

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

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SENATE

Friday, March 11, 1921.

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

Prayer by Professor Woodruff of Bowdoin College, a member of the present House.

Journal of previous session read and approved.

On motion by Mr. Bemis of Somerset, it was

Ordered, the House concurring, that when the Senate and House adjourn it be to meet on Monday, March 14, at 4.30 o'clock in the afternoon.

Sent down for concurrence.

Papers from the House disposed of in concurrence.

From the House: An Act to amend Section 103 of Chapter 16 of the Revised Statutes, relating to State aid to academies.

On motion by Mr. Spencer of York, tabled and ordered printed pending reference to the committee on education in concurrence.

From the House. An Act to amend the corporate purposes of the Eastport Hotel Company.

On motion by Mr. Emery of Washington, tabled pending acceptance of report ought not to pass in concurrence.

From the House: Majority report of the committee on judiciary, ought not to pass, on Resolve authorizing the calling of a Constitutional Convention. Minority report of the same committee, ought to pass in new draft.

On motion by Mr. Farrington of Kennebec the majority report, ought not to pass, was accepted in concurrence by a viva voce vote.

House Bills in First Reading

H. 58. An Act to amend the powers of superintending school committee in relation to the vaccination of school children.

H. 239. An Act to extend the charter of the Penobscot Valley Gas Company.

H. 240. An Act to legalize and make valid the doings of the inhabitants of the town of Stetson at the annual town meeting, March 10, 1919, and the annual meeting of March 18, 1920, and the adjournment on March 10, 1920. (On motion by Mr. Thombs of Penobscot, under suspension of the rules, this bill was read twice and passed to be engrossed.)

H. 241. An Act to legalize the granting of certain fish weir licenses in tide waters of what was formerly Muscle Ridge plantation.

H. 242. An Act to amend Section 2 of Chapter 176 of the Private and Special laws of 1887, entitled "An Act creating the Fryeburg Village Fire Corporation."

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

Banks and Banking

By Mr. Baxter of Sagadahoc: An Act to amend Section 27 sub-section sixth of Chapter 52 of the Revised Statutes relating to investments by Savings Banks in Railroad Equipment Obligations.

Inland Fisheries and Game

By Mr. Folsom of Somerset. An Act to amend Section 19, of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of white perch in East and North Ponds of the Belgrade chain of lakes, in Somerset County, and in Kennebec County.

Judiciary

By Mr. Farrington of Kennebec: An Act to amend Section 34 of Chapter 104 of the Revised Statutes relating to the appointment of Bail Commissioners.

Ways and Bridges

By Mr. Spencer of York: An Act to amend Section 113 of Chapter 24 of the Revised Statutes, relating to regulation of advertising signs.

By the same senator: An Act to

amend Section one of Chapter 177 of the Public Laws of 1915 and to repeal Section two of said Chapter, relating to removing trees, shrubs, bushes and weeds from the limits of the highway.

Bills in First Reading

S. 104. An Act to make unnecessary the filing of affidavits by mortgagees in foreclosing real estate mortgages.

S. 105. An Act to prevent the manufacture and exhibition of moving picture film involving in its preparation intentional and deliberate cruelty to animals.

S. 106. An Act to amend Section 17 of Chapter 12 of the Revised Statutes as amended by Chapter 121 of the Public Laws of 1917 as amended by Chapter 299 of the Public Laws of 1917 relating to the recording of deeds.

S. 107. Resolve in favor of Lena I. Sanborn, an employee of the Board of State Assessors in 1918.

S. 108. Resolve in favor of Rena Cooley.

S. 109. An Act to extend the charter of the R. and T. Cement Railroad.

S. 110. An Act to amend Section 37 of Chapter 24 of the Revised Statutes, relating to the appropriation for the abolishment of grade crossings.

Reports of Committees

Mr. Thompson from the committee on claims, on Resolve to reimburse the town of Rumford, reported that the same ought to pass.

Mr. Clement from the same committee, on Resolve reimbursing St. Mary's General Hospital of Lewiston for services rendered in the care of certain persons during the year 1919, reported that the same ought to pass.

Mr. Thombs from the committee on legal affairs, on An Act to amend Section 43 of Chapter 2 of the Revised Statutes, relating to the appointment of dedimus justices, reported that the same ought to pass.

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

The Majority Report (ought not to pass) and the Minority Report (ought to pass) from the committee on judiciary, on Resolve proposing an amendment to article nine of the Constitution to permit the regulation and restriction by law of advertising signs and devices within the public view. (Senate Doc. No. 37.)

The majority report was signed by Messrs. Gillin, Parent, on the part of the Senate, and Messrs. Buzzell, Wing, Cole and Murchie, on the part of the House.

The minority report was signed by Messrs. Farrington of the Senate and Gardiner, Hinckley and Maher of the House.

On motion by Mr. Garcelon of Androscoggin the reports were tabled pending the acceptance of either.

Mr. Stevens from the committee on sea and shore fisheries on An Act to amend Chapter 45, Section 36 of the Revised Statutes, relating to purchase of lobsters with eggs attached by commissioner (Senate Doc. No. 71), reported that the same ought not to pass.

