

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**HOUSE.**

Thursday, February 18, 1915.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Burgess of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills on First Reading.**

Senate 54: Resolve in favor of the joint special committee on salaries and fees of the 76th Legislature.

Senate 56: Resolve providing for co-operative work with the United State Geological Survey, under the direction of the Public Utilities Commission.

Senate 89: Resolve providing for the completion of the book of plans for Knox county, and appropriating money therefor.

Senate 90: An Act to incorporate the Mopang Dam and Improvement Company.

From the Senate: Majority and minority reports of the committee on legal affairs on Resolve proposing an amendment to the Constitution of the State of Maine providing for election on the Tuesday after the first Monday in November, biennially, for governor, senators, representatives and other officers now required to be elected on the second Monday of September, biennially, majority report "ought to pass" signed by Messrs. Greenleaf, Garcelon, Lewis, Hill, Perkins and Clifford; minority report "ought not to pass" signed by Messrs. Walker, Bartlett, Hanson and Thombs.

Mr. HIGGINS of Brewer: Mr. Speaker, out of courtesy to Representative Gallagher of Bangor, I move that both reports be laid upon the table and be specially assigned for consideration on Wednesday of next week.

The motion was agreed to.

The following bills, petitions, etc., were presented and, on recommenda-

tion of the committee on reference of bills, were referred to the following committees:

**Agriculture.**

By Mr. Morse of Rumford: An Act to protect agricultural and horticultural societies against fraud. (Ordered printed and referred.)

**Appropriations and Financial Affairs.**

By Mr. Conners of Bangor: Resolve in favor of the Eastern Maine General Hospital.

By Mr. Ricker of Castine: Resolve in favor of W. A. Ricker, secretary of the committee on education, with statement of facts.

**Claims.**

By Mr. Beal of Cornville: Resolve in favor of Fred R. Smith of Pittsfield, with statement of facts.

By Mr. Hart of Holden: Resolve reimbursing the town of Clifton for money paid to the State Treasurer as dog licenses in excess of the amount actually collected as such in said town for the year 1912, with statement of facts.

By Mr. Holt of Gouldsboro: Resolve in favor of Joseph J. Roberts, with statement of facts.

By Mr. Clifford of Lewiston: Resolve in favor of John A. McDonald, with statement of facts.

By Mr. Davis of Old Town: Resolve in favor of Robert M. Gustin of Old Town, with statement of facts.

By Mr. Goldthwait of Biddeford: Resolve in favor of the city of Biddeford, with statement of facts.

By Mr. Descoteaux of Biddeford: Resolve in favor of the city of Biddeford relating to reimbursement for the care and maintenance of a town pauper, with statement of facts.

**Education.**

By Mr. Picher of Waterville: An Act entitled "An Act to amend Chapter 195 of the Private Laws of 1887 as amended by Chapter 333 of the Private and Special Laws of 1901, relating to the manner of choosing the members of the Board of Education for the city of Waterville."

By Mr. Pollard of Solon: Resolve in favor of Somerset Academy in the

town of Athens, with statement of facts.

By Mr. Bourque of Waterville: Petition of L. E. Hilliard and 11 others in favor of amending city charter of Waterville relating to Board of Education; also petition of Mrs. Harriet Bessey and 30 others in favor of same.

By Mr. Dilling of Easton: Remonstrance of R. G. Kalloch and 61 others of Presque Isle against any religious instruction in any school receiving State aid.

By Mr. Greenlaw of Presque Isle: Remonstrance of R. G. Kalloch and 60 others against the State of Maine furnishing any aid to a school in which any religious instruction is given or any religious garb worn.

#### Indian Affairs.

By Mr. Davis of Old Town: An Act to amend Chapter 49 of the Private and Special Laws of 1891, as relating to the policeman of the Penobscot Tribe of Indians.

#### Inland Fisheries and Game.

By Mr. Pollard of Solon: An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Barker Pond, in Cornville, in Somerset County, with petition of L. C. Williams and 29 others in favor of same.

By Mr. Holt of Gouldsboro: An Act to prohibit the shooting of wild birds or wild animals on Hancock Point.

By Mr. Morse of Rumford: An Act to repeal so much of Chapter 192 of the Private and Special Laws of 1913 as relates to Big Kennebec Lake and Little Kennebec Lake in Stetsontown, so called, in Franklin County, including the outlets.

By Mr. Small of Mount Desert: Resolve in favor of screening Long Pond, with statement of facts.

By Mr. Goodwin of Mexico: Petition of Weston A. Toothaker and six others in favor of extending the time for fly fishing below the little falls on Cupsuptic Stream.

