

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Thursday, Jan. 30, 1919.

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

Prayer by the Rev. H. S. Dow of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that a committee on the part of the Senate, with such as the House may join, be appointed a committee to make arrangements for a reception to be tendered the Commanding General of the Northeastern Department, Major-General Clarence R. Edwards, formerly commanding officer of the "Yankee Division."

This order comes from the Senate read and passed, with the following committee appointed: Senators Gannett of Kennebec, Deering of York, Davies of Cumberland, Creighton of Knox, Peacock of Washington, and Dearth of Penobscot. The Chair will appoint on the part of the House, Messrs. Garcelon of Auburn, Sawyer of Fort Fairfield, McLeary of Farmington, Mason of Ellsworth, Perkins of Boothbay Harbor, Stanley of Dixfield, Flint of Monson, Peabody of Richmond, Millett of Palmyra and Buzzell of Belfast.

The order then received a passage in concurrence.

The following bills, resolves and petitions were presented and, upon recommendation of the committee on reference of bills, were referred to the following committees.

Agriculture

By Mr. Perkins of Oldtown: Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.

Appropriations and Financial Affairs

By Mr. Murchie of Calais: Resolve in favor of Calais Hospital.

By Mr. Phillips of Bar Harbor: Resolve in favor of the Bar Harbor Medical and Surgical Hospital, Bar Harbor, for the care, support, and medical or surgical treatment of indigent persons.

By Mr. Peabody of Richmond: Resolve to reimburse the committee on State prison for expenses to Thomaston.

Claims

By Mr. Weatherbee of Lincoln: Resolve in favor of John G. Fleming.

By Mr. Smith of Skowhegan: Resolve in favor of the Blunt Hardware Company for material furnished by them in the construction of the Women's Reformatory at Skowhegan.

Education

By Mr. Varney of Jonesboro: Petition of Herman O. Hewett and twenty-six others of Lexington plantation, relating to the rate of interest on wild land school fund.

By Mr. Eaton of Rumford: Petition of F. W. Morse and fifteen others of Milton Plantation for the same.

By Mr. O'Leary of Bangor: An Act relating to the education of deaf and dumb children.

By Mr. Washburn of Perry: An Act to provide for the distribution of state school funds available for the support of common schools. (Tabled by Mr. Allan of Portland for printing, pending reference.)

By Mr. Perkins of Orono: Resolve in favor of the University of Maine for maintenance and for the payment of existing deficit.

By Mr. Holley of North Anson: Resolve in favor of Anson Academy.

Inland Fisheries and Game

By Mr. Lanpher of Sebec: Petition of W. T. Pollard and eighty-six others, residents of Foxcroft and vicinity, in favor of resident hunters' registration law.

By Mr. Cunningham of Patten: Resolve appropriating money to aid in the screening of Shinn Pond, in

Township 5, Range 7, Penobscot County.

By Mr. Eaton of Rumford: Resolve in favor of screening Howard Pond in town of Hanover, county of Oxford.

Interior Waters

By Mr. Brown of Abbot: An Act to change the name of Whetstone Pond, in Abbot and Blanchard, in the county of Piscataquis, to Sylvan Lake.

Judiciary

By Mr. Jordan of New Gloucester: Petition of William H. Small and 30 others in favor of Senate bill No. 15, relative to registration of legislative agents.

By Mr. O'Leary of Bangor: An Act to amend Sections 49, 50 and 51 of Chapter 64 of the Revised Statutes, as amended by Chapter 297 of Laws of 1917, relating to protection of children.

By Mr. Allan of Portland: An Act additional to Chapter 153 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Portland Water District."

By Mr. Stevens of Old Orchard: An Act to amend Section 2 of Chapter 5 of the Revised Statutes, relating to qualifications of voters. (1000 copies ordered printed.)

By the same gentleman: Resolve proposing an amendment to the Constitution of the State of Maine, providing that an elector for Governor, Senators and Representatives shall be a resident of the State for a term of six months next preceding any election.

