

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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SENATE

Friday, February 28, 1919.

Senate called to order by the President.

Prayer by Rev. Dwight A. Ball, of Augusta.

Journal of previous session read and approved.

On motion by Mr. Gurney of Cumberland, under suspension of the rules, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, March 4, at 10 o'clock in the forenoon.

Mr. WALKER of Somerset: Mr. President, I move we reconsider the vote whereby we adopted that order.

The motion was agreed to.

Mr. WALKER: In view of the fact, Mr. President, that on Monday next, many of the towns have their annual March meeting, various members of the House and Senate could not reach the capital at 10 o'clock, but could at half past four, I think it has been customary in former legislatures, when the towns and cities have their annual March meetings, to adjourn from Friday until Tuesday at half past four, and I would amend the order so that it would read, when we adjourn we adjourn until Tuesday at half past four.

The PRESIDENT: Before putting the amendment, the Chair desires to state that it was the opinion of the Chair that matters would be expedited and the business forwarded to the extent of a few days by having our meeting Tuesday at 10 o'clock. I believe that prior to the last session of the Legislature we have always met Tuesday at 10 o'clock. In 1917 we adjourned over until 4.30 Tuesday afternoon for the purpose of giving the members an opportunity of attending town meeting.

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

Papers from the House disposed of in concurrence.

House Bills in First Reading

H. D. 231: Resolve, making an appropriation for the Maine Seed Improvement Association.

H. D. 233: An Act to amend Sections 1, 10, 11 and 24 of Chapter 46 of the Revised Statutes, all relating to the survey and sale of wood, bark, coal, hoops, staves and lumber.

H. D. 239: An Act to provide for co-operative agricultural extension work between the several counties of Maine and the University of Maine, College of Agriculture, in accordance with the Federal Agricultural Extension Act of May 8, 1914, entitled An Act to provide for co-operative agricultural extension work between the agricultural colleges and the United States Department of Agriculture.

H. D. 229: An Act to amend Chapter 424 of the Private and Special Laws of 1917, changing the time of the annual meeting of Kittery Water District.

H. D. 232: An Act to extend the charter of the Boothbay Water District.

H. D. 191: An Act relative to the marriage of persons having syphilis.

H. D. 230: Resolve for further maintenance of the State Forest Nursery.

H. D. 234: Resolve, for continuance of white pine blister rust control.

H. D. 236: Resolve, providing for the completion of the Book of Plans of Waldo County and appropriating money therefor.

H. D. 235: An Act relating to Martin's Point Bridge, so-called, in the county of Cumberland.

H. D. 206: 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 commissioner of inland fisheries and game, and other expenses incident to the administration of the department of inland fisheries and game.

From the House: Resolve in favor of Esther M. Giles.

The PRESIDENT: In the Senate this resolve was indefinitely postponed; in the House referred to the committee on military affairs, and

they insist and ask for a committee of conference. What is the pleasure of the Senate?

Mr. DAVIES of Cumberland: 'Mr. President, to what committee was it referred?

The PRESIDENT: Military affairs—the original committee.

Mr. DAVIES: Perhaps the chairman of the committee on military affairs would like to join in the conference.

The PRESIDENT: I will state for the information of the Senator from Cumberland that this is a private and special matter.

Mr. GURNEY of Cumberland: Mr. President, will you kindly inform me what the nature of the matter is? I was paying attention to something else.

The PRESIDENT: (After reading resolve.) This being a private and special matter it was indefinitely postponed in the Senate, went down to the House and was referred to the committee on military affairs, and they insist and ask for a committee of reference.

On motion by Mr. Gurney of Cumberland, the Senate voted to recede and concur with the House.

The PRESIDENT: The Chair will appoint as a committee of conference, Senators Gurney of Cumberland, Gannett of Kennebec—

Mr. GURNEY: Mr. President, I beg your pardon and also that of the senators for my inattention during the matter. I apparently have gotten the matter back now. I move to reconsider the vote whereby we voted to recede and concur with the House.

The motion was agreed to and on further motion by the same senator, the Senate voted to adhere to its original action.

From the House: H. D. 145: An Act to amend Chapter 372, Laws of Maine, 1905, entitled An Act for the protection of clams in parts of the county of Sagadahoc.

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

Mr. WALKER of Somerset: Mr. President: I see the senator from

Sagadahoc is not present. I move the matter lie on the table.

The motion was agreed to.

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

Interior Waters

By Mr. Chick of Kennebec, An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to compensation of inspectors.

By the same senator, An Act relating to an appropriation for aid of navigation on various lakes, rivers and thoroughfares in the State of Maine.

Orders

On motion by Mr. Thombs of Penobscot it was

Ordered, that the Senate chamber be reserved for the use of the legal affairs committee on Thursday, March 5.