By Mr. Pierce of Houlton: Petition of Harry Hammond and 45 other citizens of Aroostook County, for a closed

time on fishing in Ross and Cary lakes, in Littleton, in Aroostook County.

By Mr. Edwards of Bethel: Petition by citizens of Paris, Greenwood and Woodstock, in the county of Oxford, that a law be enacted making it unlawful for any one person to take, catch, kill or have in possession more than five trout and land-locked salmon, both included, in any one day, from Oversett Pond, so called, situated in the town of Greenwood, in the county of Oxford.

By Mr. Holt of Gouldsboro: Petition of Florence E. Buzzell and others to prevent shooting at Hancock Point.

By Mr. McNally of Ashland: Petition in favor of an Act to regulate the taking of frogs from Big Fish Lake, Portage Lake, Square Lake, Eagle Lake, Soldier Pond, Long Lake and connecting streams, in Aroostook County.

By Mr. Wyman of Kingfield: Petition of O. C. Dolbier and 87 others that the fish and game laws be so amended as to limit the catch of trout and land-locked salmon to ten fish by any one person in one day in Tufts, Grindstone and Dutton Ponds, in the town of Kingfield, Franklin County.

By the same gentleman: Petition of O. C. Dolbier and 87 others that the Carrabassett River and its tributaries above the bridge at Bigelow be opened to fishing, also that the Great Northern Paper Company be required to build fish ways or leave the gates hoisted in any dam they may have on said waters, except at such time as they are actually in use for the purpose of driving lumber.

#### Judiciary.

By Mr. Connellan of Portland: An Act relating to the establishment of a Superior Court in the counties of Cumberland, Kennebec, Androscoggin, Penobscot and Aroostook. (Ordered printed and referred.)

By Mr. Connellan of Portland: An Act to amend Chapter 204 of the Public Laws of 1856, in relation to the jurisdiction of the municipal court of the city of Portland, as amended by Chapter 28 of the Public Laws of 1887 and Chapter 134 of the Public Laws of 1895.

By Mr. Brann of Winthrop: An Act to amend Chapter 429 of the Private and Special Laws of 1901, relating to the establishment of a municipal court in

Winthrop. (Ordered printed and referred.)

By Mr. McCarty of Lewiston: An Act to change the name of the Maine Baptist Missionary Convention and to unite with it the Maine Baptist Education Society and the Maine Baptist Charitable Society. (Ordered printed and referred.)

By Mr. Sanborn of South Portland: An Act to amend Section one of Chapter 93 of the Revised Statutes, relating to recording mortgages of personal property, as amended by Chapter 169 of the Public Laws of 1913. (Ordered printed and referred.)

By the same gentleman: An Act to amend the charter of South Portland.

By Mr. Morrison of Eden: An Act to amend Chapter seven of the Private and Special Laws of 1903, relating to the Bar Harbor Municipal Court.

By the same gentleman: An Act to authorize the town of Eden to own, maintain and operate an electric lighting plant.

By the same gentleman: An Act in favor of licensing operators of motor vehicles or automobiles in the town of Eden. (Ordered printed and referred.)

By Mr. Edwards of Bethel: An Act to ratify and confirm the organization of the State Young Men's Christian Association of Maine and to increase its powers. (Ordered printed and referred.)

By Mr. Conners of Bangor: An Act to confirm the doings of the Forest Avenue Congregational Church.

By Mr. Greenlaw of Presque Isle: An Act to establish the Presque Isle Municipal Court. (Ordered printed and referred.)

By Mr. Albert of Madawaska: An Act to authorize the Electric System Corporation of Edmunston, New Brunswick, to exercise certain powers in this State. (Ordered printed and referred.)

By Mr. Morrison of Eden: An Act to amend Chapter 215 of the Private and Special Laws of 1913, relating to municipal elections.

By Mr. Sanborn of South Portland: An Act to amend the charter of the Inter-Urban Ferry Company.

By the same gentleman: An Act to amend Section 18 of Chapter 65 of the Revised Statutes, relating to judges of probate. (Ordered printed and referred.)

By Mr. Greenleaf of Portland: An Act relative to interrogatories in civil actions. (Ordered printed and referred.)

By Mr. Connellan of Portland: An Act to create a State Racing Commission. (Ordered printed and referred.)

By Mr. Millett of Belfast: Resolve to amend Article 22 of the Constitution, relating to limitations of municipal indebtedness.

By Mr. Ward of Augusta: Resolve in favor of the county of Kennebec issuing bonds. (Ordered printed and referred.)

