

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

SENATE

Friday, March 4, 1921.

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

Prayer by Rev. H. H. Brown of Augusta.

Journal of previous session read and approved.

Mr. GARCELON of Androscoggin: Mr. President, I ask unanimous consent that the rules be suspended that I may introduce an order out of order.

Unanimous consent was granted.

Mr. GARCELON: Mr. President, I will read the order:

STATE OF MAINE

In Senate, March 4, 1921.

Ordered, the House concurring, that this Legislature in behalf of the people of Maine send to the new President and to the new Vice President of the United States who take the oath of office at noon today, the following telegrams of congratulation; that they be signed by the President of the Senate and by the Speaker of the House, and taken by a special messenger to the telegraph office.

Augusta, Maine, March 4, 1921.

Warren G. Harding,
President of the United States,
Washington, D. C.

Maine, through her representatives in Legislature assembled, extends to you her heartiest congratulations and best wishes for your administration. May the new era prove a glorious one, with lasting peace at home and abroad, and increased prosperity and happiness for all. Great problems are yours to solve. May you solve them greatly. In your every effort for the upholding of our country's high and unselfish ideals you may rely upon Maine as Maine has given her loyal and unswerving support at all times in the past.

Augusta, Maine, March 4, 1921.

Calvin Coolidge,
Vice President of the United States,
Washington, D. C.

Maine is proud of the distinguished

son of Massachusetts today elevated to high office. The Maine Legislature in behalf of the people of the State wish you all success and happiness in your new undertaking. We know that you will maintain with added honor the splendid traditions of New England.

The order was unanimously passed and Senator Garcelon conveyed the order to the House.

Papers from the House disposed of in concurrence.

From the House: An Act creating a board of censors to pass upon moving picture films offered for public exhibitions in Maine.

In the Senate this bill was referred to the committee on judiciary. The House referred the bill to the joint committees of Judiciary and Appropriations and financial affairs, in non-concurrence.

Mr. FARRINGTON of Kennebec: Mr. President, I move that the Senate recede and concur in the House reference.

Mr. THOMBS of Penobscot: Mr. President, I do not care to object at this time, but I would like to call the attention of senators to what seems to me rather an innovation, a strange proceeding in legislative work, that is, so many references to joint committees.

All the chairmen of committees in the Senate will realize the difficulty that there is in assembling two committees. I think every chairman is put to his wit's end to get his own committee together. And during the course of the session we have rather established a course of procedure, and days have been allotted and taken up by the committees and assigned for committee work. I find on my own committee it is almost impossible to assign a matter for hearing and make it convenient for all members of the two committees.

After this, unless some senator has an exceptionally good reason I am going to strenuously object to this double assigning, for the reason that I believe it will prolong the session very greatly.

Mr. GILLIN of Penobscot: May I ask, Mr. President, what the action of the judiciary committee was on this bill?

The PRESIDENT: It has not been to the judiciary. It was introduced in the Senate and on March 1 was referred to the committee on judiciary. It went to the House and that body failed to concur, and referred it to joint committees, and it now comes back for the action of the Senate.

Mr. GILLIN: I may say, Mr. President and Senators, that I heartily concur in the statement of my learned colleague from Penobscot. I think measures of this kind ought not to be sent to two committees.

Mr. FARRINGTON: Mr. President, I agree entirely with the remarks of my brother senators from Penobscot. The reason, I presume, is that this bill carries quite a large appropriation, and was referred to these committees in order that the appropriations committee might hear the evidence as to the desirability of the bill as bearing on the appropriation.

What Senator Thombs says is absolutely true. It is almost impossible to assign, with these joint hearings, without conflicting with either one or both of these joint committees.

I made the motion to recede and concur in deference to the action of the House. Not because I was particularly in favor of it.

A viva voce vote being taken the motion to recede and concur with the House was adopted.

From the House: Ordered, the Senate concurring, that when the Senate and House adjourn it be to meet Monday, March 7, at 4.30 in the afternoon.

In the House this order was passed and sent to the Senate for concurrence.

The Senate concurred in the passage of the order.

House Bills in First Reading

H. 204. Resolve in favor of the town of Hartland for aid rendered to a mother with dependent children during the year 1918, under provisions of Chapter 222 of the Public Laws of 1917.

H. 198. Resolve to reimburse the town of Mapleton.

H. 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 protection of game birds.

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

H. 195. An Act to amend Section 1 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.

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

H. 197. An Act to authorize the town of Cape Elizabeth to adopt a corporate seal.

H. 202. An Act to incorporate the Monmouth water and sewer district.

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

The following remonstrance was received and on recommendation of the committee on reference of bills was referred to the following committee:

Judiciary

By Mr. Spencer of York: Remonstrance of Harry I. Briggs and 51 others against establishment of a municipal water district in the town of Wells.

Orders

On motion by Mr. Baxter of Sagadahoc, it was

Ordered, that the use of the Senate Chamber be granted for a lecture by Miss Mary Stewart on the evening of Wednesday, March 9th.

Bills in First Reading

S. 96. An Act to confer additional rights and powers upon Penobscot Lumbering Association, a corporation incorporated by special act of the Legislature, approved April 5, 1954.

