

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

Friday, February 7, 1919.

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

Prayer by the Rev. Mr. Dow of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to prohibit the manufacture, sale and smoking of cigarettes within the State of Maine. In the House this bill was referred to the committee on temperance. The Senate non-concurred in this reference and referred the bill to the committee on public health.

On motion by Mr. Hussey of Blaine the House voted to recede and concur with the Senate in its reference to the committee on public health.

From the Senate: An Act to prohibit the manufacture and sale of cigarettes. In the House this bill was referred to the committee on temperance, in which reference the Senate non-concurred and referred the bill to the committee on public health.

On motion by Mr. Hussey of Blaine the House voted to recede and concur with the Senate in its reference to the committee on public health.

From the Senate: Senate report of the committee on judiciary on bill an Act to amend Section 26 of Chapter 70 of the Revised Statutes, relating to the time of payment of legacies, reporting that it "ought to pass."

This report comes from the Senate read and accepted.

On motion by Mr. Barnes of Houlton the report with the accompanying bill was tabled, pending acceptance of the report.

From the Senate: Senate report of the committee on judiciary on bill

an Act to amend Section 4 of Chapter 72 of the Revised Statutes, relating to appointment of guardians for married persons, reporting that it "ought to pass."

This report comes from the Senate read and accepted.

On motion by Mr. Barnes of Houlton the report with the accompanying bill was tabled, pending acceptance of the report.

From the Senate: Senate report of committee on legal affairs on bill, an Act to extend the charter of the Lincoln County Street Railway, reporting that it "ought to pass."

This report comes from the Senate read and accepted.

Mr. COWAN of Winterport: I move that that bill lie on the table until next Wednesday, as there is an error in it.

The SPEAKER: Does the gentleman (Mr. Cowan) object to the acceptance of the report? The Chair will state that the amendment will be in order after the acceptance of the report.

The report was then accepted.

On motion by Mr. Cowan of Winterport, the bill was tabled until Wednesday, February 12, pending amendment.

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. Austin of South Berwick: Resolve appropriating money for the protection of plants, trees and shrubs from the ravages of dangerous insects and diseases.

Education

By Mr. Smith of Skowhegan: Petition of Clarence Files and 15 others, citizens of Maine, urging the Legislature to amend the school law so that all contracts for school supplies shall be approved by the superintending school committee and also the board of selectmen before the town is liable for payment.

By Mr. Rowell of South Thomas-

ton: Petition of J. A. Pierce and 17 others, urging same.

Inland Fisheries and Game

By Mr. Austin of South Berwick: Petition of E. P. Spinney and 84 others, residents of North Berwick and vicinity, in favor of resident hunters' registration law.

By Mr. Furbish of Rangeley: Petition of C. W. Robbins and 80 others, residents of Wilton and vicinity, in favor of same.

By Mr. Mason of Ellsworth: Petition of J. H. Macomber and 105 others, residents of Ellsworth, in favor of same.

By Mr. Barnes of Houlton: An Act to amend Sections 2 and 6 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-residents fishing licenses.

By same gentleman: 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.

By Mr. Clason of Lisbon: An Act to amend Section 46 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of certain fur-bearing animals.

By Mr. Lanpher of Sebec: An Act to amend Section 37 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of moose.

By Mr. Barnes of Houlton: Resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of the commissioner of Inland Fisheries and Game, and other expenses incident to the administration of the department of Inland Fisheries and Game.

Judiciary

By Mr. Smith of Skowhegan: Petition of Newell Randall and 5 others of Bradford, urging the passage of bill providing for the registration of legislative counsel and agents.

By the same gentleman. Petition of Albert E. Freeman and 6 others of Orrington, urging same.

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

Labor and Mercantile Affairs and Insurance

By Mr. Barnes of Houlton: An Act to amend Chapter 50 of the Revised Statutes, entitled "Compensation for personal injuries to employees." (2000 copies ordered printed.)

Mr. BARNES of Houlton: Mr. Speaker, I move that that bill be tabled, pending reference to a committee. I cannot see any reason why the expense of printing 2000 copies is essential. It seems to me that the ordinary number, 500, would be sufficient.

On motion by Mr. Barnes the bill was tabled, pending reference to a committee, and 500 copies ordered printed.

Mercantile Affairs and Insurance

By Mr. Barnes of Houlton: An Act to permit the insurance commissioner to provide for a refund to foreign life insurance companies of taxes unlawfully collected from them.

Public Utilities

By Mr. Wilson of Portland: An Act to amend Section 40 of Chapter 55 of the Revised Statutes of the State of Maine relating to powers of public utilities.

Temperance

By Mr. Barnes of Houlton: An Act to amend Section 21 of Chapter 127 of the Revised Statutes, relating to the sale of intoxicating liquors.

Towns

By the same gentleman: Petition of Newell Randall and 7 others of Bradford, urging the passage of House Bill No. 2, providing for the election of road commissioners of towns.

By the same gentleman. Petition of D. L. Pride and 14 others of Waterford, urging same.

By Mr. Smith of Skowhegan: Petition of George Hodgdon and 19 others of Orrington, urging same.

By unanimous consent the rules were suspended, and the following Senate order was received out of order:

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 11, at ten o'clock in the forenoon.

The order received a passage in concurrence.

Orders

On motion by Mr. Flint of Monson, it was

Ordered, that the committee on Inland Fisheries and Game be granted the use of the hall of the House of Representatives for a public hearing on the afternoon and evening of Tuesday, February 13, 1919.

Reports of Committees

Mr. Berry, from the committee on Indian Affairs, on petition of George Dana and 8 others of the Passamaquoddy Tribe of Indians, relating to certain appropriations, reported that the petitioners have leave to withdraw.

Report was read and accepted and sent up for concurrence.