By Mr. Thombs of Lincoln: Resolve to authorize John G. Fleming to bring a suit at law or in equity against the State of Maine for balance claimed to be due him on a highway contract. (Ordered printed and referred.)

### Legal Affairs.

By Mr. Hanson of Sanford: An Act to incorporate the Libby Homestead Corporation.

By Mr. Dilling of Easton: An Act to extend the charter of the Washburn Water Company.

By Mr. Roberts of Portland: An act to extend the charter of the Casco Bay Water Company.

By Bonney of Bowdoinham: An Act to extend the charter of the Bowdoinham Water and Electric Company.

By Mr. McKinley of Jackson: An Act to extend the charter of the Waldo County Electric Light and Power Company.

By Mr. Higgins of Brewer: An Act to extend the charter of the Brewer Water Company, as amended by Chapter 170 of the Public Laws of 1913.

### Mercantile Affairs and Insurance

By Mr. Sanborn of South Portland: An Act to amend Chapter 49, Section four, Paragraph seven, relating to the insurance policy becoming void by vacancy of the premises without the insurers' written permission. Ordered printed and referred.)

By the same gentleman: An Act directing the insurance commissioner to abrogate the license of foreign insurance companies under certain conditions. (Ordered printed and referred.)

### Pensions.

By Mr. Campbell of Island Falls: Re-

solve in favor of Mary S. Hillman, with statement of facts.

By Mr. Higgins of Brewer: Resolve in favor of Meldon Nealley of Brewer, Maine, with statement of facts.

#### **Portland Delegation.**

By Mr. Connellan of Portland: An Act relative to the granting of license by the municipal officers of the city of Portland.

By Mr. Roberts of Portland: An Act relating to the appointment of harbor masters for the harbor of Portland. (Ordered printed and referred.)

#### **Public Health.**

By Mr. Connors of Bangor: An Act making it unlawful for persons to falsely represent themselves as deaf, dumb, blind, crippled or otherwise defective. (Ordered printed and referred.)

#### **Salaries and Fees.**

By Mr. Pollard of Solon: An Act to amend Chapter 151 of the Public Laws entitled "An Act relating to the compensation of registers of probate."

#### **School for Feeble Minded.**

By Mr. Blake of New Gloucester: An Act amending Chapter 44 of the Public Laws of 1907, relative to the Maine School for Feeble Minded.

#### **Sea and Shore Fisheries.**

By Mr. Allen of Machias: An Act establishing a close time on lobsters in the waters of Jonesboro and Roque Bluffs, in Washington county.

By Mr. Jameson of Friendship: An Act to regulate the shipment of lobsters by shippers with an established place of business.

By Mr. McCurdy of Lubec: An Act to prohibit the taking of lobsters in the waters of the town of Cutler, in the county of Washington, between the 15th day of June and the 15th day of September of each year.

By Mr. Jameson of Friendship: An Act to repeal special law, Chapter 288 of the Private and Special Laws of 1900, relating to the use of purse and drag seines in the Georges river.

By Mr. Morrison of Eden: An Act to amend Section one of Chapter 390 of the Private and Special Laws of 1909, relating to the taking of lobsters and setting

lobster traps in the waters of Gouldsboro and other towns.

By Mr. Goldthwait of Biddeford: An Act to provide for licensing lobster fishermen and the better protection of the lobster fisheries. (Ordered printed and referred.)

By Mr. Holt of Gouldsboro: Petition of Walter W. West and 11 others in favor of regulating the taking of clams in the town of Lamoine.

By Mr. Morrison of Eden: Petition of George N. Fifield and 13 others in favor of amending Section one of Chapter 390 of the Private and Special Laws of 1909, relating to the taking of lobsters and the setting of lobster traps in the waters of Gouldsboro and other towns; also petition of Reginald Ingalls and 40 others in favor of same.

By Mr. Welch of Machiasport: Petition of H. G. Myrer and 33 others for close time on lobsters in Machias Bay.

#### **Taxation.**

By Mr. Perkins of Augusta: An Act to correct State Treasury Tax Records. (Ordered printed and referred.)

By Mr. Libby of Merrill: Petition of Wilmot G. Porter and 40 others of Monticello, Maine, in favor of an Act for the prompt payment of poll taxes.

By Mr. Greenlaw of Presque Isle: Petition of Nathan P. Cook and 25 others of Presque Isle in favor of same.

By Mr. Wasgatt of Deer Isle: Petition of J. T. Snow and 71 others of Stonington in favor of same.

By Mr. Lord of Ellsworth: Petition of C. J. Brown and 40 others of Ellsworth in favor of same.

By Mr. Peterson of New Sweden: Petition of Thomas F. Michaud and 29 others of Limestone in favor of same.

