

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

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HOUSE

Thursday, March 3, 1921.

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

Prayer by the Rev. Mr. Layton of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill "An act to amend sub-paragraph A" of paragraph two of Section seven of Chapter 188 of the Public Laws of 1917, relating to the duties of superintendents of schools." This was passed to be engrossed in the House February 25.

Comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House, on motion by Mr. Cordwell of Westbrook, that body voted to reconsider its action whereby the bill was passed to be engrossed

(Senate amendment A read by the Clerk.)

The Speaker: The amendment, the Chair will state for the benefit of the gentlemen is solely due to the fact that the subject matter was treated of in a session subsequent to 1916, so that it was deemed better to refer to the particular act subsequent to 1916 rather than the Revised Statutes.

On further motion by Mr. Cordwell of Westbrook, the House voted to adopt Senate amendment A; and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Bill "An act to amend Section five of Chapter 117 of the Revised Statutes, as amended by Chapter 170 of the Public Laws of 1917, relating to the salaries of justices of the Supreme Judicial Court." This was indefinitely postponed in the House March 1 in non-concurrence.

Comes from the Senate with that body insisting on its action and asking a committee of conference with the following conferees appointed on its part:

Messrs. Farrington of Kennebec,
Thombs of Penobscot,
Allen of York.

In the House, on motion by Mr. Brewster of Portland, it was voted to join the committee of conference.

The SPEAKER: The conferees on the part of the House will be later named.

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

Placed on File

By Mr. Forbes of Paris: Remonstrance of L. C. Bates and 41 others of Paris against the "Barwise Sunday Bill."

Agriculture

By Mr. Austin of South Berwick: Bill "An act to repeal Chapter 18 of the Resolves of 1917, relating to animal industry.

Judiciary

By Mr. Moody of York: Remonstrance of E. J. Allen and 36 others against the granting of a water district in the town of Wells.

By Mr. Smith of Waterboro: Remonstrance of R. S. Bragdon and 36 others against same.

By Mr. Rounds of Portland: Bill "An act to amend the law relating to profiteering."

By the same gentleman: Resolution calling upon the people of this State to display the National colors annually on "Mother's Day" the second Sunday in May in honor of the homes of our State and country.

Judiciary and Military Affairs

By Mr. Rounds of Portland: Bill "An act to create the National Guard pay fund." (1500 copies ordered printed.)

Legal Affairs

By Mr. Rounds of Portland: Bill "An act relative to the registration

of persons, firms and corporations designing to install wires or apparatus for electric lights, heat, or power purposes.

By Mr. Crabtree of Island Falls: Bill "An act to enable cities and towns to recover from the owner of property the expense of putting out a fire under certain conditions." (500 copies ordered printed.)

Mr. CRABTREE of Island Falls: Mr. Speaker, I move that we reconsider the vote whereby this was referred to the committee on Legal Affairs and that the same be referred to the committee on Mercantile Affairs and Insurance.

The SPEAKER: The parliamentary situation is this, it not having yet been referred. The title of the bill is "An act to establish cities and towns to recover from the owner of property the expense of putting out a fire under certain conditions." The committee on reference of bills made up of two from the Senate and three from the House suggests reference to the committee on Legal Affairs and suggests the printing. They do not refer it. It is in the power of the House to refer to any committee; and the gentleman from Island Falls (Mr. Crabtree) moves that this bill be referred to the committee on Mercantile Affairs and Insurance.

A viva voce vote being taken the motion failed of passage, and a further viva voce vote being taken, the bill was referred to the committee on Legal Affairs and 500 copies ordered printed.

Mercantile Affairs and Insurance

By Mr. Thomas of So. Portland: Bill "An act relating to life insurance for minors and the surrender of such insurance."

By the same gentleman: Bill "An act relating to licenses for lightning rod agents."

By the same gentleman: Bill "An act to amend Chapter 53, Section 55, Paragraph five of the Revised Statutes, relating to insurance on glass."

Salaries and Fees

By Mr. Rounds of Portland: Bill, "An Act to amend Chapter 117, Sec-

tion 18, Revised Statutes, relating to the salary of the insurance commissioner."

Sea and Shore Fisheries

By Mr. Baker of Steuben: Remonstrance of N. I. Beal of Milbridge and 33 others against the nine inch lobster law.

By Mr. Rogers of Jonesport: Remonstrance of O. W. Leighton and 40 others of Jonesport against same.

