

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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## SENATE

Thursday, March 3, 1921.

Senate called to order by Hon. Charles E. Gurney, President pro tempore.

Prayer by Rev. Mrs. Mary L. Hadley of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: H. 166, Resolve in favor of J. Wilbur Day, town of Wesley, County of Washington, for reimbursement for cattle killed by bears while said cattle were pastured on Townships 31 and 37, in Washington County.

In the House this bill was recommended to the committee on Claims.

In the Senate, on motion by Mr. Thombs of Penobscot, the bill was recommitted in concurrence.

### House Bills in First Reading

H. 199. Resolve in favor of Helen Vaun Bangs.

S. 29. An Act to amend Section 14 of Chapter 16 of the Revised Statutes, as amended by Chapter 62 of the Public Laws of 1917, relating to the provisions for heating, lighting, ventilating and hygienic conditions in new or reconstructed school buildings

H. 52. An Act to prevent the marriage of persons having syphilis. (Tabled on motion by Mr. Baxter of Sagadahoc.)

H. 188. An Act to extend the provisions of Chapter 155 of the Private and Special Laws of 1917, as extended and amended by Chapter 9 of the Private and Special Laws of 1919, entitled "An Act to authorize the town of Yarmouth to supply gas and electricity."

H. 186. An Act to regulate the taking of clams in the town of Jonesboro in Washington County.

H. 185. An Act relating to the catching of smelts in Piscataquis River and tributaries.

H. 184. An Act for the better pro-

tection of clams within the limits of the town of Brunswick.

An Act to amend Chapter 10, Section 1, of the Revised Statutes, relating to poll taxes.

Mr. PARENT of Androscoggin: Mr. President, I move that we indefinitely postpone this bill.

Mr. FOLSOM of Somerset; Mr. President I move that the bill be tabled.

Mr. THOMBS of Penobscot: Mr. President, I would like to inquire through you of the senator from Somerset if he will assign a day certain for the consideration of this bill?

The PRESIDENT: The senator from Somerset will please answer the question of the senator from Penobscot.

Mr. FOLSOM: I will take it off the table Wednesday.

The motion to table was adopted and the bill assigned for next Wednesday.

From the House: Report A of the committee on judiciary on An Act to amend Section 1, Chapter 84, of the Revised Statutes, in relation to the appointment of clerks of the judicial courts, ought to pass in new draft.

(Signed) FARRINGTON,  
MAHER,  
COLE,  
HINCKLEY,  
GARDINER.

Report B, ought not to pass, of the same committee.

(Signed) GILLIN,  
PARENT,  
WING,  
BUZZELL,  
MURCHIE,

Mr. GILLIN of Penobscot: Mr. President, I move the acceptance of Report B, ought not to pass, as signed by myself.

The PRESIDENT: Report B, ought not to pass, was accepted in the House.

Mr. PARENT of Androscoggin: Mr. President, as I understand it, the House accepted Report B, ought not to pass.

The PRESIDENT: That is correct.

Mr. PARENT: Mr. President, I move that we concur with the House and accept Report B.

Mr. SPRAGUE of Piscataquis: Mr. President, I move that the reports lie on the table.

Mr. PARENT: Mr. President, I will ask the senator from Piscataquis through the Chair, if he will assign a specific time for the consideration of the reports.

Mr. SPRAGUE: Wednesday of next week.

The bill was then tabled and assigned for next Wednesday.

From the House: Majority report of the committee on towns on An Act to divide the town of South Thomaston, ought to pass.

Minority report of the same committee, ought not to pass.

In the House the bill and reports were recommitted to the committee on towns.

On motion by Mr. Thombs of Penobscot the Senate concurred and the bill and reports were recommitted to the committee on towns.

#### Communications from the Heads of Departments

The Seventh Biennial Report of the State Auditor was received, and on motion by Mr. Baxter of Sagadahoc was placed on file.

Sent down for concurrence.

A communication was received from the office of the Secretary of State transmitting a list of the Public Acts approved by the Governor.

#### The List

An Act to amend Section 61 of Chapter 1 of the Revised Statutes, as amended by Chapter 104 of the Public Laws of 1919, relating to the Maine Forestry District tax. (Feb. 25.)

