

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

**HOUSE.**

Saturday, March 27, 1915.

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

Prayer by the Rev. Mr. Boothby of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn it be to meet Tuesday, March 30, at 9 o'clock in the forenoon.

Mr. St. Clair of Calais moved that the House do not concur in the passage of the order and that when we adjourn it be to meet at half past four on Monday afternoon.

THE SPEAKER: The Chair is informed that the printing and the work of the session is in such condition that probably we would be just about as far ahead by meeting on Tuesday morning as we would to meet on Monday afternoon. The Chair assumes that on Monday afternoon the House would not wish to do anything except routine work.

The order received a passage in concurrence.

On motion by Mr. Bonney of Bowdoinham, unanimous consent was granted and that gentleman presented out of order the following order:

Ordered, the Senate concurring, that the superintendent of buildings be instructed to remove at once from the corridors of the State House the unsightly galvanized iron retainers, their tops decorated with "Save the Forests" warnings of the State land agent. This order is in no wise a criticism of the superintendent of buildings, and does not suggest or imply that these articles were placed in or about the State House by his direction or with his consent.

The order received a passage.

**Senate Bills on First Reading.**

Senate 269: Resolve to amend Article 22 of the Constitution, as amend-

ed, relating to the limit of municipal indebtedness.

Senate 422: An Act to create the Anson Water District.

This bill came from the Senate amended by Senate Amendment A. (Tabled pending the adoption of Senate Amendment A in concurrence, assigned for Tuesday of next week, and the amendment ordered printed on motion by Mr. Greation of Starks.)

Senate 423: An Act to repeal Section 26 of Chapter 144 of the Revised Statutes, relating to the discharge of inmates of the insane hospitals by municipal officers.

Senate 424: An Act to repeal the last clause of Section 9 and all of Section 23 of Chapter 16 of the Revised Statutes, relating to the assessment of taxes by parishes.

Senate 425: An Act to repeal Section 42 of Chapter 61 of the Revised Statutes, relating to the authority of the mother to bind illegitimate children.

Senate 426: An Act relating to the appointment of appraisers by the probate courts.

Senate 427: An Act relating to the verification of certificates of organization of corporations.

From the Senate: An Act to require certain vehicles to carry lights at night on public highways and bridges, House Doc. No. 513.

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

It now comes from the Senate, that branch refusing to adopt House Amendment A and adopting Senate Amendment A in non-concurrence.

(The Speaker then read Senate Amendment A.)

Mr. Smith of Hampden moved that the bill be indefinitely postponed.

Mr. Thombs of Lincoln moved that the bill be laid upon the table and be assigned for consideration on Tuesday of next week, pending concurrent action.

The motion was agreed to.

From the Senate: An Act to provide for the care and treatment of tubercular persons, House Doc. No. 623.

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

In the Senate House Amendment A was adopted in concurrence, and the bill now comes back amended in the Senate by the adoption of Senate Amendment A.

(The Speaker then read Senate Amendment A.)

On motion by Mr. Libby of Merrill, the vote was reconsidered whereby this bill was passed to be engrossed.

On further motions by the same gentleman, Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended.

From the Senate: Resolve in favor of altering and enlarging the State Prison at Thomaston, House Docs. 63 and 649.

In the House this resolve was passed to be engrossed, and it now comes from the Senate amended in that branch by Senate Amendment A.

(The Speaker then read Senate Amendment A.)

On motion by Mr. Plummer of Lisbon, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman the resolve was tabled for consideration on Tuesday of next week.

The following resolves were presented and referred to the committee on appropriations and financial affairs:

By Mr. Higgins of Brewer, Resolve appropriating money to pay Irene D. Chase, stenographer and typist to the clerk of the Houses.

By Mr. Welch of Machiasport: Resolve in favor of William C. Hanson, for services as clerk and stenographer to the committee on salaries and fees.

