

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

HOUSE

Tuesday, Jan. 8, 1921.

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

Prayer by the Rev. Mr. Ecob of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate:

The following order:

Ordered, the House concurring, that the time limit for the reception of petitions and bills for private and special legislation be extended one week so that the same shall be limited to Thursday, February 17, 1921 at four o'clock P. M. and that all such petitions and bills presented after that date be referred to the next Legislature; that the Secretary of the Senate cause copies of this order to be published in all the daily and weekly papers of the State until and including February 16, 1921.

Came from the Senate read and passed.

In the House read and passed in concurrence.

Communication from the State Auditor

STATE OF MAINE
Office of State Auditor
Augusta, Feb. 1, 1921.

To the Honorable House of Representatives:

In compliance with an order of the House of Representatives, dated January 27, 1921, asking that there be filed within one week from that date an itemized account of the total cost to date of the garage that the Highway Commission is building, or having built, in Augusta, the cost of same and from what funds the money is taken, I send herewith such itemized account, which shows that the total net expenditure to January 24, 1921, for such purpose was \$184,343.-03.

The cost has been charged against

the State Highway Loan Fund, as authorized by the order of the Governor and Council, approving the contract, and dated October 14, 1920.

(Signed) R. L. WARDWELL,
State Auditor.

Communication from State Highway Commission

State Highway Commission
State of Maine

Augusta, February 2, 1921.

The Honorable,
The House of Representatives,
Augusta, Maine.

Sirs: In compliance with order under date of January 27, we beg to state that the estimated total cost of garage now being constructed in Augusta is \$219,640.19.

Equipment so far purchased consists of a one thousand gallon gasoline tank and a pump and five three-barrel lubricating outfits with pumps. The gas tank has been buried in the yard outside of the building and is ready to be connected with the pump. The equipment outlined above, gas and oil tanks and pumps, cost \$1,363.05.

No machinery has been purchased. The State Highway Commission is planning to pick up second hand machinery from time to time that is suitable for garage work and which can be bought at a low price. Needed equipment will probably cost from three thousand to four thousand dollars.

The size of the building is as follows:

One wing, inside dimensions, 151 feet by 74 feet, 6 inches, consisting of basement and one floor; the other wing is 201 feet by 49 feet, inside dimensions, consisting of a basement and one floor. The building is so laid out that there are entrances from three different grade levels and a ramp from the basement of the first wing to the basement of the second wing, which is on the level with the first floor of the first building, eliminates the need of an elevator to move tracks from one part of the building to the other.

The estimated capacity of the

building is for one hundred and sixty trucks, including a chance for repairing about twenty trucks at one time. It is believed if the building were used solely for storage that two hundred trucks and automobiles could be stored in it.

Respectfully submitted,

(Signed) W. M. AYER, Chairman,
P. J. DEERING,

FRANK A. PEABODY,
State Highway Commission.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to ask whether that was a cost-plus contract, and if that will include the whole of it? I do not like to have this thing go on and not know how much we are going to pay. It looks to me, as I understand a cost-plus contract, that we do not know whether it is going to be \$219,000 or \$250,000. Then they tell us that they are going to buy second hand machinery. I do not think that kind of machinery for the State of Maine is of any benefit. I feel we should have new machinery, but that we should not pay cost plus ten per cent. I think we should do something and not have it lie on the table too long.

The SPEAKER: Does the gentleman from Portland (Mr. Rounds) desire to introduce an order, asking for further details from the department.

Mr. ROUNDS: Later, Mr. Speaker.

On motion by Mr. Ricker of Poland, the foregoing communications were tabled and 1500 copies ordered printed in one document.

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. Chalmers of Bangor: Resolve providing for aid in the payment of premiums awarded by the Eastern Maine State Fair.

Appropriations and Financial Affairs

By Mr. Downing of Bangor: Resolve providing for hospital treatment at the Eastern Maine General Hospital Bangor, for persons who are in need of the same and unable to pay for it.

By Mr. Maher of Augusta: Resolve

in favor of Augusta General Hospital.

