

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

AUGUSTA
KENNEBEC JOURNAL PRINT
1919

HOUSE

Friday, February 21, 1919.

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

Prayer by the Rev. Dr. O'Meara of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

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, Feb. 25, at 10 o'clock in the forenoon.

The order received a passage in concurrence.

Senate 88: Resolve in favor of Mary A. Carroll of Southwest Harbor.

Senate 87: An Act to amend Chapter 120 of the Private and Special Laws of 1899, establishing the Livermore Falls Municipal Court.

Senate 86: An Act to amend Chapter 287 of the Public Laws of 1917, relating to registration of motor vehicles.

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

Mr. PERKINS of Boothbay Harbor: Mr. Speaker, I move that the rules be suspended in order to receive a resolve that could not be received without that motion, and I wish to say it is in favor of Esther M. Giles of Boothbay to receive her State aid which she has been unable to receive under Chapter 276 of the Public Laws of 1917. Her husband was inducted into the service of his country on Oct. 3, 1917, and she orally made application to the

selectmen of Boothbay for her aid. Not having made it in writing she was unable to receive her State aid only from March 1, 1918, on which date I am informed she made application in writing. It was simply through inadvertence on her part. I wish to say that since that time, Oct. 3, 1918, one year from the induction of her husband into the service of his country, he was killed in action in France. He leaves a child. I wish to ask the indulgence of the House to receive this resolve after the limitation on resolves has expired. I make this explanation.

By a viva voce vote the rules were suspended by unanimous consent, on motion of Mr. Perkins of Boothbay Harbor, and the above resolve was received out of order; and on further motion by the same gentleman it was referred to the committee on military affairs.

Agriculture

By Mr. Porter of Mapleton: An Act to amend Section 3 and Section 12 of Chapter 36 of the Revised Statutes, relating to marking packages of agricultural seeds. (500 copies ordered printed)

Inland Fisheries and Game

By Mr. Baxter of Portland: Petition of Frederick O. Conant and 63 others, residents of Portland and vicinity, in favor of a resident hunters' registration law.

By Mr. Dutton of Bingham: Petition of W. J. Holway and 54 others, residents of The Forks and vicinity, in favor of same.

By Mr. Sanborn of Vienna: Petition of M. P. Kneeland and 65 others, residents of Princeton and vicinity, in favor of same.

By Mr. Crane of Whiting: 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. Barnes of Houlton: An Act to amend Section 51 of Chapter 33 of the Revised Statutes, relating to traps for fur-bearing animals.

Legal Affairs

By Mr. Garcelon of Auburn: An Act to amend Sections 3, 6 and 8 of Chapter

260 of the Public Laws of 1917, entitled "An Act to establish a superior court in the county of Androscoggin." (500 copies ordered printed.)

By the same gentleman: An Act to amend Section 51 of Chapter 4 of the Revised Statutes, as amended by Chapter 59 of the Public Laws of 1917, relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors. (500 copies ordered printed.)

By the same gentleman: An Act to repeal Chapter 13 of the Public Laws of 1917, entitled An Act to provide compensation for town clerks for issuing and recording burial permits. (500 copies ordered printed.)

Public Health

By Mr. Allen of Sanford: Petition of C. C. Koch and 90 others in favor of an act to prohibit the manufacture and sale of cigarettes.

By Mr. Forbes of Paris: Petition of C. Wellington Rogers and 17 others of Paris in favor of same.

By the same gentleman: Petition of W. E. Sargent and others of Hebron in favor of same.

By Mr. Hussey of Blaine: Petition of J. B. Brown and 11 others, citizens of the town of East Machias, in favor of same.

By the same gentleman: Petition of W. B. Crowell and 26 others, citizens of the town of Bridgewater, in favor of same.

By Mr. Sanborn of Vienna: Petition of E. S. Longley and 14 others, citizens of Fayette, in favor of same.

State Lands and Forest Preservation

By Mr. Dutton of Bingham: An Act to authorize the forest commissioner to draw \$500 per year for the years 1917 and 1918, and pro rata amount for part of the year 1919, out of the money raised by forestry tax.

Ways and Bridges

By Mr. Cunningham of Patten: Petition of Bertram L. Smith of Patten and vicinity, and 34 others, in favor of the town of Crystal, for the purpose of repairing a road.

Orders

On motion by Mr. Wilson of Presque Isle it was

Ordered that the Aroostook county delegation be granted the use of the hall of the House of Representatives for the evenings of Wednesday, February 26, and Thursday, February 27, to exhibit moving pictures of Aroostook farms and Northern Maine Fair scenes.

On motion by Mr. Varney of Windham it was

Ordered, the Senate concurring, that hereafter all bills and resolves shall be printed pending reference to committee, and when the same are advertised for hearing, the advertisement shall give the number of the bill and state whether it is a Senate or House document.

Reports of Committees

Mr. Dolloff from the Committee on Interior Waters, reported ought not to pass on bill An Act to amend Chapter 386 of the Private and Special Laws of 1816, entitled An Act to incorporate the Telos Canal Company.