By the same gentleman: Remonstrance of R. W. Beal of Jonesport and 19 others against same.

By Mr. Case of Lubec: Remonstrance of George W. Porter and 39 others of Cutler against same.

By Mr. Clarke of Stonington: Remonstrance of W. B. Morey and 10 others of Deer Isle against same.

By the same gentleman: Remonstrance of W. J. Libby and 49 others of Stonington against same.

Ways and Bridges

By Mr. Belmore of Princeton: Petition of Harvey Lyons and 23 others in favor of the road around Chick Hill in the town of Clifton.

By Mr. Case of Lubec: Bill, "An Act to amend Section 3 of Chapter 212 of the Public Laws of 1919, relating to ferry boat."

Orders

On motion by Mr. Ricker of Poland, it was

Ordered that the use of the hall of the House of Representatives be granted to the committee on taxation for a hearing to be held Wednesday, March 9, at 2 P. M.

Reports of Committees

Mr. Gardiner from the joint committee on Judiciary and ways and bridges, on bill, "An Act relative to State highways," reports that the same be printed and recommitted to the joint committee on judiciary and ways and bridges.

The report was accepted, the printing ordered and the bill was recommitted to the joint committee on judiciary and ways and bridges.

Mr. Holley from the committee on appropriations and financial affairs on Resolve appropriating money to aid the town of Fort Kent for the

construction of a stone work on the Fish river to prevent it from wearing out any more land, reporting that the same be referred to committee on ways and bridges.

Mr. Wing from the committee on judiciary reported "Ought not to pass" on Bill, "An Act to amend Section 3 of Chapter 111 of the Revised Statutes of 1916 relating to persons exempted from serving as jurors."

Same gentleman from same committee reported the same on Bill, "An Act to amend Chapter 465 of the Private and Special Laws of 1868 relative to the election of superintending school committee and superintendent of schools in the city of Lewiston." Also in regard to the method of taxation in connection with maintenance of city schools."

Mr. Murchie from the same committee reported the same on Bill, "An Act to provide for retiring and pensioning employees of the State of Maine."

Mr. Buzzell from same committee reported the same on Bill, "An Act to provide for the enforcement of Chapter 159 of the Public Laws of 1917 relating to cruelty to animals."

Mr. Murchie from same committee reported the same on Bill, "An Act to make uniform the law of sales of goods."

Mr. Croxford from the committee on public health reported the same on Resolve in favor of the State Department of Health.

Mr. Snipe from the same committee reported the same on Bill, "An Act to provide for the purity of ice cream and sherbet offered for sale."

Reports were read and accepted and sent up for concurrence.

Mr. Hinckley from the committee on judiciary reported "Ought to pass" on Bill, "An Act to authorize the Boston and Maine Railroad to acquire the property and franchises of or consolidate with any of its subsidiaries not already acquired by or consolidated with, under and by virtue of Chapter 186, Private and Special Laws of 1915, and Acts amending and extending the same."

Mr. Cole from the same committee

reported the same on Bill, "An Act validating and making legal a meeting of the stockholders of the American Warp Drawing Machine Company in amending and enlarging the purposes of corporation."

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

Mr. Wing from the same committee reported the same on Bill, "An Act to amend Section 41 of Chapter 51 of the Revised Statutes so as to provide for the amendment of corporate purposes."

Report was read and accepted and the bill having already been printed, the rules were suspended and the bill had its two several readings.

Mr. Hinckley from the same committee reported ought to pass on Bill, "An Act to authorize the town of Bristol to pay certain obligations incurred by its citizens in opposing the division of said town."

Mr. Wing from the same committee reported the same on Resolve authorizing Michael Burns to bring suit against the State of Maine.

Mr. Gardiner from the same committee reported the same on Resolve in favor of commissioner of labor and industry and State factory inspector.

Mr. Fagan from the committee on legal affairs on bill An Act to amend charter of Home for Aged Men, reported the same in a new draft under title of "An Act to amend Chapter 133 of Private and Special laws of 1881, entitled 'An Act to incorporate the Mercantile Home for Aged Men Association,' as amended by Chapter 267 of Private Laws of 1883, which changed the name to Home for Aged Men," and that it ought to pass.

Mr. Willard from the same committee on Resolve in favor of York county issuing bonds reported the same in a new draft under title of "An Act relating to York county issuing bonds," and that it ought to pass.

