

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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AUGUSTA  
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## SENATE

Tuesday, March 25, 1919.

Senate called to order by the President.

Prayer by the Rev. E. S. Philbrook of Augusta.

Journal of previous session read and approved.

On motion by Mr. Gannett of Kennebec, by unanimous consent, the rules were suspended and that senator presented the following committee report out of order:

The special committee to which was referred the communication from the Governor relating to the residence of the late James G. Blaine, with the accompanying deed and letter, have had the same under consideration, and ask leave to report the accompanying resolve, entitled, Resolve accepting the gift of the home of the late James G. Blaine, from his daughter, Harriet Blaine Beale, in memory of and in the name of her son, Lieutenant Walker Blaine Beale.

(Signed)

GANNETT,  
EMERSON,  
BERRY,  
EATON.  
MAHER.

The Resolve was read by the secretary:

Resolved: That the State accepts in trust the deed from Harriet Blaine Beale of the home of her father, Hon. James G. Blaine, in memory of and in the name of her son, Lieutenant Walker Blaine Beale, who fell fighting in France on the 18th day of September, 1918, and pledges its honor faithfully to fulfill the trust and to carry out with scrupulous care the directions and desires set forth in the deed and in the letter which accompanied it.

That the State hereby records its deep appreciation and its enduring gratitude for this gift which, in the complete satisfaction of a present need of the State, has a large and readily measured value, and also has even a greater value in those unseen and eternal things which

make it priceless. For it will always speak to us of the heart of woman with its generosity, pure and tender sentiment and love of home; of the ever widening and abiding influence of a man of winning personality, persuasive speech, profound thought, broad grasp and prophetic vision; of the burning zeal of youth, its quick response to noble family tradition, and that flaming patriotism which offers and gives the "last full measure of devotion."

And be it further Resolved that being confident that the people of Maine desire that the last resting place of him, whose home it was and whose career brought such distinguished honor to the State, should be in the Capital, where that career began, and as an expression of our gratitude for his services to us and of our deep respect for his memory, the State hereby requests of his family the privilege of bringing from Washington the remains of himself and his beloved wife and of placing them in the family lot, near Forest Grove cemetery, in Augusta, and of erecting thereon, with the approval of the family, an appropriate memorial.

That the Governor and Council be authorized and directed to take such action as may be necessary to carry into effect the purpose of this resolve and to pay the expenses thereof out of any money in the treasury not otherwise appropriated.

The report was accepted, and on further motion by Mr. Gannett, the rules were suspended, and the resolve was given its two readings and was passed to be engrossed and sent down for concurrence.

Papers from the House disposed of in concurrence.

## House Bills in First Reading

H. D. 116: An Act to provide for the collection of agricultural statistics by assessors.

H. D. 319: An Act relating to inspection and recount of ballots cast at primary elections.

### Orders.

On motion by Mr. Thombs, of Penobscot, it was

Ordered that all matters laid upon the table shall automatically come off the same at each session of the Legislature, beginning Thursday, March 27, with the exception of Saturday, March 29, during the remainder of the Legislature.

### Bills in First Reading

S. D. 246: An Act to amend Chapter 319 of the Public Laws of 1915, providing for State and county aid in the construction of highway bridges.

S. D. 249: An Act to amend Sections 12 and 23 of Chapter 40 of the Revised Statutes, relating to the duties of the bank commissioner in registering dealers in securities.

### Reports of Committees

Mr. Gannett for the committee on military affairs, on Resolve to authorize and instruct the Governor and Council to erect a statue in memory of the sons of Maine who served in the World War, reported that the same be referred to the next Legislature, and that the Governor and Council be authorized and instructed to procure designs and plans for and estimates of cost of a memorial statue with tablets and base or pedestal such as described in said resolve and to report the same to the next Legislature.

Mr. Walker for the committee on temperance, on An Act to amend Section 17 of Chapter 127 of the Revised Statutes, relating to the manufacture of intoxicating liquor (House No. 383), reported same ought not to pass.

The reports were accepted and sent down for concurrence.

### Passed to Be Engrossed

H. D. 71: An Act for the protection of claims within the limits of the Capitol Island Village Corporation in the county of Lincoln.

H. D. 453: An Act amendatory of and additional to Chapter 197 of the Public Laws of 1917, and Chapter 301 of the Public Laws of 1917, relating to the state department of health.

H. D. 454: An Act to amend Sec-

tions 1, 2, 3 and 4 of Chapter 297 of the Private and Special Laws of 1907, relating to the Fort Kent Village Corporation.

H. D. 456: An Act to enlarge the powers of trust companies.

H. D. 457: An Act to amend paragraph 1 of Section 7 of Chapter 19 of the Public Laws of 1917, relating to industrial banks.