S. 97. An Act to amend Section 18, Chapter 150 of the Revised Statutes in relation to the disposal of fines im-

posed thereunder and personal property used for prizes in lotteries or devices of chance, and the procedure of punishment.

Reports of Committees

Mr. Thombs from the committee on legal affairs, on An Act to amend Section 36 of Chapter 104 of the Revised Statutes, relating to admission to bail, reported the same in a new draft under the same title, and that it ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

Mr. Sprague from the committee on inland fisheries and game, on An Act to amend Section 46 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and by Chapter 133 of the Public Laws of 1919, relating to the protection of foxes, reported that the same ought not to pass.

Mr. Putnam from the same committee, on Resolve to aid in advertising fish and game resources of the State of Maine, reported that the same ought not to pass.

The same senator from the same committee, on An Act to amend Section 46 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the laws of Maine of 1917, and Chapter 133 of the laws of Maine of 1919, relating to the close time on muskrats, reported that the same ought not to pass.

Mr. Sprague from the committee on inland fisheries and game, on An Act additional to Chapter 33 of the Revised Statutes, relating to the protection of deer in the counties of York, Cumberland, Sagadahoc, Androscoggin, Waldo, Knox, Lincoln and Kennebec, reported that the same be placed on file, as its provisions have been incorporated in another bill reported by this committee.

Mr. Gillin from the committee on judiciary, on An Act to regulate certain internal affairs of the Passamaquoddy Tribe of Indians, reported that the same be referred to the committee on Indian affairs.

Mr. Holt from the committee on sea and shore fisheries, on An Act to

amend Chapter 33, Section 57, of the Revised Statutes relating to the killing of sea gulls, reported that the same be referred to the committee on inland fisheries and game.

The reports were accepted and sent down for concurrence.

Mr. Eaton, from the committee on towns, on An Act to divide the town of Jonesport and incorporate the town of Beals, reported that the same ought not to pass.

On motion by Mr. Thombs of Penobscot, the bill and report were tabled.

Passed to be Engrossed

S. Doc. No. 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. Doc. No. 184—An Act for the better protection of clams within the limits of the town of Brunswick.

H. Doc. No. 185—An Act relating to the catching of smelts in Piscataqua river and its tributaries.

H. Doc. No. 186—An Act regulating the taking of clams in the town of Jonesboro in Washington county.

H. Doc. No. 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. Doc. No. 199—Resolve in favor of Helen Vaun Bangs.

Orders of the Day

Mr. BAXTER of Sagadahoc: Mr. President, yesterday the Senate voted to indefinitely postpone House Bill No. 52, An Act to prevent the marriage of persons having syphilis. The Senators were not informed that this bill came from the House recommended to the committee on public health. I am very sure that we have no objection to recommitting this bill to that committee, and I move that the Senate reconsider its action of

yesterday whereby this bill was indefinitely postponed.

Mr. THOMBS of Penobscot: Mr. President, I am not going to object to the desire of the Senator from Sagadahoc, because I believe that out of courtesy to the House it is only fair, but I would like to know if the Senator from Sagadahoc is informed as to the reason for asking this recommitment. In line with what I said a few moments ago, there are a great number of bills coming back recommitment. Now, gentlemen, it all takes time—those things. After a bill has gone to a committee and been advertised and had its hearing, I don't know for just what reason they want it to go back. If it goes back once, it might as well go back twice and thrice, and I do not need to remind the gentlemen who have been in previous sessions of the Legislature here, that we are well along in the session; business is piling up rapidly; that there is always a desire to adjourn as early in April as is possible; and with the mass of accumulated business matters at that time may not get the orderly conduct and consideration that they merit.

In line with what I said this morning, I shall object to recommitment unless there is some good reason. If you send it back and recommit it, in justice to the public you ought to re-advertise it. It is customary to give seven days, and you have put off consideration for that length of time. I do not want the Senator to withdraw his motion for I feel that since the House has asked this it is a matter of courtesy to join with them; but so far as I am concerned, hereafter on proposals that come up from the Senate side, unless the gentleman

assigns some reason whereby the matter should go back, I think I shall register my protest, Mr. President.

The PRESIDENT: The question is on reconsideration.

A viva voce vote being taken the Chair declared the motion carried.

Mr. BAXTER: I now move, Mr. President, that this bill be recommitment, in concurrence with the House, to the committee on public health.

The motion was agreed to and the bill was recommitment to the committee on public health, in concurrence.

Mr. EATON of Oxford: Mr. President, I move the Senate reconsider its action taken yesterday whereby it passed to be engrossed Senate Document 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.

The motion was agreed to, and on further motion by the same Senator the bill was tabled.

Mr. FARRINGTON of Kennebec: Mr. President, I move we take from the table House Document No. 127, An Act additional to Chapter 33 of the Revised Statutes as amended, prohibiting hunting in the town of Fairfield in the county of Somerset.

The motion was agreed to, and on further motion by the same Senator the bill was given its second reading and passed to be engrossed.

On motion by Mr. Clark of Lincoln,

Adjourned until next Monday, March 7, at 4.30 o'clock in the afternoon.