Labor and Mercantile Affairs

By Mr. Washburn of Perry: An Act to amend Sections 9 and 10 of Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees. (Tabled by Mr. Washburn of Perry pending reference and 2000 copies ordered printed.)

By Mr. Murray of Portland: An Act to amend Sections 9, 10, 12, 13, 14, 15 and 16 of Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees. (Tabled by Mr. Murray of

Portland, pending reference, and 2500 copies ordered printed.)

Legal Affairs

By Mr. Hinckley of South Portland: An Act to amend Section 82 of Chapter 115 of the Revised Statutes, as amended by Chapter 136 of the Public Laws of 1917, relating to support of debtors in jail.

By the same gentleman: An Act to amend the twenty-second paragraph of Section 5 of Chapter 118 of the Revised Statutes, relating to compensation of court officers; also to amend the twenty-third paragraph of Section 5 of Chapter 118 of the Revised Statutes, relating to remuneration of superior court officer.

By Mr. Stevens of Old Orchard: An Act to amend Chapter 248 of the Private and Special Laws of 1883, entitled "An Act to incorporate the town of Old Orchard."

By Mr. Wilson of Portland: An Act relating to county commissioners.

By the same gentleman: An Act to incorporate the Western Maine Branch of the Woman's Board of Missions.

By Mr. O'Leary of Bangor: An Act empowering the county commissioners of the county of Penobscot to sell surplus heat.

By Mr. McLeary of Farmington: An Act to incorporate the Industry Water Company.

By Mr. Allan of Portland: An Act to legalize and confirm the incorporation and doings of the Woman's Christian Temperance Union.

By Mr. Fagan of Portland: An Act to amend the charter of Shepard & Morse Lumber Company.

By Mr. Barnes of Houlton: An Act to amend Chapter 349 of the Private and Special Laws of 1864 entitled "An Act to incorporate the officers and members of Monument Lodge."

By Mr. Berry of Waterville: An Act to amend Section 4 of Chapter 217 of the Act and Resolves of 1917, relative to the carrying of dangerous weapons without a license.

By Mr. Mulligan of Nobleboro: Resolve proposing an amendment to the Constitution, granting the Legislature the right to enact legislation for compulsory voting at elections. (1000 copies ordered printed.)

Military Affairs

By Mr. O'Leary of Bangor: Resolve appropriating money for the erection and equipment of a State Armory for the use of the National Guard of the State of Maine stationed in the city of Bangor.

By Mr. Murchie of Calais: Resolve to reimburse the city of Calais for money paid to soldiers' and sailors' dependents.

By Mr. Berry of Waterville: Resolve proposing an amendment to Article 7 of the Constitution relating to military affairs. (1000 copies ordered printed.)

Public Utilities

By Mr. Wilson of Portland: An Act to incorporate the Steep Falls Water Company.

By Mr. Cowan of Winterport: An Act to authorize Northern Maine Seaport Railroad Co. to merge with and into the Bangor & Aroostook Railroad Co.

By Mr. Smith of Skowhegan: An Act to incorporate the Skowhegan Water District.

By Mr. Cowan of Winterport: An Act to amend Section 37, Chapter 53, Revised Statutes of Maine, compilation of 1916, relating to issue of stocks, bonds and notes by public utilities. (500 copies ordered printed.)

Railroads and Expresses

By Mr. Putnam of Danforth: An Act to provide for suitable crossings across railroad tracks, when improved premises on both sides of tracks are owned or controlled by the same individual, partnership or corporation, and for other purposes.

Salaries and Fees

By Mr. Ricker of Poland: Petition of Leeds Grange against any increase of salaries of State officers.

By Mr. Hinckley of South Portland: An Act to amend Section 23 of Chapter 85 of the Revised Statutes, increasing the compensation of special deputy sheriffs in Cumberland county.

By Mr. Perkins of Boothbay Harbor: An Act to amend Section 40 of Chapter 117 of the Revised Statutes, increasing the salary of the clerk of courts for the county of Lincoln.