By Mr. Murchie of Calais: Resolve providing for the care, support and medical or surgical treatment of dependent persons in Calais Hospital.

By Mr. Brewster of Portland: Resolve in favor of the Maine Eye and Ear Infirmary, Portland, Maine, for the care, support and medical or surgical treatment of indigent persons for the fiscal years, 1922-1923.

By the same gentleman: Resolve in favor of the Maine Eye and Ear Infirmary, Portland, Maine, for the care, support and medical or surgical treatment of indigent persons for the six months period, ending June 30, 1921.

Claims

By Mr. Fagan of Portland: Resolve in favor of Samuel D. Lincoln of Portland, Maine.

By the same gentleman: Resolve in favor of Andrew H. Morang of Portland, Maine.

By Mr. Austin of South Berwick: Resolve in favor of Freeman H. Penney of Wells to reimburse for loss of horse.

Education

By Mr. Brewster of Portland: Bill. An Act to amend the powers of superintending school committees in relation to vaccination of school children. (1000 copies ordered printed).

By Mr. Hussey of Blaine: Bill. An Act to amend Section 85 of Chapter 16 of the Revised Statutes, as amended by Chapter 229 of the Public Laws of 1917, and by Chapter 96 of the Public Laws of 1919, increasing tuition paid by towns for secondary school pupils.

By Mr. Murray of Portland: Resolve in favor of Louise D. Mayhew in lieu of teacher's pension.

By Mr. Willard of Sanford: Resolve for maintenance of Limington Academy, Limington, Maine.

By Mr. Towne of Madison: Resolve in favor of Somerset Academy at Athens.

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

By Mr. Wood of Bluehill: Resolve in favor of Ella A. Stover of Bluehill, Hancock county, State of Maine, for teachers' pension.

By Mr. Hussey of Blaine: Resolve in favor of Bridgewater Classical

Academy, Bridgewater, Aroostook county, Maine.

By Mr. Hammond of Van Buren: Resolve in favor of St. Mary's college, Van Buren, Aroostook county, Maine.

Judiciary

By Mr. Barwise of Bangor: Petition of A. W. Bea's of Bangor and 21 others in favor of the passage of House Bill No. 28, known as the "Barwise Sunday Bill."

By the same gentleman: Petition of H. B. Gilbert of Bangor and 21 others in favor of same.

By the same gentleman: Petition of J. T. Mitchell of Orono and 21 others in favor of same.

By the same gentleman: Petition of Fred W. Campbell of Charleston and 21 others in favor of same.

By Mr. Maher of Augusta: Bill "An act to enforce care of burial lots supported by Trust Fund."

Legal Affairs

By Mr. Fagan of Portland: Bill "An act authorizing the payment of an annuity by the city of Portland to Nettie M. Hamilton.

By the same gentleman: Bill "An act relating to annual meetings of Protestant Episcopal churches for the diocese of Maine."

By Mr. Murray of Portland: Bill "An act to amend Section 1, 2, 3, 7 and 8 of Chapter 262 of the Public Laws of 1917, relative to the licensing of steam engineers and firemen."

Legal Affairs and Labor

By the same gentleman: Bill "An act to repeal Section 3 of Chapter 233 of the Public Laws of 1919, and to amend Sections 9, 12, 13, 14, 15 and 16 of said Chapter 233, relating to Workmen's Compensation." (1500 copies ordered printed).

Military Affairs

By Mr. Mason of Ellsworth: Bill "An act to amend Sections 2 and 3 of Chapter 264 of the Public Laws passed by the 79th Legislature of the State of Maine at the Special Session November 4-8, 1919, entitled 'An act to provide for the payment of a bonus to Maine Soldiers and Sailors in the War with Germany.'"

By Mr. Maher of Augusta: Resolve

for the creation of a War Memorial Commission.

Pensions

By Mr. Maher of Augusta: Resolve in favor of Rena Cooley.

By Mr. Paterson of Industry: Resolve in favor of Abbie A. Norton of Industry in county of Franklin, and State of Maine.

