

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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## HOUSE

Saturday, March 15, 1919.

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

Prayer by the Rev. Mr. Wood of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act to amend Section 137 of Chapter 16 of the Revised Statutes relating to the maintaining of evening schools and to provide for Americanization and the reducing of illiteracy.

On motion by Mr. Allan of Portland, 500 copies were ordered printed.

From the Senate: An Act to amend Section 7 of Chapter 303 of the Public Laws of 1917, relating to the Farm Lands Loan Commissioners of Maine.

By the Senate this was referred to the committee on legal affairs, and by the House referred to the committee on judiciary in non-concurrence.

The bill comes back from the Senate, that branch insisting on its former action in referring it to the committee on legal affairs.

Mr. ALLAN of Portland: It seems to me, Mr. Speaker, that there is another bill here covering this same matter, is there not?

The SPEAKER: The Chair will state that this was referred on March 13 by the House to the committee on judiciary in non-concurrence with the action of the Senate on March 12, referring it to the committee on legal affairs. What is the pleasure of the House.

Mr. BARNES of Houlton: Mr. Speaker, there are two measures relative to this proposition, one the soldiers' settlement bill and the other the Farm Lands Loan Commission. The judiciary committee had one of the bills, and as the funds come from one fund, it is very necessary that the two should not conflict. There-

fore, I was in hopes that one committee might have them both. If we recede the two committees will have them. It will probably save time for the House to recede and I make that motion.

Thereupon the House voted to recede and concur with the Senate in the reference of the bill to the committee on legal affairs.

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 Monday, March 17, at 4.30 P. M.

The order received a passage in concurrence.

From the Senate: Resolve in favor of a fish screen at the outlet of Sebago Lake.

This was passed to be engrossed by the House on February 14, and finally passed by the House on February 28. It comes from the Senate passed to be engrossed as amended by Senate Amendment A.

The House voted to reconsider its action whereby this resolve was finally passed. It also voted to reconsider its action whereby the resolve was passed to be engrossed. The House then adopted Senate Amendment A in concurrence with the action of the Senate, and the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

From the Senate: Resolve in favor of the town of Eagle Lake to reimburse said town for a part of the excessive expenses incurred in the influenza and small-pox epidemics.

This resolve was passed to be engrossed in the House and finally passed. It comes from the Senate indefinitely postponed.

On motion by Mr. Barnes of Houlton, the resolve was tabled.

### Senate Bills in First Reading

Senate 198: Resolve in favor of the Bath Military and Naval Orphan

Asylum for maintenance and other purposes for the years 1919 and 1920.

From the Senate: Resolve providing for the compilation, printing and distribution of an index to the Private and Special Laws and to the Resolves of the State of Maine.

In the House this resolve was passed to be engrossed on March 5. It comes back from the Senate passed to be engrossed as amended by Senate Amendment A.

The House thereupon voted to reconsider its action whereby the resolve was passed to be engrossed. Senate Amendment A was then adopted in concurrence, and the resolve was passed to be engrossed as amended by Senate Amendment A 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:

Unanimous consent being given, Mr. Pike of Eastport introduced out of order bill An Act to amend Section 21 of Chapter 70 of the Revised Statutes, relating to the payment of unclaimed pecuniary legacies.

On motion by the same gentleman the bill was referred to the committee on legal affairs.

#### Agriculture

By Mr. Bean of Minot: An Act to amend Section 13 of Chapter 35 of the Revised Statutes, as amended by Chapter 160 of the Public Laws of 1917, relating to the live stock sanitary commissioner. (500 copies ordered printed.)

By Mr. Washburn of Perry: An Act to legalize the preparation and sale of standardized milk.

(On motion by Mr. Maher of Augusta the bill was temporarily tabled.)

By Mr. Bean of Minot: An Act to amend Section 3 of Chapter 35 of the Revised Statutes, relating to the prevention of contagious diseases among animals. (500 copies ordered printed.)