By Mr. Hinckley of South Portland: An Act to amend the fourth paragraph of Section 45 of Chapter 117 of the Revised Statutes, as amended by Section 2 of Chapter 194 of the Public Laws of 1917, and as amended by Chapter 242 of the Public Laws of 1917, relating to clerk hire in the county offices in Cumberland county.

By Mr. Fuller of Rockland: An Act to amend Section 42 of Chapter 117 of the Revised Statutes, as amended by Chapters 39 and 167 of the Public Laws of 1917, relating to compensation of county commissioners.

By Mr. Perkins of Boothbay Harbor: An Act to amend the ninth paragraph of Section 45 of Chapter 117, and Chapter 223 of the Laws of 1917, increasing the amounts to be paid for clerk hire in the county offices of Lincoln county.

By Mr. Orff of Cushing: An Act to amend Section 45 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to clerk hire in county offices.

By Mr. Pike of Eastport: An Act to temporarily increase the salary of the treasurer of the county of Washington.

By Mr. Orff of Cushing: An Act to amend Section 40 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to the compensation of the clerks of courts.

By Mr. Mason of Ellsworth: An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in county offices.

By the same gentleman: An Act to amend Section 39 of Chapter 177 of the Revised Statutes, relating to compensation of registers of probate.

By Mr. Brann of Lewiston: An Act to amend paragraph two, Section 44, of Chapter 117 of the Revised Statutes, increasing the salary of treasurer of Androscoggin county.

By Mr. Flint of Monson: An Act providing that the clerk of courts for the county or Piscataquis shall be ex-officio recorder of the Piscataquis municipal court, and fixing the salary of said recorder.

By Mr. Barnes of Houlton: An Act to increase the annual salary of the register of deeds for Aroostook county, Southern Registry.

By the same gentleman: An Act to

amend Section 40 of Chapter 117 of the Revised Statutes, to increase the compensation of the clerk of courts in Aroostook county:

By the same gentleman: An Act to amend Section 45 of Chapter 117 of the Revised Statutes, to increase the clerk hire in certain county offices in Aroostook county.

By the same gentleman: An Act to amend Section 39 of Chapter 117 of the Revised Statutes, to increase the compensation of register of probate in Aroostook county.

By Mr. Perkins of Boothbay Harbor: An Act to amend Section 43 of Chapter 117 of the Revised Statutes, increasing the salary of the register of deeds for the county of Lincoln.

By the same gentleman: An Act to amend Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of the register of probate in the county of Lincoln.

Sea and Shore Fisheries

By Mr. Pike of Eastport: An Act to authorize Horace Cleland to erect and maintain a fish weir in front of his land in the town of Perry.

By the same gentleman: An Act to authorize Leonard D. Emery to erect a fish weir in tide waters of Johnson's Cove in the city of Eastport.

By Mr. Case of Lubec: An Act to authorize the erection of a weir in Cobscook Bay in the town of Lubec.

State School for Boys, State School for Girls, and Women's Reformatory

By Mr. Smith of Skowhegan: An Act to amend Chapter 142, Section 65 of the Revised Statutes, relating to the care of children of women committed to the Reformatory for Women.

By the same gentleman: An Act to amend Chapter 142, Section 61, of the Revised Statutes, relative to the commitment of women to the Reformatory for Women.

Taxation

By Mr. Brann of Lewiston: An Act to amend paragraph 9, Section 6 of Chapter 10 of the Revised Statutes, in reference to the assessment of taxes on the estates of soldiers and sailors.

By Mr. Plummer of Benton: An Act to amend Sections 17, 18 and 21 of Chap-

ter 127 of the R. S., relating to the manufacture and sale of intoxicating liquors. (500 copies ordered printed)

Towns

By Mr. Sweatt of Andover: Petition of F. L. Edwards and five others favoring the annexation of the town of Grafton to the town of Newry.

By Mr. Jordan of New Gloucester: Petition of F. M. Douglass and 25 others, relative to House Bill No. 2, relative to the election of road commissioners of towns.