Portland Delegation

By Mr. Fagan of Portland: Bill "An act amending Chapter 370 of the Special Laws of 1909, relating to Police Department of the City of Port and defining rank of Lieutenants."

By the same gentleman: Bill "An act relating to fire department of the city of Portland."

By the same gentleman: Bill "An act authorizing the city of Portland to transfer the statuary and fund received by it as a legacy under the last will and testament of Franklin Simons to Portland Society of Art."

By Mr. Murray of Portland: Bill "An act to amend Section 25 of Chapter 30 of the Revised Statutes of Maine, relating to the appointment of Inspector of Buildings.

Public Buildings and Grounds

By Mr. Maher of Augusta: Resolve for maintenance and improvement of State Park.

Public Health

By Mr. Phillips of Bar Harbor: Bill "An act relating to the State Department of Health." (1000 copies ordered printed).

Public Utilities

By Mr. Case of Lubec: Bill "An act to extend the charter of the Lubec and Machias Railway Company."

By Mr. Murray of Portland: Bill "An act to incorporate the Cumberland Center Water Company, and to authorize that Company to take over the properties of the Cumberland Water Company."

Salaries and Fees

By Mr. Belmore of Princeton: Bill "An act to amend Section 41 of Chapter 117 of the Revised Statutes to increase the salary of sheriff in Washington county."

By Mr. Baker of Steuben: Bill "An act to amend Section 33 of Chapter 117 of the Revised Statutes, to increase the salary of Judge of Probate in Wash-

ington county."

By Mr. Maher of Augusta: Bill "An act relative to salaries of Justices of the Superior courts."

By Mr. Cherry of Eastport: Bill "An act to amend Section 44 of Chapter 117 of the Revised Statutes, increasing the salary of the treasurer of Washington county."

By the same gentleman: Bill "An act to amend Section 45 of Chapter 117 of the Revised Statutes, relative to Clerk hire in the offices of the Clerk of Courts and Register of Deeds in Washington county."

By Mr. Varney of Jonesboro: Bill "An act to amend Section 43 of Chapter 117 of the Revised Statutes, to increase the salary of Register of Deeds in Washington county."

Sea and Shore Fisheries

By Mr. Oram of Bristol: Bill "An act to regulate the laws of fishing in the waters around Monhegan Island." (500 copies ordered printed).

Taxation

By Mr. Story of Washburn: Bill "An act to amend Chapter 10, Section one of the Revised Statutes, relating to poll tax. (1000 copies ordered printed).

Towns

By Mr. Kerswell of St. George: Remonstrance of W. P. Sleeper and 80 others against bill entitled "An act to divide the town of South Thomaston."

Ways and Bridges

By Mr. Case of Lubec: Bill "An act to amend Section 10 of Chapter 25 of the Revised Statutes, as amended by Section 3 of Chapter 258 of the Public Laws of 1917, providing for the deposit of surety bonds or certified checks with bids for State highway work." (500 copies ordered printed).

By Mr. Landers of Eustis: Resolve in favor of the towns of Salem and Freeman.

By Mr. Heal of Weston: Resolve in favor of repairing a part of the Military Road, so-called, in Reed Plantation in Aroostook county. (500 copies ordered printed).

By Mr. Case of Lubec: Resolve to aid the town of Cutler in building highway.

By Mr. Weeks of Dresden: Resolve in favor of the town of Somerville.

By Mr. Case of Lubec: Resolve to aid the town of Trescott in repairing and building highways.

By Mr. Holley of No. Anson: Resolve in favor of the town of Anson.

By the same gentleman: Resolve in favor of town of Embden.

Reports of Committees

Mr. Holley from the Committee on Appropriations and Financial Affairs, reported on Resolve in favor of Benjamin A. Swasey, "Ought not to pass as the subject matter is covered in another Resolve."

Report was read and accepted and sent up for concurrence.

Passed to Be Engrossed

House 49, An act amending Section 4 and 6 of Chapter 262 of the Public Laws of 1917, relating to fees of city clerks.

Report of committee on bills in third reading accepted.