H. D. 458: An Act to amend Section 44 of Chapter 14 of the Revised Statutes, relative to the sale of timber on Indian Township.

H. D. 460: Resolve, in favor of Esther M. Giles of Boothbay, for State aid.

S. D. 235: An Act to amend Section 71, Chapter 8 of the Revised Statutes relative to the office of forest commissioner. (On motion by Mr. Ames of Washington, tabled pending second reading.)

S. D. 237: Resolve, in favor of the several state normal schools and the Madawaska training school for permanent repairs and improvement of buildings.

S. D. 238: An Act to amend Section 33 of Chapter 16 of the Revised Statutes relating to vacancies in the membership of superintending school committees.

S. D. 239: An Act to amend Section 32 of Chapter 117 of the Revised Statutes as amended by Chapter 183, Public Laws of 1917, relating to the salaries of the board of state assessors and for clerk hire in said office. (On motion by Mr. Folsom of Somerset, tabled pending second reading.)

S. D. 243: An Act providing for the payment of half salary to judges of probate on retirement at seventy years of age, having served as such judge twenty consecutive years at least. (On motion by Mr. Grant of Cumberland, tabled pending second reading.)

S. D. 244: An Act to amend Section 42 of Chapter 82 of the Revised Statutes, relating to the law court.

S. D. 245: An Act to provide for the fixing of salaries and wages of subordinates of the several departments of the state government.

S. D. 247: An Act relative to the surety bond business of trust companies and domestic corporations,

and amending Section 90 of Chapter 52 of the Revised Statutes. (On motion by Mr. Lord of York, tabled pending second reading.)

S. D. 248: An Act in addition to Chapter 52, Section 2, of the Revised Statutes, relating to the definition of banking.

#### Finally Passed

Resolve, in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements.

Resolve, increasing pension of Catherine Nelligan of Brewer.

Resolve, appropriating money for the erection of a fish screen at the outlet of Sebago Lake.

Resolve, to appropriate money for the maintenance of the Reformatory for Women at Skowhegan.

Resolve, in favor of the Bath Military and Naval Orphan Asylum for maintenance and other purposes for the years 1919 and 1920.

Resolve, in favor of the Maine School for Feeble Minded, for additions and improvements for the years 1919 and 1920.

Resolve, authorizing the Treasurer of State to receive one one thousand dollar United States second Liberty Loan, four per cent bond, in full release and discharge of a legacy of one thousand dollars, bequeathed to the Central Maine Sanatorium by the will of the late John Prescott.

Resolve, authorizing the Treasurer of State to receive the sum of five hundred dollars bequeathed to the Central Maine Sanatorium by the will of the late Valora Chase.

Resolve, in favor of the Maine School for the Deaf.

Resolve, in favor of the Augusta State Hospital for maintenance and other purposes for the years 1919 and 1920.

Resolve, in favor of the State tuberculosis sanatoriums for maintenance and other purposes for the years 1919 and 1920.

Resolve providing for a Seal of the State.

Resolve, reimbursing the town of Norridgewock for money expended for State paupers.

Resolve in favor of the Maine school for Feeble Minded for maintenance for the years 1919 and 1920.

Resolve to reimburse the committee on insane hospitals for expenses to Bangor.

Resolve, to reimburse the committee on State sanatoriums for expenses to Hebron and Fairfield.

#### Passed to Be Enacted

An Act to incorporate the Calais Power Company.

An Act amending the charter of the People's Ferry Company.

An Act to amend Section 3 of Chapter 253 of the Public Laws of 1917, relating to the collection of delinquent taxes.

An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, in reference to the assessment of taxes on the estates of soldiers and sailors.

An Act to amend Section 61 of Chapter 142 of the Revised Statutes, relating to the commitment of women to the reformatory for women.

An Act to amend Section 65 of Chapter 142 of the Revised Statutes, relating to the care of Children of women committed to the reformatory for women.

An Act to amend Section 40 of Chapter 127 of the Revised Statutes, relating to prosecutions, how commenced and conducted.

An Act to amend Paragraph 7 of Section 55 of Chapter 91 of the Revised Statutes relating to trustee process.

An Act to regulate the taking of smelts and tomcods in the waters of Whitten Parritt stream, in the town of Gouldsboro, in Hancock county, Tunk stream and all waters tributary to Steuben bay and Joys

bay, above Lobster Island narrows in the town of Steuben, in Washington county.

An Act granting to women the right to vote for Presidential electors.

An Act to authorize Horace Cleland to erect and maintain a fish weir in tidewaters in front of his land in the town of Perry. (On motion by Mr. Peacock of Washington, tabled.)

An Act for better protection against adulterated, misbranded or inferior commercial fertilizers.