The same senator from the same committee, on An Act to repeal Chapter 100 of the Private and Special Laws of 1895, relating to fish weir in Sand Cove on Marshall's Island in the county of Hancock, reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Passed to be Engrossed

S. 1. Resolve proposing an amendment to Section 5, Article 4, Part First, of the Constitution, as amended by the twenty-third amendment, relative to absent voting.

H. 205. An Act to amend Chapter 118, Section 8, relating to fees of jurors.

H. 226. Resolve authorizing Michael Burns to bring suit against the State of Maine.

Passed to be Enacted

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.

An Act to increase the limit of real and personal estate of the Worumbo Manufacturing Company from one million to five million dollars.

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.

An Act to annex a certain gore of land to the town of Westfield.

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

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.

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

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

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.

An Act to extend the charter of the Matagamon Towboat Company.

(Emergency Measure)

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

This bill carrying the emergency clause required a two-thirds vote of the members of the Senate on its passage, 26 senators voting in the affirmative and none in the negative the bill was passed to be enacted.

Orders of the Day

On motion by Mr. Thompson of Knox, it was

Ordered, that the Governor be requested to return the bill entitled, "An Act relating to the records of instruments affecting or conveying title to real estate in the county of Knox and now recorded in other counties," for further consideration by the Senate.

Mr. THOMPSON: Mr. President, I had that order passed for the purpose of correcting an error. There are two words left out there, and if it is in order to ask that that be done at this time, I move that the Senate reconsider its vote whereby this bill was passed to be enacted and passed to be engrossed.

The motion was agreed to, and on further motion by the same senator, the matter was tabled.

Mr. GILLIN of Penobscot: Mr. President, if it is in order, on account of some telephones which I received, I would like to ask,—through the President of the Senate,—Senator Sprague, where the bill now is, if he knows, that was introduced out of order a couple of days ago to make legal the doings of the selectmen of Sangerville.

Mr. SPRAGUE: I will say, Mr. President, as I understand it, it is on the table on motion of the senator's colleague, Senator Thombs of Lincoln.

Mr. GILLIN: It is now on the table in the Senate?

Mr. SPRAGUE: In the Senate, as I understand it.

Mr. GILLIN: I thank you, Senator.

Mr. TUTTLE of Aroostook: Mr. President, if in order, I move to take from the table House Bill No. 157, An Act to provide for return and cleansing of ice cream and sherbet containers.

The motion was agreed to.

Mr. TUTTLE: Mr. President, I now yield the floor to Senator Sprague.

Mr. SPRAGUE of Piscataquis: Mr. President, this bill was tabled at my request because some constituents of mine had informed me

that they felt that there was something in the bill that they, being retailers of these goods, that they could not comply with. After careful perusal of the bill myself, I think the words in the eighth line "or to the carrier to which it may be delivered" obviates the difficulty which was in their minds. I think it is all right. I move that the report of the committee "ought to pass" be accepted.

The motion was agreed to, and on further motion by the same senator, the bill was given its first reading.

Mr. BAXTER of Sagadahoc: Mr. President, I move to take from the table House Bill 187, An Act to enlarge the corporate powers of the Fort Kent Electric Company.

The motion was agreed to, and the same Senator then offered the following amendment, and moved its adoption:

The State of Maine reserves the right to acquire by proper legislation and by such agencies as it may provide for the purpose the whole or any part of the franchises and rights hereby granted and the whole or any part of the structures erected by authority of the same upon the payment of just compensation, but such compensation shall not include the value of the franchises granted by this act.

The amendment was adopted by a viva voce vote, and on further motion by the same Senator the bill was given its first reading.

Mr. ADAMS of Kennebec: Mr. President, I move we take from the table House Document 131, Resolve to pay for one-half the cost of an international bridge between Madawaska, Maine, and Edmundston, New Brunswick.

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.

Mr. BAXTER of Sagadahoc: Mr. President, I move we take from the

table House Document 182, An Act to amend Chapter 13 of the Private and Special Laws of 1915, relating to Mopang Dam and Improvement Company.

The motion was agreed to and on further motion by the same Senator the bill was given its first reading; on further motion by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed.

Mr. EMERSON of Aroostook: Mr. President, I move to take from the table House Document 234, An Act to incorporate the Ashland Electric Light and Power Company.

The motion was agreed to, and the same Senator then offered the following amendment and moved its passage:

Amend said bill by adding thereto the following section:

Sec. 11. The State of Maine reserves the right to acquire by proper legislation and by such agencies as it may provide for the purpose, the whole or any part of the franchises and rights hereby granted, and the whole or any part of the structures erected by authority of this act, upon the payment of just compensation, but such compensation shall not include the value of the franchises granted by this act.

Mr. FOLSOM: Mr. President, I move the bill and the proposed amendment lie on the table.

The motion was agreed to by a viva voce vote.

Mr. EATON of Oxford: Mr. President, I move to take from the table Senate Document No. 81, Resolve in favor of Mary S. Hillman.

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

The PRESIDENT: Owing to the fact that the House has not accept-

ed or rejected the proposal to adjourn, it is necessary to recess.

After Recess

The PRESIDENT: The Senate will please come to order.

The House having concurred in the

adjournment order, a motion to adjourn is now in order.

On motion by Mr. Morrill of Cumberland,

Adjourned until Monday afternoon, March 14, at 4.30 o'clock.