Mr. Rounds of Portland offered House amendment A as follows:

House Amendment A

"Section six of Chapter two hundred sixty two of the Public Laws of nineteen hundred and seventeen is hereby amended by adding after the word 'dollar' in the seventh line thereof, the following words: 'twenty five cents of which shall be paid to the city clerk for issuing said new certificate,' so that said section as amended shall read as follows:

'Sec. 6. When an engineer or fireman shall apply for a renewal of his license for the same grade, the presentation of the attested copy of the original certificate shall be considered sufficient evidence of his title to renewal, which certificate shall be retained by the examiner upon the official files as the evidence upon which the license was renewed, and a new certificate shall be issued upon the payment of the fee of one dollar, twenty five cents of which shall be paid to the city clerk for issuing said new certificate, unless such license shall be forfeited or unless facts shall have come to the knowledge of the examiner, which would render a renewal improper. In such case the applicant shall be entitled to a hearing before

the examiner. In case of loss or destruction of applicant's certified copy of his license, the city clerk shall by direction of the examiner, issue to the applicant a duplicate attested copy, upon payment of the usual fee of twenty five cents.'"

On motion by Mr. Rounds of Portland, the bill was tabled pending third reading.

Orders of the Day

On motion by Mr. Smith of Skowhegan, the rules were suspended and the following resolve introduced:

Resolve in favor of the widow of Governor Parkhurst.

Resolved that there be paid to the widow of the late Governor Frederic H. Parkhurst, the salary that the State would have paid to Governor Parkhurst had he served the full term for which he was elected.

The Governor and Council are hereby authorized and directed to draw their warrant in favor of Dorothy W. Parkhurst for the full salary that would have been paid Governor Parkhurst had he served his full term of office.

On further motion by the same gentleman, the resolve had its two several readings, under suspension of the rules, and was passed to be engrossed.

On motion by Mr. Hinckley of South Portland, it was voted to take from the table order relative to reorganization of State departments; and on motion by Mr. Winter of Auburn, the order received passage.

On motion by Mr. Winter of Auburn, it was voted to take from the table bill, An Act to consolidate the library laws; and on further motion by the same gentleman this bill was referred to the joint committee composed of the committee to be appointed under the House order to reorganize and consolidate the several State departments, and the joint standing committee on Library.

The SPEAKER: The Chair would take this opportunity to suggest to the

members of the House that, under the regulations of the House, of the present session at least, immediately upon the close of the session the pages clear the room. On many an afternoon this room is used for purposes other than the regular session of the House. The members of the House have been furnished with keys to the desks at which they sit and property of members of the House worthy of preservation should be placed within the desks or removed from the room; otherwise such property is very liable to be lost in the cleaning of the desks.

On motion by Mr. Maher of Augusta, it was voted to take from the table bill, An Act to regulate the payments of appropriations for the care, treatment, support, treatment of persons in charitable or benevolent institutions not wholly owned or controlled by the State; and on further motion by the same gentleman, the bill was re-tabled and 500 copies ordered printed.

The SPEAKER: Another notice the Chair will give that on February 9, Wednesday, tomorrow, at 8 o'clock in the evening, in this hall, William F. Dawson gives his lecture on Mt. Katahdin, and it is illustrated by pictures which are said to be well worth the attention of anyone. The public generally is invited. The members of the House will take notice thereof.

The Chair wishes to make another suggestion. Recommendations by the Budget committee, and recommendations which are in the budget, do not necessarily pre-suppose an appropriation for the particular institution or object for which the Budget recommends. It is altogether better, probably, that resolves be introduced for constituents of each of you, looking toward appropriations, that they may not be overlooked when the appropriation bills and the tax acts are drawn.

It is further necessary to suggest that if any of these required appropriations are expected to be available for expenditure before June 30 of this year, that the emergency clause must be attached, and further that there can probably be no objection to writing the resolve in one sheet, rather than

two, one for the first fiscal period and the other without the emergency.

It is impossible for the clerk to make up his record unless members obey the rule that their names be added at the bottom on the outside of

any paper which they introduce in the House.

On motion by Mr. Emery of Buxton,
Adjourned until 10 o'clock tomorrow
morning.