An Act to amend Section 66 of Chapter 16 of the Revised Statutes, as amended by Chapter 122 of the Public Laws of 1919, increasing the school age limit. (Feb. 25.)

An Act to amend Section 16 of Chapter 20 of the Revised Statutes, relating to the inspection of records

of poisons sold by druggists. (Feb. 28.)

An Act amendatory of Section 7, of Chapter 117 of the Revised Statutes, as amended by Chapter 226 of the Public Laws of 1919, relating to compensation of judges upon retirement. (March 1.)

An Act to amend Section 4 of Chapter 13 of the Revised Statutes, relating to vacancies in the office of county treasurer filled by appointment. (March 2.)

An Act establishing a game sanctuary in Range Three east of the Kennebec river in the City of Augusta and county of Kennebec. (March 2.)

On motion by Mr. Emerson of Aroostook, placed on file.

The following bill and remonstrances were received and upon recommendation of the committee on reference of bills were referred to the following committees.

By Mr. Sprague of Piscataquis, Remonstrance of Mrs. C. B. Sands, president of Dover-Foxcroft W. C. T. U., and forty-nine others against the passage of the Barwise Sunday bill.

By Mr. Stevens of York, Remonstrance of T. G. Buchanan and forty-two others against the enactment of the Barwise Sunday bill.

By the same Senator, Remonstrance of George C. Lord and 73 others against the enactment of the bill prohibiting hunting deer in the town of Wells.

The remonstrances placed on file.

#### Sea and Shore Fisheries

By Mr. Thompson of Knox: An Act regulating the taking, selling, packing and canning of clams, authorizing the survey of clam bottoms and the leasing thereof by the State, prohibiting the taking of clams from leased areas, except by the lessee, authorizing the selection and reservation of areas for experimentation in clam conservation and propagation, establishing the boundaries of polluted areas from which the taking of clams is prohibited, and the repeal of all existing laws inconsistent therewith.

(600 copies ordered printed on motion by Mr. Thompson of Knox.)

#### Orders

On motion by Mr. Allen of York, it was

Ordered, that the use of the Senate Chamber be granted to the committee on education for the afternoon of Thursday, March 10.

#### Reports of Committees

Mr. Farrington from the Committee on Judiciary, on An Act to amend Section 13 of Chapter 6 of the Revised Statutes of Maine relating to Primary Elections, reported that the same ought not to pass.

The same senator from the same committee, on An Act to amend Section 3 of Chapter 29 of the Revised Statutes relative to loss of Pauper Settlement. (Senate Doc. No. 26), reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Mr. Gillin from the Committee on Judiciary, on An Act to confer additional rights and powers upon Penobscot Lumbering Association, a corporation incorporated by Special Act of the Legislature, approved April 5, 1854, reported that the same ought to pass.

The same senator from the same committee, on An Act to amend Section 18 of Chapter 130 of the Revised Statutes in relation to the disposal of fines imposed thereunder and personal property used for prizes in lotteries or devices of chance, and the procedure of punishment, reported that the same ought to pass.

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

#### Passed to be Engrossed

S. Doc. No. 88—An Act to repeal the act incorporating the town of Concord and providing for the organization of the same into a plantation, to be known as Concord Plantation.

S. Doc. No. 89—An Act to annex a certain gore of land to the town of Westfield.

S. Doc. No. 90—An Act to extend

the charter of the Matagamon Tow-boat Company.

S. Doc. No. 91—An Act to increase the limit of real and personal estate of the Worumbo Manufacturing Company from one million to five million dollars.

S. Doc. No. 92—An Act to enable the towns of Dixfield and Peru in the county of Oxford to free the Dixfield and Peru toll bridge to public travel.

S. Doc. No. 93—Resolve authorizing F. Burton Haggett and Lawrence B. Haggett to bring a suit at law against the State of Maine.

S. Doc. No. 94—An Act to amend Section 3 of Chapter 214 of the Private and Special Laws of 1883, entitled, "An Act to incorporate the Penobscot River Dam and Improvement Company," as amended by Chapter 482 of the Private and Special Laws of 1889, and by Chapter 620 of the Private and Special Laws of 1893 and by Chapter 553 of the Private and Special Laws of 1897.