#### Reports of Committees

Majority and minority reports of the committee on agriculture, on bill, An Act to amend Section 4 of Chapter 35 of the Public Laws of 1909, relating to the manufacture, transportation, and sale of dairy products and their imitations; majority report reporting same in a new draft under title of "An Act to amend Sections 4 and 5 of Chapter 35 of the Public Laws of 1909, relating to the duties of the Commissioner of Agriculture in relation to the manufacture, transportation and sale of dairy products and their imitations, and that it "ought

to pass", signed by Messrs. Conant, Bartlett, Moulton, Wilkins, Averill, McIntire and Blake; minority report, reporting "ought not to pass", signed by Mr. Peterson.

On motion by Mr. McIntire of Waterford, the majority report was accepted.

The bill was then tabled for printing under the joint rules.

#### First Reading of Printed Bills and Resolves.

House 930: An Act to amend Section 36 of Chapter 101 of the Revised Statutes, as amended by Chapter 41 of the Laws of 1907, in relation to bail commissioners.

House 931: An Act amendatory of Section 27 of Chapter 129 of the Public Laws of 1913, relating to corporations for the operation of telegraphs or telephones and other public utilities.

House 932: An Act in relation to certain rights and liabilities of husband and wife.

House 933: An Act to amend Section 1 of Chapter 24 of the Public Laws of 1907, as amended by Chapter 10 of the Public Laws of 1909, in relation to report of hearings in vacation in law or equity.

House 934: An Act relating to procedure in the Supreme Judicial Courts.

House 935: An Act to amend Section 27 of Chapter 83 of the Revised Statutes, relating to the record of attachment of bulky personal property.

House 936: An Act to incorporate the Maine Indemnity Company.

House 937: An Act to determine the approximate amount of money necessary to defray the expenses of the public service.

House 938: An Act additional to the charter of the city of Biddeford and in effect amendatory of the said charter.

House 939: An Act to amend Section 72 of Chapter 4 of the Revised Statutes of Maine, as amended by Chapter 160 of the Acts and Resolves of 1909, by inserting after the word "day" in the fifth line of said Article 72 the words "Firemen's Memorial Sunday."

House 940: An Act to provide for State and county aid in the construction of highway bridges.

House 941: An Act to amend Section 13 of Chapter 65 of the Revised Statutes, relating to judges of probate.

House 942: An Act to confer additional

rights and powers upon the East Branch Improvement Company, a corporation incorporated by a special act of the Legislature, approved March 18, 1903.

House 944: An Act to amend Chapter 135 of the Private and Special Laws of 1875, entitled "An Act to establish a municipal court in the city of Auburn," as amended by Chapter 186 of the Private and Special Laws of the same years, Chapter 51 of the Private and Special Laws of 1881, and Chapter 152 of the Private and Special Laws of 1891, Chapter 62 of the Private and Special Laws of 1895, and Chapter 229 of the Private and Special Laws of 1903.

House 945: An Act to amend the charter of the city of Lewiston and to provide for a police commission.

(On motion by Mr. Plummer of Lisbon the vote was reconsidered whereby Tuesday next was assigned for the third reading of this bill, and on further motion by the same gentleman the bill was tabled and Tuesday next specially assigned for its consideration.)

House 946: Resolve in favor of Kennebec county issuing bonds.

House 947: An Act authorizing the secretary of State to prepare and publish lists of corporations delinquent in payment of their franchise taxes.

House 948: An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in a portion of Cup-suptic stream, in Oxford county.

House 949: An Act entitled "An Act to create a State fund to be known as the State contingent fund."

House 950: Resolve in favor of Gardner K. Heath for services performed as assistant to Fortunat Belleau while he was acting clerk pro tempore.

House 951: Resolve in favor of Gardner K. Heath for services in preparing a schedule of all Acts and Resolves carrying an appropriation or expenditure of money.

House 952: An Act to amend Sections 2 and 8 of Chapter 195 of the Public Laws of 1911, relating to the extirpation of contagious diseases among cattle, horses, sheep and swine.