Mr. Poore from the committee on public health reported ought to pass on Bill An Act to prohibit advertisements of cures or medicines relating to venereal diseases and certain sexual disorders.

Mr. Snipe from the same committee reported the same on Bill An Act for better care of the inmates of the State Prison and Men's Reformatory suffering from tuberculosis.

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

Mr. Croxford from the committee on public health reported ought to pass on Bill An Act to provide for return and cleansing of ice cream and sherbet containers.

Report was read and accepted and the bill having already been printed had its two several readings under suspension of the rules.

Majority report of the committee on judiciary reporting ought not to pass on Bill An Act to amend Chapter 201 of the Private and Special Laws of 1917, entitled "An Act to grant a new charter to the city of Auburn."

Report was signed by the following members:

Messrs. Gillin of Penobscot,
Farrington of Kennebec,
—of the Senate.
Buzzell of Belfast,
Murchie of Calais,
Maher of Augusta,
Wing of Auburn,
Gardiner of Gardiner,
Cole of Eliot,
—of the House.

Minority report of the same committee on the same bill reporting ought to pass.

Report was signed by the following members:

Messrs. Parent of Androscoggin,
—of the Senate.
Hinckley of South Portland,
—of the House.

(On motion by Mr. Wing of Auburn, the reports and bill were tabled and specially assigned for Wednesday, March 9.)

Majority report of the same committee reporting ought not to pass on Bill An Act to amend the trustee process.

Report was signed by the following members:

Messrs. Gillin of Penobscot,
Farrington of Kennebec,
—of the Senate.

Hinckley of South Portland,
Gardiner of Gardiner,
Buzzell of Belfast,
Murchie of Calais,
—of the House.

Minority report of the same committee reporting ought to pass on the same bill.

Report was signed by the following members:

Messrs. Parent of Androscoggin,
—of the Senate.
Wing of Auburn,
Maher of Augusta,
—of the House.

(On motion by Mr. Maher of Augusta, the bill and accompanying reports were tabled and unassigned.)

Majority report of the same committee reporting ought not to pass on Resolve authorizing the calling of the Constitutional convention.

Report was signed by the following members:

Messrs. Gillin of Penobscot,
Farrington of Kennebec,
Parent of Androscoggin,
—of the Senate.
Buzzell of Belfast,
Hinckley of South Portland,
Cole of Eliot,
—of the House.

Minority report of the same committee on same resolve reporting same in new draft under same title and that it ought to pass.

Report was signed by the following members:

Messrs. Wing of Auburn,
Murchie of Calais,
Maher of Augusta,
Gardiner of Gardiner,
—of the House.

(On motion by Mr. Wing of Auburn, the bill and accompanying reports were tabled; and on further motion by the same gentleman 500 copies of the report of the minority recommending passage in new draft were ordered printed; and on further motion by the same gentleman the matter was specially assigned for consideration for Thursday, March 10.)

First Reading of Printed Bills and Resolves

House 212. An Act to require the teaching of American history and civil

government in public and private schools.

House 206. An Act to increase the compensation of fence viewers.

House 205. An Act to amend Chapter 118, Section 8, of the Revised Statutes relating to fees of jurors.

House 207. An Act to amend Section 2 of Chapter 574, Private and Special Laws of 1856, entitled "An Act to incorporate the Kendall's Mills Village Corporation," as amended by Chapter 139, Private and Special Laws of 1891.

House 208. An Act to amend Section 2, Chapter 501, of the Private and Special Laws of 1889, relating to the charter of Maine Central Institute.

House 209. An Act to amend Section 3 of Chapter 51 of the Public Laws of 1919, relating to the training of rural teachers.

House 211: An act to amend Section 56 and Paragraph 2 of Section 57 of Chapter 16 of the Revised Statutes, as amended, relating to the election and term of office of superintendents of schools.

House 210: Resolve making an appropriation for cooperative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.

Passed to Be Engrossed

Senate 83: An Act to amend Section 72 of Chapter 56 of the Revised Statutes, relating to the ringing of the engine bell or sounding of the whistle at grade crossings.

Senate 84: An Act to amend Section 2 of Chapter 50, Public Laws of 1917, relating to warning signs at grade crossings.

Senate 86: An Act to amend Sections 3, 4, 12 and 13 of Chapter 145 of the Public Laws of 1917, relating to the removal of obstructions at grade crossings.