By the same gentleman: An Act to cooperate with the United States department of agriculture, bureau of animal industry, for the purpose of making a tuberculin test of all cattle used for either dairy, breeding or beef pur-

poses within the State. (500 copies ordered printed.)

By Mr. Austin of South Berwick: An Act to amend Section 8, Chapter 36, Revised Statutes, relating to the registration of fertilizers. (500 copies ordered printed.)

#### Interior Waters

By Mr. Furbish of Rangeley: Resolve appropriating money in aid of navigation on Rangeley lake, Mooselucmeguntic lake and Cupsuptic lake.

#### Judiciary

By Mr. Miller of Auburn: An Act authorizing the issue of notes not exceeding the amount of five hundred thousand dollars to defray expenses incurred for the construction of federal-aid State highways and making appropriations therefor.

By Mr. Murray of Portland: An Act to amend Section 1 and Section 9 of Chapter 27 of the Revised Statutes, relating to ferries.

By Mr. Miller of Auburn: An Act to provide town and county aid in furnishing money for the construction of federal-aid State highways.

#### Legal Affairs

By Mr. Allan of Portland: An Act to amend Section 35 of Chapter 126 of the Revised Statutes.

By Mr. Garcelon of Auburn: An Act relative to the appointment of deputy sheriffs and their compensation. (500 copies ordered printed.)

#### Sea and Shore Fisheries

By Mr. Stacey of Phippsburg: An Act additional to Chapter 45 of the Revised Statutes, relating to sea and shore fisheries.

On motion by Mr. Maher of Augusta, bill, An Act to legalize the preparation and sale of standardized milk was taken from the table.

Mr. MAHER: I wish to raise a point of order. I think that bill covers the same subject matter, covered by a bill passed upon this session and indefinitely postponed, on which I heard the gentleman from Houlton (Mr. Barnes) speak so eloquently. I would like to ask through the Chair of the gentleman from Perry, Mr.

Washburn, if this act is not the same subject matter.

Mr. PERRY of Washburn: There is, Mr. Speaker, one difference in it—standardized milk. I will say that I introduced the bill at the request of a friend of mine.

Mr. MAHER: There seems to be only a difference in title; the subject matter is the same. I raise the point of order.

Mr. GRINNELL of Exeter: Mr. Speaker, I think this bill eliminates some of the features objected to in the other bill. I think the bill should have the attention of the House.

Mr. BEAN of Minot: Mr. Speaker, I am much of the same opinion. I think the other bill should be given a hearing.

Mr. MAHER: Mr. Speaker, not to take too much time, as I have not thought on the subject at all, I raised the point of order that it was either right or wrong. If this is another bill in a different guise and an attempt to slip something across, we should adhere to the rules of the House.

The SPEAKER: The Chair will state that it is unable to rule on the matter, as it is not informed on the subject. The bill can be tabled, or the gentleman from Perry, Mr. Washburn, can withdraw the bill and serve notice that he will present it by giving the usual three days' notice. Does the gentleman from Augusta (Mr. Maher) wish to make a motion that it be laid on the table?

Mr. MAHER: Yes, Mr. Speaker. The motion to table prevailed.

#### Orders

On motion by Mr. Tilden of Hallowell, it was

Ordered, that the use of the hall of the House of Representatives be granted to the Maine State Board of Trade for a public meeting in relation to the state pier on Tuesday evening, March 18.

#### Reports of Committees

Mr. Crane from the committee on banks and banking, on bill An Act to enlarge the powers of the Lewiston Trust Company and to authorize said corporation to become surety on bonds, reported that the same ought not to

pass, legislation inexpedient, as subject matter to be covered by another bill.

Mr. Baxter from the committee on judiciary, on Joint Resolve for the creation of a commission to investigate the entire question of ownership and development by the State of the undeveloped water powers within the State and all issues necessarily involved therein, reported ought not to pass as the subject matter is included in another bill pending in this Legislature.

Mr. Garcelon from the committee on legal affairs reported ought not to pass on bill An Act to regulate the practice and business of horseshoeing; providing for the issuance of licenses; providing for the appointment of examiners and defining their duties; defining certain misdemeanors and providing penalties therefor.