H. Doc. No. 145—An Act to amend Chapter 134 of the Public Laws of 1919, relating to fishing in Kennebeco stream, in the county of Franklin and in the county of Oxford.

H. Doc. No. 173—An Act requiring political advertisements to be signed.

H. Doc. No. 180—An Act to authorize the city of Portland to pay a pension to Henrietta M. Miller.

H. Doc. No. 181—An Act relating to appointment of chief of police of the city of Portland.

From the House: The following bills came from the House, having been passed to be enacted by that branch.

An Act additional to and amending of Chapter 7 of the Revised Statutes, relating to elections.

An Act to amend Chapter 16 Private and Special Laws of 1911 relating to the issue of stock and bonds by Lewiston Gas Light Company.

Mr. THOMBS of Penobscot: Mr. President, on account of the absence from the Executive Chamber for several days of the Governor, I move that these matters lie on the table in order that the time limit may not run against them during his absence.

The motion was agreed to and the bills were tabled.

#### Orders of the Day

Mr. BAXTER of Sagadahoc: Mr. President, I move we take from the table House Document No. 52, An Act to prevent the marriage of persons having syphilis.

The motion was agreed to and upon further motion by the same Senator, the bill was indefinitely postponed.

Mr. FOLSOM of Somerset: Mr. President, I move we take from the table Senate Document No. 85, An Act to amend Section 37 of Chapter 24 of the Revised Statutes relating to the appropriation for the abolishment of grade crossings.

The motion was agreed to and on further motion by the same Senator the bill was recommitted to the committee on Public Utilities.

Mr. FOLSOM of Somerset: Mr. President I move we take from the table the bill relating to uniform poll tax and reconsider the action of the Senate whereby it voted to table this bill and specially assign it for next Wednesday.

The PRESIDENT: The Chair will inquire whether this is the Act that was tabled this morning?

Mr. FOLSOM: It is.

The PRESIDENT: The record is that it was assigned for Wednesday next.

Mr. FOLSOM: I move that the Senate reconsider its action whereby it was assigned for Wednesday next.

The motion was agreed to.

Mr. FOLSOM: I yield to the Senator from Androscoggin, Senator Parent.

Mr. PARENT of Androscoggin: Mr. President, I move that we indefinitely postpone the bill.

Mr. MORRILL of Cumberland: Mr. President, how will that leave it standing if it is indefinitely postponed? Will it leave it where it is now?

The PRESIDENT: The Chair understands that that defeats this bill.

Mr. MORRILL: Leaves it just where the law is now?

The PRESIDENT: In the absence of other legislation by this Legislature, the Chair would so understand it.

The question is on indefinite postponement.

The motion was agreed to, and the bill was indefinitely postponed.

Mr. GOULD of Aroostook: Mr. President, I move to take from the table House Document No. 130, An Act to amend Section 10 of Chapter 182 of the Public Laws of 1919, relative to inmates escaping from the Reformatory for Men.

The motion was agreed to.

Mr. GOULD: Mr. President, I move that the Senate reconsider its action whereby this bill was passed to be engrossed.

The motion was agreed to.

Mr. GOULD: Mr. President, I now offer Senate Amendment A to this bill.

The PRESIDENT: The Chair will state for the benefit of the Senate that in Section 10 of this Act the provision is made that any person lawfully committed who escapes and thus incurs indebtedness for his arrest and recommitment the county may recover the expense incurred as provided in the "foregoing" paragraph. The foregoing paragraph contains no provisions at all, but the following paragraph contains such provisions, evidently being a clerical error, so that the Senator's amendment is as follows: Amend said bill by striking out "foregoing" in the 15th line and inserting in place thereof the word "following." Also amend said bill by striking out the word "foregoing" in the 64th line and inserting in place thereof the word "following."

The motion was agreed to and Amendment A was adopted, and on further motion by the same Senator the bill as amended was passed to be engrossed.

On motion by Mr. Clement of Waldo,

Adjourned until tomorrow morning at 10 o'clock.