By Mr. McNally of Ashland: Petition of W. B. Hallett and 71 others of Ashland in favor of same.

By Mr. Greenlaw of Presque Isle: Petition of H. D. Collins and eight others in favor of the Bangor and Aroostook Railroad.

#### **Towns.**

By Mr. Watts of South Thomaston: An Act to disorganize Musclev Ridge Plantation, in the county of Knox. (Ordered printed and referred.)

#### **Ways and Bridges.**

By Mr. Goodwin of Mexico: An Act

authorizing the towns of Mexico and Rumford in the county of Oxford to purchase the toll bridge between said towns, erected and owned by the Mexico Bridge Company.

By Mr. Pollard of Solon: An Act relating to width of sleds. (Ordered printed and referred.)

By Mr. Tuttle of Caribou: An Act to improve the public highways of Maine by regulating the width of tires upon wagons made for carrying heavy loads. (Ordered printed and referred.)

By Mr. Pollard of Solon: An Act to provide for the ownership and maintenance of highway bridges by the State and construction of such bridges by the State, counties and towns. (Ordered printed and referred.)

By Mr. Thibodeau of Fort Kent: Resolve in favor of the construction of a bridge across the St. John River at Fort Kent.

By Mr. Pollard of Solon: Petition of P. S. Langley and 25 others, citizens of Solon, in favor of an appropriation for building a state road from Jackman to Rockwood.

By Mr. Morrison of Eden: Act authorizing the selectmen of the town of Eden to license any person competent to operate a motor vehicle or automobile on its highways.

On motion by Mr. Perham of Woodstock, unanimous consent was given and that gentleman introduced out of order at the present time Resolve in favor of Everett A. Record of Bryant's Pond, Maine, and on further motion by Mr. Perham the resolve was referred to the committee on pensions.

#### Reports of Committees.

Mr. Gerrish from the committee on inland fisheries and game, on bill and petitions, reported in a new draft and "ought to pass" bill, An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Burnt Land Brook, so-called, a tributary to Presque Isle Stream and in the East Branch of said Presque Isle Stream, in the county of Aroostook. (Tabled until tomorrow morning on motion by Mr. Snow of Mars Hill.)

Same gentleman from same committee, on bill and petition of James O. Brown and eight others reported in a new draft and "ought to pass" bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Fresh Pond, so-called, in the town of North Haven, in the county of Knox.

Same gentleman from same committee, on petition of A. D. Merrill and 52 others, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Ward's Brook and in Ward's Pond, in the town of Fryeburg in Oxford County.

Same gentleman from same committee, on petition of E. E. Hastings and 12 others, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of muskrats in the town of Fryeburg, in the county of Oxford, and in the town of Bridgton, in the county of Cumberland.

Same gentleman from same committee, on petition of E. L. Johnson and 31 other residents of Cumberland County, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in North Branch Brook and its tributaries, in the county of Cumberland.

Mr. Thibodeau from the committee on library, reported "ought to pass" on Resolve for an appropriation for traveling libraries suitable for high schools in towns having no public libraries.

Same gentleman from same committee, reported in a new draft and "ought to pass" on Resolve for the purchase of the Maine State Year Books for the years 1915 and 1916.

Same gentleman from same committee, reported in a new draft and "ought to pass" on Resolve in favor of the purchase of 125 copies of the History of Puckfield.

Mr. Lawrence from the committee on state lands and forest preservation, reported "ought to pass" on bill. An Act to amend Section 49 of Chapter 23 of the Revised Statutes, relative to log haulers.

Same gentleman from same committee, reported "ought to pass" on Resolve authorizing the Land Agent to sell and convey certain lands in the public lots of Plantation No. 33, Hancock County.

Mr. Robbins from same committee, reported "ought to pass" on Resolve to maintain the State Forest Nursery and to encourage the reforestation of the waste lands of Maine.

Same gentleman from same committee, reported in a new draft and "ought to pass" Resolve in favor of the town of Bridgton, in the county of Cumberland.

Same gentleman from same Committee, reported in a new draft and "ought to pass" Resolve for further instruction in forestry.

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Perkins from the committee on legal affairs, reported "ought not to pass" on bill, An Act to amend the charter of the city of Augusta with respect to the salary of the mayor.

The report was accepted.

### First Reading of Printed Bills and Resolves.

House 192: An Act to amend and extend the charter of the Baker and Spencer Brook Dam and Improvement Company.

House 194: An Act relating to trespass upon grounds of agricultural societies.

House 191: Resolve, in favor of Sathiel D. Seeley of Perry, in the County of Washington, for an increase of pension.