Mr. Alden, from the committee on Agriculture, reported "ought to pass" on Resolve making an appropriation for the continuation of agricultural investigations by the Maine Agricultural Experiment Station on Highmoor Farm.

Same gentleman, from same committee, reported same on bill, "An Act to amend Section 35, Chapter 37, Revised Statutes, relating to unclean milk and unclean cream containers."

Mr. Plummer, from same committee, reported same on bill, "An Act to amend Sections 3 and 5 of Chapter 37, Revised Statutes, regulating the sale of milk."

Same gentleman, from same committee, reported same on bill, "An Act to provide for the collection of agricultural statistics by assessors."

Mr. Washburn, from same committee, reported same on bill, "An Act to amend Section 3 of Chapter 130 of the Revised Statutes, relating to the sale of milk."

Same gentleman, from same committee, reported same on bill, "An Act to provide for conducting scientific investigation bearing upon the agriculture of Aroostook county."

Mr. Bradford, from the committee on Appropriations and Financial Affairs, reported same on Resolve in favor of Charles P. Barnes, chairman of the committee on elections.

Mr. Savage, from same committee, reported same on Resolve in favor of George A. Phillips.

Mr. Berry, from the committee on Indian Affairs, reported same on Resolve appropriating money to aid in purchasing a hearse for the Penobscot Tribe of Indians.

Same gentleman, from same committee, reported same on bill, "An Act relating to sale of standing wood and timber on islands within the limits of the Indian Reservation of the Penobscot Tribe of Indians."

Mr. Burns, from same committee, reported on bill, "An Act to amend Section 48 of Chapter 14 of the Revised Statutes, relating to the Passamaquoddy Tribe of Indians."

Same gentleman, from same committee, reported same on bill, "An Act relating to leasing the shores in the Penobscot river belonging to the Penobscot Tribe of Indians, and to amend the same."

Mr. Macomber from the same committee reported same on bill "An Act relating to damage by flowage of public lands and highways on the islands in Penobscot river within the limits of the Indian Reservation of the Penobscot Tribe of Indians."

Mr. Dolloff from the committee on interior waters reported same on bill "An Act to change the name of Sand pond in Denmark to Walden pond."

Reports were read and accepted and bills and resolves ordered printed under the joint rules.

First Reading of Printed Bills and Resolves

House 110: Resolve to reimburse the committee on State prison for expenses to Thomaston.

House 108: Resolve in favor of the city of Calais to reimburse said city for money expended in the care of State paupers.

House 106: Bill "An Act to amend Section 58 of Chapter 8 of the Revised Statutes, relating to the protection of forest fire signs." (New draft.)

House 107: Bill "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'." (New draft.)

Passed to Be Engrossed

Senate 44: An Act to amend Chapter 8 of the Revised Statutes by repealing Sections 30, 31, 32 and 33, relative to the control of forest fires.

House 5: An Act to amend Sections 11 and 13 of Chapter 6 of the Revised Statutes, relating to enrollment of voters for primary elections.

Mr. LANPHER of Sebec: Mr. Speaker, in the bill one sentence of the original statute was omitted, and I would like to make the following amendment to include that sentence in the bill.

The SPEAKER: The gentleman from Sebec, Mr. Lanpher, offers House Amendment A to House Document No. 5, entitled "An Act to amend Sections 11 and 13 of Chapter 6 of the Revised Statutes, relating to enrollment of voters for primary elections." Insert after the word "manner" in the fourth line of the last paragraph of Section 11 of the Revised Statutes as quoted in said act, the following words: "The meetings shall be opened and closed as stated in the form of the warrant foregoing."

The amendment was adopted, and the bill was passed to be engrossed as amended by House Amendment A.

House 98: Resolve proposing an amendment to the Constitution of the State of Maine empowering the Legislature to authorize towns to have more than one voting place.

(Tabled by Mr. Garcelon of Auburn pending its second reading.)

House 97: Resolve authorizing the State land agent to sell certain public lots in Saint Francis Plantation, in Aroostook county.

House 96: Resolve authorizing the State land agent to sell certain lots in the town of Saint Agatha, in the county of Aroostook.

Unanimous consent was given to receive out of order a communication from the Governor.

The SPEAKER: The Clerk will read the communication.

(For the communication, see Senate report).

In the Senate this communication was read and ordered placed on file.

Mr. BARNES of Houlton: I move that this message be tabled and that 500 copies be printed.

Mr. BUZZELL of Belfast: Mr. Speaker—

The SPEAKER: The Chair will state that a motion to lay upon the table is not debatable.

Mr. BUZZELL: I was merely going to make the suggestion that we have more than 500 copies, that is all.

A viva voce vote being had, it was voted that the communication be tabled and 500 copies printed.

Orders of the Day

The SPEAKER: The Chair will call the attention of the gentleman from Augusta, Mr. Maher, that there is omitted on the calendar a bill tabled by him yesterday and specially assigned for today, being House 88, An Act relating to the taxation of money deposited in banks outside the State.

On motion by Mr. Maher of Augusta the above bill was taken from the table; and on further motion by the same gentleman received its third reading and was passed to be engrossed.

On motion by Mr. Cunningham of Patten House Document No. 105, An Act to amend Section 14, Paragraph one, of Chapter 10 of the Revised Statutes, relating to the taxation of personal property, was taken from the table; and on further motion by the same gentleman, it was referred to the committee on taxation.

On motion by Mr. Putnam of Danforth resolve in favor of Mrs. Brackett of Danforth, Washington county,

was taken from the table; and on further motion by the same gentleman the House voted to recede and concur with the Senate in the indefinite postponement of this resolve.

On motion by Mr. Barnes of Houlton,

Adjourned until Tuesday morning, Feb 11, 1919, at 10 o'clock.