Mr. Davies of Cumberland.)

H. D. 449. "Resolve Providing to Investigate the Advisability of Making Improvements in Portland Harbor."

H. D. 450. An Act to Authorize the National Camps and Hotel Company to Construct and Maintain a Wharf in Sebago Lake."

Mr. DAVIES of Cumberland: Mr. President, may I inquire of the secretary of the Senate through the Chair if Section 2 of the bill reads as follows: "This act shall take effect when approved?"

The PRESIDENT: The Chair will inform the Senator that the original bill did contain that section, but in the House they adopted an amendment striking out the entire second section.

On motion by Mr. Davies the Senate adopted House Amendment A in concurrence.

H. D. 452. An Act to Legalize the Doings of the Fairfield Center Cemetery Association.

H. D. 453. An Act to Change the Name of Marsh Island.

H. D. 455. An Act to repeal Chapter 275 of the Private and Special Laws of 1911, relating to the construction of public buildings on public grounds by the city of Portland.

H. D. 456. An Act to extend the charter of the Waldo Street Railway Company.

H. D. 458. An Act to provide for physical connection and certain auxiliary service between steam railroads and electric railroads.

H. D. 459. An Act to extend the charter of the Farmington-Oakland Interurban Railway. (On motion by Mr. Butler of Franklin, tabled pending second reading.)

H. D. 460. An Act to extend the charter of the Lincoln Sewerage Company.

H. D. 461. An Act to extend and amend the charter of the Eastern Maine Railroad.

Mr. SWIFT of Kennebec: Mr. President, I wish to offer Senate Amendment A to this act, pending its passage to be engrossed.

"Senate Amendment to House Document 461, An Act to extend and amend the charter of the Eastern Maine Railway, by adding Section 4: "Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of Chapter 55 of the Revised Statutes of Maine."

I move the adoption of the amendment.

The motion was agreed to, and the bill, as amended, was passed to be engrossed.

H. D. 462. An Act to amend Chapter 8 of the Private and Special Laws of 1887, setting off certain real estate of Theodore B. and Addie S. B. Weston from the Madison Village Corporation.

H. D. 463. An Act to Provide for Increasing the Capital Stock of the Franklin Farmers' Co-operative Telephone Company.

(On motion by Mr. Butler of Franklin, tabled pending second reading.)

S. D. 277. An Act to Amend Chapter 195 of the Private and Special Laws of 1913, Entitled "An Act to Authorize the Bangor Railway and Electric Company to Take Water from Chemo Lake and its Tributaries."

S. D. 278. An Act to Amend Section 30 of Chapter 56 of the Revised Statutes, relating to the construction and use of railroad branch tracks.

S. D. 279. Resolve for the Appointment of Delegates to the Conferences of the National Tax Association, and providing for the expenses of such delegates.

S. D. 280. Resolve in Favor of the Maine State Prison for Maintenance and Current Expenses.

S. D. 281. An Act to Change the Date of the Annual Meeting of the Farmington Village Corporation.

S. D. 282. An Act to Amend Section 139 of Chapter 16 of the Revised Statutes, Relating to the Appropriation for the Encouragement of Industrial Education.

S. D. 283. An Act to Amend Section 14 of Chapter 16 of the Revised Statutes of 1916, to Provide for the Approval of Plans for the Reconstruction and Remodeling of School Buildings.

S. D. 284. An Act to Amend Section 146 of Chapter 16 of the Revised Statutes, Relating to the Appropriation for the support of Normal and Training Schools.

S. D. 285. An Act to amend Section 118 of Chapter 16 of the Revised Statutes, relating to the appropriation for schooling of children in unorganized townships.

From the House: An Act to enable the town of Presque Isle to assume the obligations of the Presque Isle Village Fire Department, arising out of a contract with the Presque Isle Water Company.

Mr. FULTON of Aroostook: Mr. President, this bill relating to the Presque Isle Fire Department, is the

same as one I took up yesterday relating to the Fort Fairfield Water Company. If in order, I move the rules be suspended and this bill receive its several readings at the present time, and be passed to be engrossed, in order that we may get it through and present it at the town meeting.

The motion was agreed to and the bill was read twice and passed to be engrossed in concurrence with the House.

Passed to Be Enacted

An Act Additional to Chapter 48 of the Revised Statutes, and Giving Additional Power to Local Sealers of Weights and Measures and their Deputies.