House 953: An Act to provide clerk hire for county officers.

#### Passed to Be Engrossed

Senate 377: An Act to amend Section 40 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the closed season on fur-bearing animals. (On motion by Mr. St. Clair of Calais, tabled pending its third reading and specially assigned for consideration on Tuesday next.)

House 922: An Act to authorize the Norway and Paris Street Railway to purchase or lease the property and franchises of the Mechanic Falls Electric Light Company.

House 923: Resolve in favor of Fred R. Smith of Pittsfield for expenses incurred as a member of the Hospital Trustees in investigating the conditions at the Augusta State Hospital. (On motion by Mr. Smith of Hampden, tabled pending its third reading, and specially assigned for consideration on Tuesday of next week.)

House 924: An Act to amend Sections 13 and 14 of Chapter four of the Revised Statutes, as amended by Chapter 79 of the Public Laws of 1907, and as amended by Chapter 200 of the Public Laws of 1909, and as amended by Chapter 213 of the Public Laws of 1913. (On motion by Mr. Campbell of Island Falls, tabled pending its third reading, and specially assigned for consideration on Tuesday of next week.)

House 926: 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 Great Brook and in Dixon Brook, in York County.

House 927: An Act to amend section 29 of Chapter 93 of the Revised Statutes relating to mechanics' liens on buildings.

House 928: An Act to authorize the Maine Water Company to take water from certain lakes in Washington County.

House 929: An Act to authorize the town of Eden to own, maintain and operate an electric lighting plant.

#### Passed to Be Enacted

An Act to amend Section eight of Chapter 235 of the Private and Special Laws of 1897, fixing the salary

of the recorder of the municipal court of Waterville.

An Act to restore the jurisdiction in criminal offences to trial justices in the towns of Kittery and York.

An Act abolishing the use of automobiles of Mount Desert.

An Act to amend Section 63 of Chapter 15 of the Revised Statutes, as amended by Chapter 73 of the Public Laws of 1907, as further amended by Chapters 62 and 116 of the Public Laws of 1909, and as further amended by Chapter 57 of the Public Laws of 1913, relating to the tuition of pupils in secondary schools.

An Act to incorporate the South Berwick Sewer Company.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, prohibiting fishing in Booker Brook in Levant, in the county of Penobscot.

An Act to amend Section four of Chapter 481 of the Private and Special Laws of 1901, entitled "An Act to incorporate the York Harbor Village Corporation."

An Act to amend Section 5 of Chapter 209 of the Public Laws of 1913, relating to the time within which dealers in securities must renew their registrations.

An Act to provide for safety appliances upon cars running on street railways.

An Act to amend Section 1 of Chapter 44 of the Public Laws of 1907, relating to the ages between which persons may be admitted to the Maine School for Feeble Minded.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, prohibiting fishing in Mud pond, Mirror lake, sometimes called Parkis pond, and their tributaries, and Bog stream and its tributaries down as far as North Pond stream, in Franklin and Kennebec counties.

An Act to amend Section 2 of Chapter 125 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Carrabasset Dam Company."

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Carrabasset river and its tributaries above the bridge at Bigelow.

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 Shag, Abbott and Little Concord ponds and their tributaries in Oxford county.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, prohibiting fishing in Belgrade stream in the county of Kennebec.

An Act to amend Section 56 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the registration of guides.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of fish in certain waters in Washington and Aroostook counties. (Tabled by Mr. Pierce of Houlton and specially assigned for consideration on Tuesday of next week.)

An Act to repeal Chapter 87 of the Private and Special Laws of 1903, relating to the taking of lobsters within three miles of the islands of Matinicus and Crlehaven.

An Act establishing a close time on lobsters in the towns of Cutler, Trescott and Lubec, in Washington county.

An Act to amend Section 51 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to non-resident hunting licenses.

### Finally Passed

Resolve for laying county taxes for the year 1916.

Resolve in favor of relief of the heirs of Revolutionary soldiers.