House 190: Resolve, in favor of Mary E. Elwell of Chesterville.

House 189: Resolve, in favor of Lester Patten.

House 188: Resolve, in favor of repairing bridge in Forest City.

House 187: Resolve, in favor of repairing the New Kenduskeag road in the town of Glenburn.

Mr. CONNERS of Bangor: Mr. Speaker: Could I be informed as to the bill relating to the town of Glenburn?

THE SPEAKER: The Chair will inform the gentleman from Bangor, Mr. Connors, that this is a resolve in favor of repairing the new Kenduskeag road in the town of Glenburn.

Mr. CONNERS: On account of the absence of Mr. Hill, who is interested in the matter, I would move to have that placed on the table pending its next reading.

The motion was agreed to and the resolve was tabled pending its second reading.

House 186: Resolve, in favor of Gardiner and Randolph bridge between Gardiner and Randolph.

House 185: Resolve, in favor of Machiasport and East Machias Bridge.

House 184: Resolve, for the building of a bridge across Kenduskeag Stream in the town of Corinth, Penobscot County.

Mr. CONNERS of Bangor: Mr. Speaker: I would move that that resolve be laid on the table pending its next reading.

The motion was agreed to, and the resolve was tabled pending its second reading.

Mr. CONNERS: Mr. Speaker: In explanation of my motions, I would say that Mr. Hill of Corinth is ill at home, and he asked me to look out for his matters and not knowing definitely what he wants, I have asked to have it placed on the table.

THE SPEAKER: The Chair lays before the House a resolve and petition just received from the Senate for concurrent action, as follows: Resolution of the W. C. T. U. of Fayette in favor of a reformatory for women. In the Senate this resolution was referred to the committee on state school for boys and industrial school for girls.

The resolution was so referred in concurrence.

Also petition of E. C. Carll and 62 others of the city of Augusta for the enactment of Senate Document No. 43, An Act to establish a reformatory for women. In the Senate this petition was referred to the committee for state school for boys and industrial school for girls.

The petition was so referred in concurrence.

### Passed to Be Engrossed.

House 179: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of



1913, relating to fishing in Otter Pond, in the town of Bridgton, in the county of Cumberland.

House 121: An Act in favor of authorizing the town of Richmond to change its burying ground.

Senate 79: An Act to enable the town of Rangeley to make a fill-in and to maintain a dam at the outlet of Haley Pond for a park and sanitary purposes.

Senate 81: An Act to incorporate the Englishmen's River Dyke Company.

Senate 62: Resolve in favor of the town of Canton to purchase its toll bridge.

Senate 82: Resolve providing a state pension for L. Prescott Currier.

Senate 83: Resolve providing a state pension for Ellison Gilbert.

On motion by Mr. McCarty of Lewiston, unanimous consent was given and that gentleman introduced out of order at the present time bill, An Act providing a police commissioner and examining board for the appointment and administration of the police force of Lewiston, Maine, and on further motion by Mr. McCarty the bill was referred to the committee on judiciary.

#### Orders of the Day.

Mr. PLUMMER of Lisbon: Mr. Speaker: I move that there be taken from the table the order relating to the changing of the date of ending of the fiscal year.

THE SPEAKER: The Clerk informs the Chair that that order has not yet been returned from the printer.

Mr. GREENLEAF of Portland: Mr. Speaker: I rise to a question of inquiry.

THE SPEAKER: The gentleman from Portland, Mr. Greenleaf, will state his inquiry.

Mr. GREENLEAF: There seems to be some misapprehension among the members, and it is not clear in my own mind, whether there is any limitation on the time for the introduction of resolves. Of course, there is no question that the time is unlimited for the introduction of public bills. There can be no question that there is a time limit on the introduction of private acts; but I have been asked in the corridors and in the Hall several times about the resolves carrying appropriations for money. As I understand it, that resolve was indefinitely postponed in concurrence with the Senate. If I am not right, I wish the Chair would put me correct on that. As I understand it, it was not necessary for the gentleman from Woodstock, Mr. Perham, to have unanimous consent; while the other, being an act, it was necessary. The Chair will kindly put us right in that particular, namely, as to private acts and resolves carrying appropriations.

THE SPEAKER: The Chair will inform the gentleman from Portland, Mr. Greenleaf, that he understands that the joint order passed by the Senate and House refers to all matters of private legislation, both acts and resolves.

Mr. GREENLEAF: And includes resolves as well?

THE SPEAKER: The Chair so understands it.

On motion by Mr. Gallagher of Bangor,

Adjourned until tomorrow morning at 10 o'clock.