Mr. DAVIES of Cumberland: Mr. President, I do not wish to oppose the order which has been presented by the senator from Penobscot, Senator Thombs, but I am of the opinion that the Senate chamber has already been reserved for the use of the judiciary and labor committees jointly on that day for the purpose of hearing bills relating to the workmen's compensation act.

Mr. THOMBS: Mr. President, I inquired of Mr. Ashford this morning and he assured me that it had not been reserved.

Mr. COBB of Kennebec: I would ask the senator from Cumberland if it is not the House that is reserved.

Mr. DAVIES: I very gladly take the correction. I am wrong about that. I think on the suggestion of the senator from Kennebec, Senator Cobb, the House was reserved. We first talked about the Senate chamber.

The PRESIDENT: The Chair would ask the senator from Penobscot if March 5 does not come on Wednesday? The order states Thursday.

Mr. THOMBS: Yes, the intention was to make it for Thursday, the 6th—Thursday is the day of the week.

The PRESIDENT: The Chair will

make the correction at the suggestion of the senator from Penobscot.

On motion by Mr. Ricker of Hancock it was

Ordered, that there be printed 1000 copies of Senate Bill No. 131.

The PRESIDENT: Will the senator from Hancock state the title of the bill?

Mr. RICKER: It is a bill relating to fisheries and is a general law, and the 500 copies are printed.

On motion by Mr. Baxter of Sagadahoc it was

Ordered, that 1500 copies of the stenographic report of the hearing before the committee on appropriations and financial affairs on Resolve relating to People's Ferry Company of Bath, be printed for the use of the Legislature

Senate Bills in First Reading

S. D. 128: An Act additional to Section 27 of Chapter 52 of the Revised Statutes, permitting savings banks and institutions of savings to invest in certain kinds of acceptances.

Reports of Committees

Mr. Babb for the committee on agriculture on An Act to authorize the commissioner of agriculture to group the various bureaus and lines of work in the department of agriculture into divisions, reported that the same ought to pass.

Mr. Chick for the committee on agriculture on Resolve in favor of the Sagadahoc Agricultural and Horticultural Society, submitted the same in a new draft under the same title and that it ought to pass.

Mr. Clement for the committee on claims, on Resolve in favor of Morrison Libby, reported that the same ought to pass.

Mr. Googin for the same committee on Resolve to reimburse the People's Ferry Company of Bath, reported that the same ought to pass.

Mr. Gurney for the same committee on resolve in favor of Harry S. Coombs for preparing sketches and estimates and attendance before the Legislature before Legislative hearings, making changes in said sketches and other expenses for the board of trustees for the Maine State School for Girls, submitted the

same in a new draft under the same title, and that it ought to pass.

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

Mr. Walker for the committee on education on An Act to provide for the training of rural teachers (Senate 67), reported that the same ought to pass.

On motion by Mr. Thornton of Aroostook, the rules were suspended and the bill given its first reading.

Mr. Metcalf for the committee on inland fisheries and game on An Act to amend Section 57 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917 relating to the protection of wild birds, reported that the same ought to pass.

Mr. Metcalf for the same committee on the several Resolves appropriating money to aid in screening Eagle Lake, Aroostook county; Echo Lake, or Crotched Pond, Kennebec county; Pocasset Lake, Kennebec county; Howard Pond, Oxford county; Togue Pond, Piscataquis county; Big Smith Pond, Penobscot county; Puffer Ponds, Penobscot county; Moores Pond, Penobscot county; Weymouth Pond, Penobscot county; Shinn Pond, Penobscot county; Oakes Pond, Somerset county; Boyden's Lake, Washington county; Lambert Lake, Washington county; and Resolve, to aid in the propagation of fish, submitted the same in a new draft under the title of Resolve, appropriating money to aid in screening lakes and ponds, and that it ought to pass.

Mr. Deering for the committee on judiciary on Resolve in favor of the National conference of commissioners on uniform state laws, and of the commissioners from Maine for the promotion of uniformity of legislation in the United States, reported that the same ought to pass.

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

Mr. Davies for the same committee on An Act to enlarge the powers of the Lewiston Trust Company, and to authorize said corporation to be-

come surety on bonds, reported that the same be referred to the committee on banks and banking.

The report was accepted and sent down for concurrence.

Mr. Gurney for the committee on legal affairs on An Act to authorize the appointment of the Deering high school commission in the city of Portland, Maine, reported that the same ought to pass.

Mr. Gurney for the same committee on An Act to amend Chapter 195 of the Public Laws of 1917, creating the board of prison commissioners, reported that the same ought to pass.

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

Mr. Parent for the same committee on An Act to abolish the common council of the city of Lewiston, reported that the same ought to pass. (Tabled by Mr. Googin of Androscoggin, pending acceptance of the report of the committee.)

Mr. Gurney for the same committee on An Act to amend Chapter 137, Section 10 of the Revised Statutes, as amended by Chapter 103 of the Public Laws of 1917, relating to the appointment of probation officers, submitted the same in a new draft under the title of bill An Act to amend Section 10 of Chapter 137 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1917; also to amend Section 19 of Chapter 137, relating to the appointment of probation officers, and that it ought to pass.