Resolve reimbursing Joseph J. Roberts, an agent for the Society for Prevention of Cruelty to Animals, for money expended and services rendered in the discharge of his duty.

### Orders of The Day

On motion by Mr. Libby of Merrill, unanimous consent was granted and that gentleman presented out of order the following order:

Ordered, That for business reasons, Mr. Pitt E. Averill, the member of the House from Prentiss, be forthwith excused from further attendance at this session of the Legislature, and that

his mileage and pay for the session be allowed in full.

The order received a passage.

Mr. THOMBS of Lincoln: Mr. Speaker, I desire at this time to call the attention of the House to a matter relating to the municipal elections in the town of Eden. And in order that I may make myself intelligible to the members of this House, I will make a motion that we reconsider the vote whereby the report of the judiciary committee on House Bill No. 258 was accepted. Very briefly, the circumstances are these. As it may be known to all of this House, in Bar Harbor owing to the large number of voters there there is special legislation relating to the conduct of their elections, that is, the manner of conducting those elections is different from that of any other town in the State. It has been deemed advisable by people in that town that this Legislature should amend the act under which they now hold their elections, and such act was presented to the judiciary committee. If I am correctly informed. This has the united support of the people of Bar Harbor, and it is a unanimous desire on their part that this change should be made. Owing to the confusion incident upon the work of this Legislature, it happened that the matter was overlooked and that neither the proponents nor the opponents appeared before the committee, and for that reason the only thing the committee felt justified in doing was to return an unfavorable report, which they did. Now I am informed by members of the judiciary committee that had any person appeared in favor of this matter that they would have had no objection to the legislation. It is for this reason that I move at this time that we reconsider this matter. The measure can then be laid upon the table until Tuesday of next week.

The SPEAKER: The Chair is informed that the papers in this case are not in the possession of the House at this time. The Chair is informed that doubtless they are in the possession of the Senate. The gentleman

from Lincoln, Mr. Thombs, can prepare an order requesting the return of the papers. If the gentleman will withdraw his formal motion and present an order the Chair will entertain the order.

Mr. Thombs then withdrew his motion.

Mr. MORRISON of Eden: Mr. Speaker, I simply wish to state that under the present law in the town of Eden we list our officers at the time of election as first, second, third, etc., selectmen. We do not want to list them in that way. For instance, if there are three gentlemen in the town of Eden running for the office of selectmen, we consider that the best men in that town may run all for the position of first selectman. The object of this is that we would only be able to vote for one of those three. If we change this law and list them alphabetically, then we would vote for all three of those gentlemen, thereby securing the best men for the position; and that is why we wish to change this law, and have an opportunity to list them alphabetically.

Mr. Thombs then presented the following order out of order:

Ordered, that the Secretary of the Senate be requested to return to the House the papers relating to House Doc. No. 258, for further consideration.

The order received a passage.

The SPEAKER: The Chair lays before the House bill, An Act relating to the licensing of dogs, Senate Doc. No. 400, tabled by the gentleman from Winthrop, Mr. Brann, the pending question being the third reading of the bill.

On motion by Mr. Benn of Hodgdon, the bill was again tabled and specially assigned for consideration on Tuesday of next week.

The SPEAKER: The Chair lays before the House bill, An Act fixing the pay of night watchmen in public buildings, tabled by the gentleman from Lisbon, Mr. Plummer, the pending question being the third reading of the bill. The Chair will state that

from the remarks made yesterday that there was some ambiguity in connection with this matter, and the Chair is informed that the bill has not been printed, so that it will necessarily go over until Tuesday of next week.

The SPEAKER: The Chair lays before the House Resolve in favor of Pitt E. Averill, tabled by the gentleman from Lewiston, Mr. McCarty, the pending question being the first reading of the resolve. The Chair understands this resolve relates to the same subject matter as the order which has just been passed by the House.

Mr. St. Clair of Calais moved that the resolve be tabled until Tuesday of next week.

