

# 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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AUGUSTA  
KENNEBEC JOURNAL PRINT  
1919

**SENATE**

Thursday, February 6, 1919.

Senate called to order by the President.

Prayer by Rev. A. A. Walsh of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

**House Bills in First Reading**

H. D. 83, An Act to amend Section 9 of Chapter 118 of the Revised Statutes relating to fees of witnesses.

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

**Education**

By Mr. Holt of Hancock: Petition of Edwin Clark and six others, praying for an amendment to the school law so that all contracts for school supplies shall be approved by the superintending school committee and board of selectmen before the town is liable for payment.

**Legal Affairs**

By Mr. Gurney of Cumberland: An Act to amend Section 20 of Chapter 68 of the Revised Statutes, relating to the granting of administration without bond.

**Sea and Shore Fisheries**

By Mr. Holt of Hancock: Petitions of S. R. Pettie and 53 others of Gouldsboro and of C. H. Workman and 10 others of Hancock county, requesting enactment of legislation to prevent the gill netting of all ground fish in certain waters of Frenchman's Bay, and to limit and prohibit the crew of any one fishing boat from using more than 1000 hooks on a trawl or trawls within the said waters.

**Bills in First Reading**

S. D. 50, An Act to repeal an Act entitled "An Act to incorporate the town of Grafton." (Subsequently

on motion by Mr. Grant of Cumberland, tabled pending second reading.)

**Reports of Committees**

Mr. Thombs for the committee on legal affairs, on An Act to amend Chapter 485 of the Private and Special Laws of 1901 as amended by Chapter 331 of the Private and Special Laws of 1909, reported the same in a new draft under the same title, and that it ought to pass.

Report accepted and tabled for printing under the joint rules.

Mr. Googin for the committee on claims on S. D. 27, Resolve in favor of Westmanland Plantation for the payment of school funds forfeited by failure to file returns, reported same ought to pass.

The report was accepted and on motion by Mr. Googin of Androscoggin the rules were suspended and the bill was given its first reading.

Mr. Ames for the committee on State lands and forest preservation, on An Act to amend Section 66 of Chapter 8 of the Revised Statutes, relative to the Maine Forestry District Law, reported same ought not to pass. Report accepted and sent down for concurrence.

Mr. Thombs for the Committee on Legal Affairs, on An Act to amend Section 15 of Chapter 12 of the Revised Statutes, relating to Indexes in the Registries of Deeds, reported same ought to pass.

The same senator for the same committee on An Act to amend Section 2 of Chapter 194 of the Private and Special Laws of 1915, amending the act establishing the Municipal Court for the city of Auburn, reported same ought to pass.

The same senator for the same committee on An Act to amend Chapter 636 of the Private and Special Laws of 1871 establishing a Municipal Court for the city of Lewiston, reported the same ought to pass.

The reports were accepted and the several bills were tabled for printing under the joint rules.

**Passed to Be Engrossed**

S. D. 20—An Act to amend Section 26 of Chapter 70 of the Revised Stat-

utes relating to the time of payment of legacies.

S. D. 22—An Act to amend Section 4 of Chapter 72 of the Revised Statutes relating to the appointment of guardians to married persons.

S. D. 48—An Act to extend the charter of the Lincoln County Street Railway.

#### Passed to Be Enacted

An Act to repeal Chapter 288 of the Public Laws of 1917, relating to the keeping and sale of dynamite, powder and other explosives.

#### Orders of the Day

Assigned for today: Report of the Committee on Senatorial Elections, to whom was referred the petition of Henry L. Irish of Turner in the county of Androscoggin, praying that he may be admitted as one of the senators from the county of Androscoggin.

Mr. THOMBS of Penobscot: Mr. President and fellow senators, yesterday, when the committee on senatorial elections made its report I purposely had the matter assigned for this morning because I wanted some time to elapse from the time the report was filed until it was considered by the Senate as a whole, in order that senators might familiarize themselves perfectly with its import.

This morning I am advised by several senators that they feel they have not had sufficient time to satisfy themselves as regards the matter to that extent whereby they would want to go on record by vote. I purpose to put the senators on record in this matter, and in view of the fact that these senators have expressed a desire for further time, I feel that it is a matter on which it is entirely proper they should have sufficient time to avail themselves of all proper privileges to fully inform themselves regarding the merits of the matter. I feel it is no more than right, and I feel that the committee on senatorial elections are pleased to grant further time to the members for this purpose.

I now propose to ask that the matter lie on the table and be especially assigned for next Wednesday morning, and I make that motion.

The motion was agreed to and the report was tabled and assigned for next Wednesday.

On motion by Mr. Ricker of Hancock, resolve reimbursing plantations because of reduction in the rate of interest paid by the state to plantations on their wild land school funds, was taken from the table, and on further motion by the same senator it was referred to the committee on education.

On motion by Mr. Davies of Cumberland, H. D. 78, An Act to prohibit the manufacture, sale or smoking of cigarettes within the State of Maine, was taken from the table.

Mr. WALKER of Somerset: Mr. President, would a motion to non-concur with the House be in order?

The PRESIDENT: Yes.

Mr. WALKER: I move that we non-concur with the House in the reference of this bill to the committee on temperance.

The motion was agreed to, and on further motion by the same senator the bill was referred to the committee on public health in non-concurrence, and sent down for concurrence.

On motion by Mr. Baxter of Sagadahoc, An Act to amend Section 2 of Chapter 52 of the Revised Statutes, relating to the banking business, was taken from the table, and on further motion by the same Senator was referred to the committee on banks and banking.

Mr. DAVIES of Cumberland: Mr. President, I notice by the calendar I have a bill on the table entitled "An Act to prohibit the manufacture and sale of cigarettes," S. D. 46. I move we take it from the table.

The motion was agreed to, and on further motion by the same senator the bill was referred to the committee on public health, in non-concurrence, and sent down for concurrence.

On motion by Mr. Gurney of Cumberland, An Act to amend the 22d paragraph of Section 5 of Chapter 118 of the Revised Statutes, relating to compensation of deputy sheriffs while in attendance upon the supreme judicial court or any court where jury trial are held, was taken from the table, and on further motion by the same senator

was referred to the committee on legal affairs, in non-concurrence, and sent down for concurrence.

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Mr. DEARTH of Penobscot: Mr. President, I am about to ask that the rule limiting the time within which special bills should be presented be suspended for the purpose of introducing a resolve asking for an appropriation to screen Green lake.

I regret that I am the first one to ask that that rule be suspended, but there seem to be some special circumstances that perhaps in a way may justify it. This resolve was brought to me this morning and the reason given

why it had not been presented within the rule was that it was necessary to get more or less data about the size of the stream and other data, and in getting it so much time was consumed that it ran beyond the time within which the resolve should be presented.

With this explanation I ask that that rule be suspended.

The PRESIDENT: Will the senator bear with the Chair in the suggestion that he withdraw his motion at this time and offer it at a later session?

Mr. DEARTH: Yes, I will withdraw it.

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On motion by Mr. Gordon of York,  
Adjourned.