Same gentleman, from same committee, reported same on bill An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallagrass River.

(Tabled by Mr. Audibert of Fort Kent pending acceptance of the report.)

Same gentleman, from same committee, reported same on bill An Act to amend Chapter 193 of the Private and Special Laws of 1903, entitled An Act to incorporate the East Branch Improvement Company.

Mr. Barnes from the Committee on Judiciary, on bill An Act to provide for the establishment of a bonding or surety department in connection with trust companies, under certain regulations, and supervision of the bank commissioner and the insurance commissioner, reported that same be referred to the Committee on Banks and Banking.

Mr. Allan from the Committee on Taxation, on Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation, reported that same be referred to the Committee on Appropriations and Financial Affairs.

Mr. Ricker from same committee, on bill An Act to provide for the employment of expert assistants by the Board of State Assessors, reported that same be referred to the Committee on Appropriations and Financial Affairs.

Reports were read and accepted and sent up for concurrence.

Mr. Maher, from the Committee on Judiciary, on bill An Act to amend Section 16 of Chapter 211 of the Private and Special Laws of 1895, relating to the powers and duties of the clerk of the Bangor Municipal court, and to amend Section 11 of Chapter 211, amended by Chapter 101 of the Private and Special Laws of 1909, and by Chapter 146 of the Private and Special Laws of 1915, relating to the salaries of the judge and clerk and clerk hire of the Bangor Municipal court, reported same in a new draft, under title of An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 101 of the Private and Special Laws of 1909, and Chapter 146 of the Private and Special Laws of 1915, relating to clerk hire in the Bangor Municipal court, and that it ought to pass.

Mr. Murchie from same committee, on bill An Act to prohibit persons not duly authorized attorneys, firms, voluntary associations and corporations from the practice of law, reported same in a new draft, under same title, and that it ought to pass.

Mr. Thomas from the Committee on Mercantile Affairs and Insurance reported ought to pass on bill An Act to amend Chapter 53, Section 91, of the Revised Statutes, relating to the annual statement of conditions of insurance companies and providing a penalty for neglect to file the statement.

Mr. Stanley from the Committee on Pensions on bill An Act to provide for retiring and pensioning employees of state insane hospitals, reported same in a new draft, under same title, and that it ought to pass.

Same gentleman from same committee reported ought to pass on

Resolve in favor of William F. Livingston.

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

First Reading of Printed Bills and Resolves

House 187: An Act to permit the town of Southport to obtain a supply of pure water.

House 188: An Act to incorporate the Steep Falls Water Company.

House 189: An Act to extend the charter of the Penobscot Valley Gas Company. (New draft.)

House 190: An Act to authorize Northern Maine Seaport Railroad Company to merge with and into Bangor and Aroostook Railroad Company.

House 191: An Act relative to the marriage of persons having syphilis. (New draft.)

(On motion by Mr. Phillips of Bar Harbor, tabled pending second reading, and specially assigned for Wednesday, January 26.)

House 192: An Act amendatory and additional to Chapter 197 of the Public Laws of 1917 relating to State department of health. (New draft.)

House 193: An Act to make valid the organization of the Second Christian Society of Kittery, Maine, under the Revised Statutes, in the year of our Lord 1843.

House 194: An Act to amend the charter of the city of South Portland.

(Tabled by Mr. Hinckley of South Portland pending third reading.)

House 195: An Act to authorize the town of Presque Isle to raise money to pay the purchase price of the lot of land conveyed to the State of Maine as a site for the erection of the buildings of the Northern Maine Sanatorium.

House 196: An Act to amend Section 10 of Chapter 117 of the Revised Statutes, as amended by Chapter 216 of the Public Laws of 1917, relating to stenographers of the supreme judicial court.

House 197: An Act to amend Section 54 of Chapter 82 of the Revised Statutes.

House 200: An Act relative to the

tenure of office of county treasurers.

House 201: An Act for the care and preservation of shade and ornamental trees. (New draft.)

(Bills were severally read twice and Tuesday assigned for third reading.)

House 185: Resolve in favor of John L. Mitchell, representative Passamaquoddy Tribe of Indians.

House 186: Resolve in favor of Ida E. Heath, of Chelsea, Maine.

Resolves were severally read once and Tuesday assigned for second reading

Passed to Be Engrossed

Senate 79: Resolve in favor of Harry S. Coombs for furnishing plans and specifications for four model school buildings for the State Board of Education as per contract with the Honorable Payson Smith.

Senate 80: Resolve in favor of J. Wilbur Day, compensating him for loss of cattle by bears.

Senate 81: Resolve in favor of Perley J. Guptill of Machias for destruction of cattle by bears.

Senate 82: Resolve in favor of the town of Union for the payment of additional State school funds for the year 1918.

Senate 83: Resolve in favor of Lydia M. Chadwick of Saco for teacher's pension.

Senate 84: Resolve in favor of the town of Litchfield, reimbursing said town for money paid to Litchfield academy.