By Mr. Plummer of Benton: Petition of Ira A. Witham and 21 others of Clinton, in the county of Kennebec, for same.

By Mr. Jillson of Oxford: Petition of George H. Hathaway and 24 others of Norway favoring same.

Ways and Bridges

By Mr. Allan of Portland: An Act relating to Martin's Point bridge, so called, in the county of Cumberland.

By Mr. Holley of North Anson: Resolve in favor of Patterson bridge.

By Mr. Fowles of Lagrange: Resolve for the aid of the town of Howland for rebuilding piers and abutments under the Piscataquis river bridge in the town of Howland.

By Mr. Crabtree of Island Falls: Resolve in favor of the town of Crystal, Aroostook county, for the purpose of repairing a roadway.

By Mr. Fowles of Lagrange: Resolve in favor of the town of Howland for the purpose of painting and replanking the Piscataquis river bridge, and painting and replanking one-half of the Penobscot river bridge in the town of Howland.

By Mr. Holley of North Anson: Resolve in favor of the towns of Anson and Starks to aid in the repairs of the so-called new road leading from Starks to Anson.

By the same gentleman: Petition of O. H. Fletcher and 98 others in favor of same.

By the same gentleman: Petition of R. E. Frederick and 96 others in favor of same.

By the same gentleman: Petition of county commissioners, representatives to Legislature and State senators of Somerset county, in favor of same.

By Mr. Stevens of Old Orchard: Resolve in favor of the improvement of the public highway leading from the State road in Saco through Old Orchard to the Scarborough line.

By Mr. Orff of Cushing: Resolve in favor of a roadway in the town of Cushing, Knox county.

By Mr. Stanley of Dixfield: Resolve in favor of aid in repairing an unimproved highway in the town of Peru.

By Mr. Clifford of Reed Plantation: Resolve in favor of Reed Plantation.

By Mr. Dunn of Thomaston: Resolve in favor of the town of Union, in Knox county, for the purpose of repairing roads.

By Mr. Washburn of Perry: Resolve in aid of repairing road in the town of Perry.

By Mr. Marr of Somerville: Resolve in favor of repairing road in the town of Somerville.

By Mr. Mitchell of Kittery: Resolve relating to the erection of an Interstate Memorial Bridge between the city of Portsmouth, Rockingham county, State of New Hampshire, and Kittery, York county, to be dedicated to those who sacrificed as well as to those who gave all that this nation might live.

By Mr. Crane of Whiting: Resolve in favor of road in the town of Marion.

By Mr. Carleton of Rockport: Resolve in favor of the town of Warren, Knox county, for the purpose of repairing road.

By Mr. Burns of Eagle Lake: Resolve appropriating money for the completion of a road in the plantation of Winterville.

Orders

Mr. Williams presented the following order:

Ordered, the Senate concurring, that 500 additional copies of House Document No. 38, relating to the State Board of Dental Examiners, be printed for the use of the House.

The SPEAKER: The Chair will suggest that the order should be amended to read "for the use of the House and Senate."

Mr. WILLIAMS: I accept the amendment.

The order as amended then received a passage.

On motion by Mr. Granville of Parsonsfield, it was

Ordered, the Senate concurring, that 500 additional copies of House bill No. 20 "An Act for the preservation, perpetration and increase of the forests of the State of Maine," be printed for the use of the members of the Legislature.

On motion by Mr. Smith of Skowhegan, it was

Ordered, that 500 additional copies of House bill No. 3, being an Act to provide for the registration of legislative counsel and agents, be printed.

On motion by Mr. Smith of Skowhegan, it was

Ordered, that 500 additional copies of House bill No. 2, an Act to provide for the election of road commissioners of towns, be printed.

Reports of Committees

Mr. Clifford from the committee on claims to which was referred resolve in favor of Francois X. Belleau, reported that the same be referred to the committee on legal affairs.

The report was accepted.

Mr. Holley from the committee on appropriations and financial affairs, to which was referred resolve in favor of W. W. Groaton, for services as Document Clerk at the organization of the 79th Legislature, reported that the same "ought to pass."