An Act to amend Sections 1 and 2 of Chapter 148 of the Revised Statutes relating to State pensions.

An Act to grant additional corporate power to Maine Title and Utility Company.

An Act to amend Sections 53, 54 and 55 of Chapter 8 of the Revised Statutes requiring a permit for the burning of brush or slash near woodlands and providing for the better enforcement of the "slash law."

An Act to amend Section 2 of Chapter 5 of the Revised Statutes relating to qualifications of voters.

An Act to amend Section 52 of Chapter 4 of the Revised Statutes, as amended by Chapter 59 of the Public Laws of 1917, relating to certificates for reimbursement of towns for burial expenses of honorably discharged soldiers and sailors.

An Act to amend Section 39 of Chapter 55 of the Revised Statutes, relating to increase or decrease of capital stock, or stock, bond or scrip dividend.

An Act to amend Section 1 of Chapter 145 of the Public Laws of 1917, relating to automatic signals.

An Act to abolish the common council of the city of Lewiston.

An Act to amend Chapter 289 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Livermore Falls Sewer District."

An Act to amend Chapter 34 of the Private and Special Laws of 1915, relating to the Eastport municipal court.

An Act to amend Section 104 of Chapter 16 of the Revised Statutes, relating to the reports of academies and private schools.

### Today Assigned

The PRESIDENT: The Chair lays before the Senate H. D. 235, An Act relating to Martin's Point bridge, so-called, in the county of Cumberland, tabled by the senator from Cumberland, Senator Gurney, the pending question being the adoption of House Amendment A in concurrence.

On motion by Mr. Gurney the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same senator House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 205, Resolve for the laying of the county taxes for the year 1920, tabled by the senator from Cumberland Senator Gurney, pending question its passage to be engrossed as amended by House Amendment A.

Mr. GURNEY: Mr. President, I yield to the senator from Cumberland, Senator Grant.

On motion by Mr. Grant, the bill was tabled.

### Orders of the Day

Mr. GANNETT of Kennebec: Mr. President, I have a resolution I wish to offer and move its adoption.

The secretary read the resolution:

WHEREAS, the 26th Division is about to be given an official reception upon its return at the port of debarkation in Boston, and

WHEREAS, this Legislature has expressed its sense by prior resolution that an official committee of welcome be named to greet in behalf of the State of Maine, these returning heroes, and

WHEREAS, a great amount of detail is necessary to be arranged in order that the relatives of returning members of this unit may be afforded every facility to observe the demonstration planned in their behalf,

Now, Therefore, Be it Resolved, that there be named two members of the Senate by the President thereof, and three members of the House of Representatives by the Speaker thereof, to serve as an executive committee in conjunction with the aforesaid official com-

mittee above named in the arrangement of details for the facilitating opportunities on the part of the relatives and friends of the Maine members of this unit for participating in the aforesaid official demonstration soon to be held in Boston, Commonwealth of Massachusetts, and be it further resolved, that such expenses as are incurred by this committee be taken from the regular appropriation for legislative expenses.

The resolution was adopted and sent down for concurrence.

Mr. THOMBS of Penobscot: Mr. President, I move we take from the table H. D. 214, An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws.

The motion was agreed to, and the senator from Penobscot, Senator Thombs, yielded to the senator from Piscataquis, Senator Metcalf.

On motion by Mr. Metcalf, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same senator the Senate concurred with the House in the indefinite postponement of House Amendment A.

On further motion by the same senator, House Amendment B was adopted, and the bill as amended by House Amendment B was passed to be engrossed.

Mr. DEARTH of Penobscot: Mr. President, I move to take from the table S. D. 242, An Act to amend Section 1 of Chapter 69 of the Revised Statutes, relating to the assessment and collection of inheritance tax.

The motion was agreed to, and the same senator then presented the following amendment and moved its adoption.

#### Senate Amendment A to S. D. 242

Amend by striking out the last sentence in said bill beginning with the word "all" in the 53rd line of said bill.

The motion was agreed to, Senate Amendment A was adopted, and the bill

was committed to the committee on second reading.

Mr. DAVIES of Cumberland: Mr. President, I move to take from the table S. D. 220, An Act to regulate the practice of the system, method or science of healing known as Osteopathy, creating a board of examination and registration for those desiring to practice the same, and providing penalties for violation of this act.

The motion was agreed to, and then the senator from Cumberland, Senator Davies, yielded to the senator from York, Senator Gordon.

Mr. GORDON: Mr. President, I move this bill be recommitted to the committee on judiciary, in concurrence with the House.

Mr. DAVIES: Mr. President, I only desire to be recorded as voting against the recommitment of this bill to the judiciary committee.

A viva voce vote being taken, the bill was recommitted to the committee on judiciary.