Mr. Plummer of Lisbon moved that the resolve be indefinitely postponed, in view of the fact that the same subject matter is covered by an order which has just been passed by the House.

Mr. St. Clair then withdrew his motion that the matter be tabled.

The motion to indefinitely postpone was then agreed to.

The SPEAKER: The Chair lays before the House bill, An Act prohibiting fishing in Violette Brook, tabled by the gentleman from Van Buren, Mr. Michaud, the pending question being the passage of the bill to be enacted.

On motion by Mr. Michaud, the votes were reconsidered whereby this bill was passed to be enacted and whereby it was passed to be engrossed.

Mr. Michaud then offered House Amendment A, to amend by striking out the word "ten" in the seventh line thereof and inserting in place the word "five"; also by striking out the word "thirty" in the seventh line and inserting the word "ten" in place thereof; also by striking out all of said section after the word "offence" in the eighth line.

On further motion by Mr. Michaud, the amendment was adopted.

The bill was then passed to be engrossed as amended.

Mr. PLUMMER of Lisbon: Mr.

Speaker, I wonder if there would be any objection to my taking from the table, bill, An Act to incorporate the Bath Water District, in regard to which I offered an amendment last night. This matter is laid upon the table under the name of the gentleman from Brewer, Mr. Higgins. I simply wish to have it taken from the table in order to have the amendment printed.

The SPEAKER: The Chair sees no objection.

On motion by Mr. Plummer, House Doc. No. 892, bill, An Act to incorporate the Bath Water District, was taken from the table, and on further motion by Mr. Plummer the amendment was ordered printed.

The bill was then tabled and specially assigned for consideration on Tuesday of next week, to be placed on the calendar under the name of the gentleman from Brewer, Mr. Higgins.

Mr. ST. CLAIR of Calais: Mr. Speaker, there is upon the calendar under the head of "Tabled and Unassigned" bill, An Act relating to trial justices, tabled by the gentleman from Castine, Mr. Ricker. That was a bill that was introduced by me at the request of a prominent attorney of this State, and upon what little examination I made I thought it was a good bill and that it should pass the House and become a part of the statute of the State. I find now from the document clerk that it has not been printed. I therefore move that this matter be taken from the table.

The motion was agreed to.

On further motion by Mr. St. Clair, this bill was ordered printed under the joint rules and again tabled and specially assigned for consideration on Tuesday of next week, and to remain on the calendar under the name of the gentleman from Castine, Mr. Ricker.

The SPEAKER: The Chair lays before the House bill, An Act to equalize the salaries of clerks of the judicial courts, Senate Doc. No. 160. In the House this bill received its three several readings and was passed to be engrossed without the consideration of Senate Amendments A and B which were printed.

On motion by Mr. Pierce of Houlton, the vote was reconsidered whereby this bill was passed to be engrossed.

On motion by Mr. Small of Mt. Desert, the bill was tabled, pending concurrent action, and specially assigned for consideration on Tuesday of next week.

The SPEAKER: The Chair lays before the House bill, An Act to equalize the salaries of county commissioners, Senate Doc. No.146. The Chair wishes to State for the information of the House that the same trouble exists in connection with this matter as with the previous one, certain Senate Amendments on this bill not having been adopted.

On motion by Mr. Thombs of Lincoln, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman

was tabled and specially assigned for consideration on Tuesday of next week.

On motion by Mr. Thombs of Lincoln, the vote was reconsidered whereby the report of the committee, reporting "ought not to pass" on bill, An Act to amend Chapter 215 of the Private and Special Laws of 1913, relating to elections in the town of Eden, was accepted.

Mr. Thombs then moved that the bill be substituted for the report.

The motion was agreed to.

On further motion by Mr. Thombs, under a suspension of the rules, the bill received its two several readings, and pending its third reading was tabled and specially assigned for consideration on Tuesday of next week.

On motion by Mr. Drummond of Winslow,

Adjourned until Tuesday morning, March 30, at 10 o'clock.