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

Mr. Garcelon from the committee on legal affairs to which was referred bill an Act to repeal Chapter 288 of the Public Laws of 1917 relating to the keeping and sale of dynamite, powder and other explosives, reported that the same "ought to pass."

The report was accepted.

Mr. BARNES of Houlton: Mr. Speaker, the act in your hands is one of the war emergency measures of two years ago, fettering and hampering to some considerable extent dealers in explosives. I move that

the rules be suspended and that the bill now have its three readings and passed to be engrossed.

Mr. WILSON of Portland: May I inquire if that bill has the emergency clause attached to it?

The SPEAKER: The Chair will state that it has not.

Mr. WILSON: Mr. Speaker, I cannot see any object in railroading it through at this rate. I understand it will not take effect until 90 days after adjournment in any event.

The SPEAKER: The motion has been made and seconded that the rules be suspended and that this bill be given its three several readings at the present time and passed to be engrossed.

A viva voce vote being taken, the motion was carried, and the bill was given its three several readings and passed to be engrossed.

Orders of the Day

Mr. O'LEARY of Bangor: Mr. Speaker, the resolve in favor of the city of Bangor reimbursing it for aid for soldiers' dependents was referred to the committee on claims. I understand that there are similar resolves that have been referred to the committee on military affairs. I move the resolve be recalled from the committee on claims.

The SPEAKER: The Chair will inquire of the gentleman from Bangor (Mr. O'Leary) if this has been referred and is in the hands of the committee?

Mr. O'LEARY: I believe it is, Mr. Speaker.

The SPEAKER: The Chair will state that in its opinion the best way would be to have that committee report it back to the Legislature for reference to another committee.

Mr. O'LEARY: I will submit an order to that effect, Mr. Speaker.

On motion by Mr. Allan of Portland, it was voted to take from the table House Document No. 49, An Act to amend Section 82 of Chapter 115 of the Revised Statutes, as amended by Chapter 136 of the Laws of Maine for 1917, relative to support of debtors in jail; and on further motion by the same gentleman it was referred to the committee on legal affairs.

Mr. BARNES of Houlton: Mr. Speaker, I tabled a bill An Act authorizing the Oxford Electric Company to discontinue the operation of its road and to dispose of its franchises and property. The question involved in that bill is a close question of law, whether or not a corporation chartered to generate electricity—sell electricity and run a street railway—can be relieved of its duty to the public to run a street railway, abandon its street railway business, sell its rails and sleepers, and continue to develop and sell electricity. The suggestion of the committee of reference was that it go to the committee on public utilities. I move, Mr. Speaker, that it be referred to the committee on judiciary.

The motion was agreed to.

On motion by Mr. Bragdon of Perham, the House voted to reconsider its action whereby An Act to amend Section 45 of Chapter 117 of the Revised Statutes to increase the clerk hire in certain county offices in Aroostook county, was referred to the committee on salaries and fees; and on further motion by the same gentleman it was tabled for printing pending reference.

On motion by Mr. Bragdon of Perham, the House voted to reconsider its action whereby An Act to amend Section 40 of Chapter 117 of the Revised Statutes, to increase the compensation of the clerk of courts in Aroostook county," was referred to the committee on salaries and fees; and on further motion by the same gentleman it was tabled for printing, pending reference.

On motion by Mr. Bragdon of Perham, the House voted to reconsider its action whereby An Act to increase the annual salary of the register of deeds for Aroostook county, Southern Registry, was referred to the committee on salaries and fees; and on further motion by the same gentleman it was tabled for printing, pending reference.

On motion by Mr. O'Leary of Bangor, the House voted to suspend the rules and receive out of order the following order:

Ordered, the Senate concurring, that the resolve in favor of the city of Ban-

gor reimbursing it for aid furnished dependents of soldiers, now referred to the committee on claims, be recalled, and referred to the committee on military affairs.

The order received a passage.

On motion by Mr. Barnes of Houlton,
Adjourned until tomorrow morning at
10 o'clock.