Mr. Lord from the committee on public utilities on An Act to amend Section 1 of Chapter 145 of the Public Laws of Maine for the year A. D. 1917, submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Thornton for the same committee on An Act to incorporate the Island Falls Water District, submitted the same in a new draft under the same title, and that it ought to pass.

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

Passed to Be Engrossed

H. D. 204: An Act amending Chapter 205 of Private and Special Laws of 1911, relating to annual report of the Grand Army of the Republic of the State of Maine.

H. D. 205: Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

(Tabled by Mr. Walker of Somerset pending its second reading.)

H. D. 207: Resolve appropriating money for the purchase of traveling libraries for high schools.

H. D. 208: An Act to amend the law relating to the establishment of public libraries.

H. D. 209: An Act in relation to publications of state departments and institutions.

H. D. 210: Resolve providing for the purchase of certain volumes of the documentary history of Maine.

(Tabled by Mr. Walker of Somerset pending its second reading.)

H. D. 211: Resolve appropriating money to provide offices for the adjutant general's department and fireproof apartments for the records and documents thereof.

H. D. 212: An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting wild birds and wild animals.

(Tabled by Mr. Tuttle of Arroostook, pending its second reading.)

H. D. 213: An Act to amend Section 38 of Chapter 33 of the Revised Statutes as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of deer.

H. D. 215: An Act to amend Sections 2 and 6 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing licenses.

H. D. 223: An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895 as amended by Chapter 101 of the Private and Special Laws of 1909 and Chapter 146 of the Private and Special Laws of 1915, relating to clerk hire in the Bangor municipal court.

H. D. 224: Resolve in favor of William F. Livingston.

H. D. 226: An Act to amend Chapter 53, Section 91, of the Revised Statutes, relating to the annual statement of conditions of insurance companies and providing a penalty for neglect to file a statement.

H. D. 227: An Act to provide for retiring and pensioning employees of the State of Maine.

S. D. 47: An Act to amend Sections 25, 26, 28, 30, 34, 38 and 42 of Chapter 137, relating to indeterminate sentences and paroles.

S. D. 121: Resolve in favor of the University of Maine for maintenance. (Tabled by Mr. Ricker of Hancock pending its second reading.)

S. D. 122: Resolve in aid of navigation on Moosehead lake.

S. D. 123: An Act to amend Section 4 of Chapter 93 of the Private and Special Laws of 1878, relative to the time of holding the civil terms of the municipal court of the town of Farmington.

S. D. 124: An Act in relation to the acts or omissions of a child more than eight years of age and under 16 years of age. This Act to be known and styled as the Act of juvenile delinquency.

S. D. 125: An Act to authorize the construction of a weir in the tide-waters of Roque Harbor in the town of Jonesport.

S. D. 127: An Act to amend the charter of the Lubec Water Company.

The PRESIDENT: The Chair lays before the Senate An Act to extend the charter of the Salisbury Cove Water Company, H. D. 153, which was returned to the Legislature by the Governor pursuant to the joint order of the Legislature of February 27, 1919, the same having been passed to be enacted and signed by the Speaker and the President.

On motion by Mr. Ricker of Hancock the Senate reconsidered its vote whereby this bill was passed to be enacted, and on further motion by the same senator, the Senate reconsidered its vote whereby this bill was passed to be engrossed.

Mr. RICKER: Mr. President, I

wish to offer Amendment A to H. D. 153, to correct a clerical error, and move its adoption.

AMENDMENT A.

H. D. 153, entitled An Act to extend the Charter of the Salisbury Cove Water Company, is hereby amended by striking out the word "corporation" in the ninth line, and inserting the word "incorporation" in place thereof.

The motion was agreed to and Senate Amendment A was adopted, and on further motion by the same senator the bill was passed to be engrossed as amended.

Orders of the Day

The PRESIDENT: The Chair lays before the Senate, specially assigned for today, H. D. 117, An Act to amend Sections 3 and 5 of Chapter 37, Revised Statutes, regulating the sale of milk.

Mr. THORNTON of Aroostook: Mr. President, H. D. 117, I find, is a bill which was introduced at the request of a department, and I have two amendments to offer, Amendment A and Amendment B. Both of these amendments I have taken up with the department and the inspector informs me that the commissioner has no objection to either one of them. I will read them for the benefit of the Senate.

AMENDMENT A.

Insert after the word "cream" in the fourth line of Section 5, the words "as a business."

AMENDMENT B.

Insert after the word "hearing" in the 27th line the words "on complaint."

Senate Amendment B was adopted, Senate Amendment A was adopted, and on further motion by the same senator the bill was given its second reading as amended and passed to be engrossed.

On motion by Mr. Peacock of Washington,

Adjourned until Tuesday, March 4, at 4:30 o'clock.