House 35: An Act to amend Section 36 of Chapter 18 of the Revised Statutes, relating to the practicing of dentistry.

House 36: An Act to amend Section 25 of Chapter 18 of the Revised Statutes, relating to appointments of members of Board of Dental Examiners.

House 37: An Act to amend Chapter 268 of the Public Laws of 1917, relating to dental hygienists.

House 38: An Act to amend Section 29 of Chapter 18 of the Revised Statutes, relating to the State Board of Dental Examiners.

House 48: An Act to amend Chapter 613 of the Private and Special Laws of 1893, as amended by Chapter 314 of the Private and Special Laws of 1895, en-

titled An Act to establish the Western Hancock municipal court.

House 91: An Act amending Chapter 271 of the Public Laws of 1917, entitled An Act additional to Chapter 19 of the Revised Statutes, relating to care and treatment of certain infectious diseases.

House 93: An Act to amend Section 9 of Chapter 19 of the Revised Statutes, relating to public health.

House 183: An Act to authorize the merging of the corporate existence of the Aroostook Northern Railroad Company with and into the corporate existence of the Bangor and Aroostook Railroad Company.

House 43: Resolve in favor of an appropriation for the repair of Fort William Henry at Pemaquid in the town of Bristol, Maine.

House 65: Resolve proposing an amendment to Article 7 of the Constitution relating to military.

House 184: Resolve in favor of Mitchell M. Nicolar, representative of the Penobscot Tribe of Indians.

Orders of the Day

By unanimous consent the rules were suspended and Mr. Garcelon of Auburn, by a viva voce vote, was given permission to introduce the following order out of order:

Ordered, that 750 additional copies of Senate and House Register be printed for the use of the Legislature.

The order received a passage.

On motion of Mr. Holley of North Anson the vote was reconsidered whereby An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in primary elections and providing that the order of the names of candidates on said ballots be determined by lot, was referred to the committee on judiciary; and on further motion by the same gentleman the bill was referred to the committee on legal affairs.

Mr. SMITH of Skowhegan: At the request of the gentleman from Portland, Mr. Baxter, who was called away unexpectedly last night, I would like to take from the table the order asking that five questions

concerning water powers be submitted to the Supreme Judicial Court.

Mr. BARNES of Houlton: We all regret the conditions which required the gentleman from Portland, Mr. Baxter, to leave the hall of Representatives and go at once to his home, and I move that this order be retabled.

The SPEAKER: Does the gentleman from Houlton, Mr. Barnes, wish to assign a particular day?

Mr. BARNES: I would prefer, Mr. Speaker, to leave that to the gentleman from Portland (Mr. Baxter).

The motion to retable prevailed.

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

Ordered, the House concurring, that whereas in the opinion of this Legislature engrossing by the type-writer is not engrossing within the meaning of the law governing the engrossing of Legislative acts and resolves, all acts and resolves of the 79th Legislature shall be engrossed by printing by the printer who is doing other legislative printing at this session, in accordance with Chapter 6 of the Resolves of 1866 and the statutes applicable thereto.

This comes from the Senate read and passed.

The SPEAKER: Is it the pleasure of the House to give the order a passage in concurrence?

Mr. PIKE of Eastport: I move that the order lie on the table.

A viva voce vote being taken the motion failed of passage.

The SPEAKER: The pending question is the question of concurrence with the Senate in passing the order.

A viva voce vote being taken, the order received a passage in concurrence with the Senate.

By unanimous consent the rules was suspended and Mr. Maher of Augusta introduced the following order:

Ordered, that the use of the hall of the House of Representatives be granted to the committees on judiciary and

labor on Wednesday afternoon, March 5, 1919.

The order received passage.

On motion by Mr. Barnes of Houlton the House voted to reconsider its vote whereby bill An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallagrass river was tabled pending acceptance of the report; and on further motion by the same gentleman it was voted to recommit the bill and accompanying papers to the committee on interior waters.

Mr. BEAN of Minot: Mr. Speaker, I move you that we reconsider the vote whereby we voted to accept the report on House bill No. 21 of the judiciary committee.

The SPEAKER: The Chair will state that the bill is not in the possession of the clerk at this time; that it was tabled yesterday in the Senate by a senator who is not present today, so that the papers are not here.

Mr. BEAN of Minot: Mr. Speaker, I thought the matter was to be taken up today.

The SPEAKER: The Chair will state that an order was passed yesterday, but through non-action on the part of the Senate the papers are not here. The Chair has no doubt that the gentleman from Minot (Mr. Bean) will be accorded the courtesy of the right to suspend the rules in order that it may be reconsidered on Tuesday. I think the House will grant him that right.

On motion by Mr. Allan of Sanford, it was voted to take from the table House Document No. 174, An Act for the rating and standardization of schools; and on further motion by the same gentleman, the bill received its third reading and was passed to be engrossed and sent up for concurrence.

On motion by Mr. Sullivan of Lewiston,

Adjourned until Tuesday morning, Feb. 25, at 10 A. M.