Mr. Hinckley from same committee reported same on bill An Act to amend Section 2 of Chapter 5 of the Revised Statutes, relating to qualifications of voters.

Same gentleman from same committee reported same on bill An Act to incorporate the Western Maine Branch of the Woman's Board of Missions.

Mr. Ricker from the committee on library, on Resolve providing for the purchase of one hundred copies of the centennial history of Presque Isle, reported that the same be referred to the next Legislature.

Same gentleman from same committee reported same on Resolve authorizing the purchase by the State of one hundred copies of a History of Norway.

Mr. Berry from the committee on military affairs reported ought not to pass on bill An Act to provide suitable record books for soldiers and sailors for the purpose of preserving their service records.

Same gentleman from same committee on Message from the Governor, relative to Walker Blaine Beale, reported that the same be placed on file.

Same gentleman from same committee on bill An Act to provide for the presentation of medals and testimonials for the soldiers and sailors who served in the European War, reported that the same be referred to the next Legislature.

Mr. Cole from the committee on sea and shore fisheries, on bill An Act to repeal Chapter 75 of the Private and Special Laws of 1915, An Act to prohibit fishing for herring in Sheepscot river and its tributaries, by use of seines or nets within two thousand feet of any trap or weir, reported that the same ought not to pass, as legislation thereon is inexpedient.

Same gentleman from same committee reported ought not to pass on bill An Act to protect the lobsters within three miles of Matinicus and Criehaven Plantations.

Reports were read and accepted and sent up for concurrence.

Mr. Washburn, from the committee on agriculture, reported ought to pass on bill, An Act creating bureau of animal husbandry.

Same gentleman, from same committee, reported same on Resolve to amend Chapter 18, Resolves of 1917, relating to animal husbandry.

Mr. Baxter, from the committee on judiciary, on bill An Act to create the Maine Water Power Commission, reported same in a new draft, under same title, and that it ought to pass.

Mr. BARNES of Houlton: That paper you have in your hands, Mr. Speaker, is the unanimous report of the committee on judiciary on bill establishing the Maine Water Power Commission; and I move that the rules be suspended, and that the bill have its three several readings and be passed to be engrossed.

The SPEAKER: The Chair will state that this places before the Legislature an important matter in a new draft without printing. If the rules are suspended, the new draft will not become a printed bill.

Mr. BEAN of Minot: Mr. Speaker, I would suggest that the bill be read. I have not the slightest idea what the matter is we are taking action on.

The SPEAKER: The Chair is of the opinion that this bill is of sufficient importance to be printed and be in the hands of the Legislature. It is a new draft of bill.

Mr. BEAN: I would make that motion.

The SPEAKER: The Chair will state that the normal course of the

bill on the acceptance of the report is to automatically table it for printing. The motion has been made that the rules be suspended and that the bill be given its three several readings at the present time without printing? Is that the pleasure of the House?

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

The SPEAKER: The report having been accepted, the bill lies on the table for printing under the rules.

Mr. Hinckley, from the committee on legal affairs, on bill An Act to amend Chapter 193 of the Private and Special Laws of 1917, entitled An Act to create the Auburn Sewerage District and transferring to it the sewer system of the city of Auburn, reported same in a new draft, under same title, and that it ought to pass.

Mr. Lanpher, from same committee, on bill An Act to amend Chapter 34 of the Private and Special Laws of 1915, relating to the Eastport municipal court, reported same in a new draft, under same title, and that it ought to pass.

Mr. Berry from the committee on military affairs reported ought to pass on Resolve in favor of the inhabitants of the town of Industry, Franklin county, Maine.

Mr. Hinckley from the committee on legal affairs reported ought to pass on Resolve proposing an amendment to Section 1 of Article 11 of the constitution of the State of Maine, providing for the continuation of the right of suffrage to persons otherwise qualified to vote for governor, senators and representatives in this State in the town or plantation where his residence for suffrage purposes has been established for a period of three months after his removal therefrom to another town or plantation within this State. (The rules were suspended and the resolve given its first reading, and specially assigned for its second reading Monday, March 17, at 4.30 P. M.)