An Act to Extend the Charter of the North Bridgton Village Corporation.

An Act to Enlarge the Jurisdiction of the Municipal Court of Dexter.

Finally Passed

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.

Resolve, reimbursing the town of Westfield for money expended for a State pauper.

Resolve in favor of the Board of Registration of Medicine.

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

The PRESIDENT: The Chair lays before the Senate an emergency act, H. D. 51, An Act to enable the inhabitants of Fort Fairfield to assume all the rights, privileges, duties, contracts and obligations of Fort Fairfield Village Corporation in said Fort Fairfield.

This bill required the vote of two-thirds of the members elected to the Senate.

Twenty-five senators voting in favor of the enactment of the bill and none opposed the bill was passed to be enacted.

Orders of the Day

On motion by Mr. Deering of York, S. D. No. 179, An Act relating to special insurance brokers, was taken from

the table, and on further motion by the same senator, it was passed to be engrossed.

On motion by Mr. Deering of York, S. D. No. 253, An Act to amend Section 176 of Chapter 16 of the Revised Statutes, relating to the appropriation for teachers' pensions, was taken from the table.

Mr. DEERING: I now move that it be reassigned for next Friday, a week from today.

The PRESIDENT: Wednesday will be the latest it would come up.

Mr. DEERING: It would be in order, next Wednesday, to have it reassigned again, would it not, for a good reason?

The PRESIDENT: Yes.

Mr. DEERING: Very well, have it next Wednesday.

The motion was agreed to.

On motion by Mr. Wood of Hancock, Report, ought to pass, of the committee on legal affairs on bill, An Act relating to municipal elections in the town of Mount Desert, was taken from the table.

Mr. WOOD: Mr. President, I now offer Senate Amendment A.

The PRESIDENT: Under the ruling which the Chair made some time ago, it is not in an amendable stage at this time. The senator tabled it on the acceptance of the report of the committee.

Mr. WOOD: I withdraw that motion and move the acceptance of the report.

The motion was agreed to.

The bill was given its first reading.

The PRESIDENT: The Chair lays before the Senate, Report, ought not to pass, of the committee on education on bill, An Act to amend Section 169 of Chapter 16 of the Revised Statutes of 1916, relating to teachers' pensions,

tabled by the senator from Somerset, Senator Walker.

On motion by Mr. Walker of Somerset the report and bill were tabled, and specially assigned for next Wednesday.

The PRESIDENT: The Chair will state that the adjournment order as amended and passed by the Senate was concurred in by the House, so that we stand adjourned until Tuesday, at 10 o'clock, when we do adjourn.

On motion by Mr. Marshall of Cumberland, H. D. No. 224, An Act to revive and extend the charter of the Penobscot Bay Water Co., was taken from the table.

Mr. MARSHALL: I now offer Senate Amendment A and move its passage.

The PRESIDENT: The pending question on this particular bill is on the adoption of House Amendment A. House amendment A reads the same as the amendment that was introduced by the Senator from Cumberland.

Mr. MARSHALL: I was not aware that there was House amendment A pending, therefore I will withdraw my amendment.

The PRESIDENT: The Senator from Cumberland, Senator Marshall withdraws his amendment. The question before the Senate at the present time is on the adoption of House Amendment A to this bill.

House amendment A reads as follows: "Nothing herein contained is intended to repeal, or shall be construed as repealing the whole, or any part, of any existing statutes, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter 55 of the Revised Statutes."

Mr. DAVIES of Cumberland: I move the Senate adopt House amendment A in concurrence with the House.

The motion was agreed to.

On motion by Mr. Marshall of Cumberland, H. D. No. 443, An Act to ex-

tend the charter of the Blue Hill Water Company, was taken from the table.

Mr. MARSHALL: Mr. President, I beg to inquire whether a like House amendment is attached to this bill?

The PRESIDENT: There is a House amendment to this document, reading as follows: "Nothing here contained is intended to repeal or shall be construed as repealing the whole, or any part, of any existing statutes, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable pro-

visions of chapter 55 of the Revised Statutes."

Mr. MARSHALL: I now move the adoption of House amendment A in concurrence with the House.

The motion was agreed to, and on further motion by the same Senator, the bill was passed to be engrossed as amended.

On motion by Mr. Davis of Piscataquis.

Adjourned, until Tuesday morning, March 13, at 10 o'clock in the forenoon.