House 60: An Act to amend Section one of Chapter 61 of the Private and Special Laws of 1907, as amended by Chapter 210 of the Private and Special Laws of 1909, relating to the lobster industry within two miles of the shore of Monhegan Island.

House 193: An Act to confirm and make valid the municipal election held in the city of Eastport the first Monday of March, 1920.

House 194: An Act to authorize the town of Rangeley to acquire the wharves in Rangeley Lake of the Rangeley Lakes Steamboat Company.

House 195: An Act to amend Section one of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing license fees.

House 196: An Act to protect the water supply of the town of East Livermore.

House 197: An Act authorizing the town of Cape Elizabeth to adopt a corporate seal.

House 200: An Act to amend Section 55 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 and Chapter 244 of the Public Laws of 1917, and by Chapter 62 of the Public Laws of 1919, relating to the production of game birds.

House 202: An Act to incorporate the Monmouth Water and Sewer District.

House 170: Resolve reimbursing the county of Kennebec for money expended in pursuing insane criminals escaping from Augusta State Hospital.

(Tabled by Mr. Holley of No. Anson, pending its second reading.)

House 198: Resolve to reimburse the town of Mapleton.

House 204: Resolve in favor of the town of Hartland, for aid rendered to a mother with dependent children.

Orders of the Day

The SPEAKER: Under orders of the day, the calendar for today is before the House.

Mr. ROUNDS of Portland: Mr. Speaker, does that refer to the heading "tabled and today assigned?"

The SPEAKER: The gentleman from Portland, Mr. Rounds, calls the attention of the House to the fact that Senate Doc. No. 59, bill, An Act relative to the price of the Maine Reports, is tabled and specially assigned

for consideration today. The Chair will recognize the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds, the vote was reconsidered whereby this bill was passed to be engrossed.

The pending question being the adoption of Senate Amendment "A," in concurrence.

Mr. Rounds requested that Senate Amendment "A" be read.

The Speaker then read Senate Amendment "A," the effect of which is to increase the price of the volumes of Maine Reports from \$2.50 to \$3.00.

The question being on the adoption of Senate Amendment "A,"

The amendment was adopted.

On further motion by Mr. Rounds, the bill as amended was passed to be engrossed.

The SPEAKER: Is there anything further to come before the House under orders of the day?

Mr. VILES of Augusta: Mr. Speaker, I move that the House reconsider its vote whereby the bill regarding moving picture films, which was received from the Senate this morning, was referred to the committee on judiciary.

The SPEAKER: The Chair will state that this bill is an act to create a board of censors to pass upon moving picture films offered for public exhibition in Maine. This came from the Senate, referred in that branch to the committee on judiciary. The House this morning has referred the bill to the committee on judiciary in concurrence with the Senate. The gentleman from Augusta, Mr. Viles, now moves that the House reconsider its vote whereby it referred this bill to the committee on judiciary in concurrence. Is that the pleasure of the House?

The motion was agreed to.

Mr. VILES: Mr. Speaker, I will now move that this bill be referred to the committee on judiciary and the committee on appropriations and fi-

ancial affairs, for the reason that this bill carries an appropriation.

The motion was agreed to, and the bill was referred to the committee on judiciary and appropriations and financial affairs in non-concurrence.

The SPEAKER: The Chair presents for the consideration of the House, under the heading of "tabled and unassigned," Senate Doc. No. 58, resolve to purchase history of Williamsburg, tabled pending its first reading, and the Chair announces that this matter has been presented to the committee on appropriations and financial affairs.

The resolve then received its first reading, and on motion by Mr. Dodge of Portland, was tabled pending its second reading.

The SPEAKER: The Chair presents for the consideration of the House, Senate Doc. No. 62, Resolve to purchase history of the town of York, tabled pending its first reading, and the Chair will report that this measure has been presented to the committee on appropriations and financial affairs in accordance with the rules.

The resolve then received its first reading, and on motion by Mr. Dodge of Portland, was tabled pending its second reading.

The SPEAKER: The Chair presents for the consideration of the House, Senate Doc. No. 61, Resolve to purchase alphabetical index of Revolutionary pensions in Maine, tabled pending its first reading, and the Chair announces that this measure has been presented to the committee on appropriations and financial affairs in compliance with the rules.

The resolve then received its first reading, and on motion by Mr. Holy of North Anson, was tabled pending its second reading.

On motion by Mr. Luques of Kennebunkport,

Adjourned until tomorrow morning at 10 o'clock.