Same gentleman from same committee reported same on bill An Act to amend Section 2 of Chapter 5 of the Revised Statutes, relating to qualifications of voters. (The rules were suspended and the bill given its two several readings.)

Mr. Berry from the committee on military affairs reported same on bill An Act to further amend Section 52 of Chapter 4 of the Revised Statutes as amended by Chapter 59 of the Public Laws of 1917, relating to certificates for reimbursement of towns for burial expenses of honorably discharged soldiers and sailors. (The rules were suspended and the bill given its two several readings.)

On motion it was voted to reconsider the action taken this morning accepting the report of the committee on library that the resolve authorizing the purchase by the State of one hundred copies of the History of Norway be referred to the next Legislature; and on further motion the House voted to recommit the resolve to the committee on library.

On motion it was voted to reconsider the action taken this morning accepting the report of the committee on library that the resolve providing for the purchase of one hundred copies of the Centennial History of Presque Isle be referred to the next Legislature; and on further motion it was voted to recommit the resolve to the committee on library.

On motion by Mr. Pike of Eastport the House voted to reconsider its action whereby Monday afternoon at 4.30 o'clock was assigned for the second reading of resolve proposing on amendment to the constitution relating to continuation of right of suffrage; and on further motion by the same gentleman the resolve was tabled without assignment.

#### First Reading of Printed Bills and Resolves

House 406: An Act to regulate fishing in Kennebago stream.

House 405: Resolve to reimburse the committee on insane hospitals for expenses to Bangor.

House 407: Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purpose of taxation.

House 408: Resolve to reimburse the committee on State sanatoriums for expenses to Hebron and Fairfield.

#### Passed to Be Engrossed

Senate 160: An Act to abolish the common council of the city of Lewiston.

Senate 184: An Act to amend Section 61 of Chapter 8 of the Revised Statutes, relating to the Maine forestry district tax.

Senate 186: An Act to amend Section 3 of Chapter 253 of the Public Laws of 1917, relating to the collection of delinquent taxes.

(Tabled by Mr. Lanpher of Sebec, pending third reading.)

Senate 187: An Act authorizing the Clark Power Company to construct and maintain a dam or dams on Saco waters in the cities of Saco and Biddeford.

Senate 188: An Act to supplement Chapter 29 of the Revised Statutes and to provide for the care of persons requiring full support, or more than temporary relief.

Senate 192: An Act to amend Section 86 of Chapter 16 of the Revised Statutes, relating to returns from towns showing expenditures for high school tuition.

Senate 157: Resolve in favor of several academies, institutes, seminaries, and colleges for maintenance and for repairs and improvements.

Senate 183: Resolve providing for the payment of certain deficiencies that accrued prior to January 1st, 1918.

Senate 190: Resolve appropriating money for payment of damages arising out of death of Edgar Chase Harnden.

House 171: An Act to amend Section 7 of Chapter 303 of the Public Laws of 1917, changing the conditions under which loans may be granted by the farm lands loan commissioner.

(Tabled by Mr. Barnes of Houlton, pending third reading.)

House 310: An Act to amend Section 18 of Chapter 86 of the Revised Statutes, relating to services of certain kinds of writs.

House 362: An Act to amend Section 14 of Chapter 92 of the Revised Statutes, as amended by Section 17 and 19 of Chapter 92 of the Revised Statutes, all relating to the filing of claims against estates of deceased persons.

(On motion by Mr. Allan of Portland, the House voted to reconsider its action whereby the report of the committee on bills in third reading was accepted; and on further motion by the same gentleman, the bill was recommitted to the committee on legal affairs.)

House 363: An Act to amend Section 21 of Chapter 81 of the Revised Statutes, relating to distribution of life insurance made payable to an estate. (Tabled by Mr. Cunningham of Patten, pending third reading.)

House 388: An Act to amend Section 65 of Chapter 142 of the Revised Statutes, relating to the care of children of women committed to the reformatory for women.