Mr. EMERSON of Aroostook: Mr. President I move to take from the table S. D. 233, An Act to establish a State reformatory for men.

The motion was agreed to, and upon further motion by the same senator the report of the committee, ought to pass, was accepted, the bill was given its second reading, and passed to be engrossed.

On motion by Mr. Lord of York, H. D. 347, An Act to provide for the removal of electric wires and poles when necessary for the repair of streets or removal of buildings, was taken from the table.

On further motion by the same senator, House Amendment A was adopted in concurrence.

The same Senator then offered Senate Amendment A and moved its adoption.

#### Senate Amendment A to H. D. 347

Amend H. D. 347 by adding at the end thereof the following words:

Provided however, that unless the utility and the person or corporation desiring to cut, disconnect or remove any wires or poles, owned or used

under contract by such utility for transmitting train orders or opening block signals, first agree upon the terms thereof, no such wires, pole or poles, shall be cut, disconnected, or removed, until after, and in accordance with, a permit therefor granted by the public utilities commission, and actual notice to the utility owning or using such wires or poles, and hearing. At such hearing said commission may grant such permit on such terms and conditions, and make such apportionment of the expense arising thereunder as they deem best. Whoever violates the provisions of this clause shall be punished in the manner above provided for violations of other portions of this section.

The motion was agreed to, Senate Amendment A was adopted, and the bill was passed to be engrossed as amended, and sent down for concurrence.

The rules were suspended, and the senator from York, Senator Deering, introduced a resolve in favor of the clerk of the committee on towns and moved its reference to the committee on appropriations and financial affairs.

The motion was agreed to and the bill was so referred.

The rules were suspended, and the senator from York, Senator Deering introduced a resolve in favor of Forrest E. Cross, for services as clerk, stenographer and messenger to the committee on towns, and moved its reference to the committee on appropriations and financial affairs.

The motion was agreed to and the bill was so referred.

On motion by Mr. Gannett of Kennebec, the rules were suspended and that Senator introduced the following report out of order:

The committee on executive mansion to which was recommitment the resolve entitled "Resolve authorizing and empowering the Governor and Council to acquire by purchase the residence of the late James G. Blaine, and such other property contiguous or adjacent thereto, to be

used in connection therewith, as said Governor and Council may determine, for an executive mansion," have had the same under consideration and ask leave to report the accompanying resolve in new draft entitled "Resolve authorizing and instructing the Governor and Council to make such alterations and improvements of the residence of the late James G. Blaine, recently given to the State by Mrs. Harriet Blaine Beale, as may be necessary, and to furnish it suitably, to serve the purpose of an executive mansion, and to acquire by purchase such contiguous property as may be needed for said purpose.

The report was accepted and the resolve tabled for printing under the joint rules.

Mr. DAVIES of Cumberland: Mr. President, I rise for the purpose of making an inquiry about S. D. 185, An Act to amend Section 16, Chapter 5 of the Revised Statutes, to provide for inventory of exempt live stock, etc. My impression is that an amendment was offered to that bill and the motion to lay on the table was to carry the bill and the amendment. I have an amendment which I desire to offer and I do not seem to discover it here this morning.

The PRESIDENT: The Chair will state to the senator from Cumberland, Senator Davies, that this bill was recalled from the committee on engrossed bills for the purpose of offering an amendment, and the amendment does not appear to have been offered up to the present time.

Mr. DAVIES: Thank you.

Mr. PEACOCK of Washington: Mr. President, I move we take from the table S. D. 125, with veto message of the Governor, on An Act to authorize the construction of a weir in the tide waters of Roque Harbor in the town of Jonesport.

The motion was agreed to, and the same senator further moved that the Senate sustain the Governor's veto.

The PRESIDENT: The pending question is whether this bill shall become a law notwithstanding the ob-



jection of the Governor. It is necessary to have a roll call, and a two-thirds-vote is necessary to pass over the veto.

Those voting yes vote to pass the bill over the veto of the Governor; those voting no vote to sustain the veto.

The secretary called the roll. No senators voted "yes". Those voting "no" were Messrs. Ames, Babb, Baxter, Butler, Chick, Clement, Cobb, Creighton, Davies, Dearth, Deering, Emerson, Folsom, Gannett, Googin,

Grant, Gurney, Higgins, Holt, Lewis, Lord, Metcalf, Parent, Peacock, Ricker, Thombs, Thornton, Tuttle, Walker--29. Absentees, Messrs. Gordon and Stanley--2.

Twenty-nine senators having voted no, the veto message of the Governor was sustained, and the bill failed to pass.

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On motion by Mr. Chick of Kennebec,

Adjourned until tomorrow morning at 10 o'clock.