House 389: An Act to amend Section 61 of Chapter 142 of the Revised Statutes, relating to the commitment of women to the reformatory for women.

House 393: An Act to amend Section 40 of Chapter 127 of the Revised Statutes, relating to prosecutions, now commenced and conducted.

House 394: An Act to amend Paragraph 7 of Section 55 of Chapter 91 of the Revised Statutes, relating to trustee process.

House 396: An Act to regulate the taking of smelts and tom cods in the waters of Whitten Parritt stream, in the town of Gouldsboro in Hancock county, Tunk stream and all waters tributary to Steuben Bay, above Lobster Island Narrows in the town of Steuben, in Washington county.

House 401: An Act to grant additional corporate power to Maine Title and Utility Company.

House 402: An Act to amend Sections one and two of Chapter 148 of the Revised Statutes, relating to State pensions.

House 403: 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.

(Tabled by Mr. Cunningham of Patten, pending third reading.)

House 390: Resolve in favor of the Maine school for the feeble-minded for maintenance for the years 1919 and 1920.

House 391: Resolve in favor of the Maine school for feeble-minded for additions and improvements for the years 1919 and 1920.

House 392: Resolve authorizing the treasurer of state to receive one \$1,000 United States second Liberty Loan 4 per cent bond in full release and discharge of a legacy of \$1,000 bequeathed to the Central Maine Sanatorium by the will of the late John Prescott.

House 395: Resolve providing for a seal of the state.

House 399: Resolve authorizing the treasurer of state to receive the sum of \$5,000 bequeathed to the Central Maine Sanatorium by the will of the late Valora Chase.

House 404: Resolve in favor of the Maine school for the deaf.

#### Orders of the Day

Mr. BARNES of Houlton: Mr. Speaker, House Document No. 212, not in the possession of the clerk, turning over to the commissioner of inland fisheries and game for the furtherance of the protection of game, the fines and penalties recovered and money received and collected in prosecution, is in the hands of the committee on engrossed bills. An error having been discovered in it, necessitating an amendment, I move that the House recall the bill from the committee on engrossed bills.

The SPEAKER: The Chair would suggest that the gentleman prepare an order to that effect.

On motion by Mr. Barnes of Houlton, the House voted to reconsider its action whereby it referred resolve in favor of the Farmington State Normal School at Farmington for the construction of a dormitory and equipment for same, and a resolve in favor of the Western State Normal School at Gorham for an addition to the recitation building, to the committee on education in concurrence; and on further motion by the same gentleman, these two resolves were tabled.

Mr. BRAGDON of Perham: Mr. Speaker, I notice that there appears on the calendar this morning among the unassigned matters House Document No. 203, which was tabled by



me a few days ago, at the request of the gentleman from Fort Fairfield, Mr. Sawyer. As I remember the matter that was taken from the table yesterday morning and passed to be enacted, and I merely wish to inquire if this is an error in the printing of the calendar.

The SPEAKER: The Chair is informed by the Clerk that it is an error in the calendar and should not be there.

On motion by Mr. Fowles of Lorange, it was voted to take from the table Senate Document No. 183, An Act to regulate the employment of legislative counsel or agents and to provide a legislative docket in the Secretary of State's office, tabled pending third reading; and on further motion by the same gentleman, the bill then received its third reading and was passed to be engrossed in concurrence with the action of the Senate.

On motion by Mr. Lancaster of Se-

bec it was voted to take from the table Senate Document 186, An Act to amend Section 3 of Chapter 253 of the Public Laws of 1917, relating to the collection of delinquent taxes; and on further motion by the same gentleman the bill was re-tabled at the suggestion of the Speaker to correct an error.

On motion by Mr. Barnes of Houlton, unanimous consent was given to that gentleman to introduce the following order out of order:

Ordered, that House Document 214 being 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, be recalled from the committee on engrossed bills.

On motion by Mr. Pike of Eastport, Adjourned until Monday afternoon at 4.30 P. M.