

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

Page 154, column	1, line 17, for Chapter "199" read "198."
" 163, "	2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast."
" 174, "	1, line 8, for "Lewiston" read "Rockland."
" 194, "	1, " 24, for "Sewall" read "Newall."
" 197, "	2, " 50, for "insurance" read "issuance."
" 267, "	2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee.
" 305, "	1, " 42, for "Boys" read "Girls."
" 305, "	1, " 45, "H. 169" should read "H. 165."
" 511, "	2, " 2, for "H. 106" read "H. 160."
" 586, "	1, " 13, for "St. Albans" read "St. Agatha."
" 591, "	2, " 23, for "1919" read "1909."
" 602, "	2, " 12, for "enacted" read "engrossed."
" 617, "	1, " 46, for "322" read "332."
" 650, "	2, " 31, for "H. 336" read "H. 366."
" 662, "	2, " 26, for "Barrington" read "Harrington."
" 692, "	2, " 35, for "H. 236" read "H. 336."
" 694, "	1, " 2, for "S. 154" read "S. 155."
" 716, "	2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham."
" 772, "	1, " 24, for "same" read "Committee on Appropriations and Financial Affairs."
" 869, "	1, " 50, insert "Finally passed."
" 902, "	1, " 24, for "Clark" read "Barton."
" 902, "	1, " 40, for "S. 185" read "S. 184."
" 928, "	1, " 51, for "343" read "243."
" 949, "	1, " 43, for "Merton's" read "Martin's."
" 954, "	1, " 44, insert "ought not to pass."
" 958, "	2, " 20, for "179" read "181."
" 958, "	2, " 28, for "178" read "179."
" 967, "	2, " 49, for "S. D. 198" read "S. D. 180."
" 981, "	2, " 10, for "\$300" read "\$300,000."
" 1000, "	2, " 47, for "Portland" read "Biddeford."
" 1005, "	2, " 42, for "salaries" read "selection."
" 1142, "	1, " 40, for "H. D. 465" read "H. D. 456."
" 1169, "	2, " 2, for "Fogg" read "Forbes."
" 1191, "	2, lines 3 and 11, for "engrossed" read "enacted."
" 1191, "	2, line 20, for "finally passed" read "passed to be enacted."
" 1191, "	2, lines 31, 40, 48, for "engrossed" read "finally passed."
" 1211, "	2, " 12 and 13, "National Guard" should read "Nash and Viles."
" 1280, "	1, line 14, for "bald" read "bomb."
" 1321, "	1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes."
" 1373, "	2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes."
" 1376, "	2, " 14, for "S. D. 161" read "S. D. 167."
" 1409, "	2, " 36, for "Chapter 178" read "Chapter 238."

SENATE

Thursday, March 24, 1921.

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

Prayer by Rev. Langdon Quimby of Gardiner.

Journal of previous session read and approved.

Mr. SPRAGUE of Piscataquis: Mr. President, I have a bill that I would like to introduce out of order, an emergency measure, and I move that the rules be suspended that I may introduce the bill, An Act providing funds for operating the fish hatcheries and feeding stations for fish.

The motion was agreed to, the rules were suspended and the bill was introduced.

On further motions by the same senator, the rules were suspended and the bill was read twice and passed to be engrossed without reference to a committee.

Papers from the House disposed of in concurrence.

From the House: An Act to amend Section 1, Chapter 34 of the Revised Statutes, providing for the appointment of a commissioner of agriculture to fill a vacancy.

In the House this bill was received under suspension of the rules, and without reference to a committee, was read and passed to be engrossed.

In the Senate, on motion by Mr. Tuttle of Aroostook, the rules were suspended, the bill was received, read twice and passed to be engrossed in concurrence.

From the House: An Act to amend Section 85 of Chapter 2 of the Revised Statutes, as amended by Chapter 226 of the Public Laws of 1917, relating to the State contingent fund.

In the House this bill was received under suspension of the rules, was given its several readings and was passed to be engrossed without reference to a committee.

On motion by Mr. Thompson of Knox the rules were suspended, the bill received, read twice and passed to be engrossed, without reference to a committee, in concurrence.

From the House: Resolve in favor of Manzie I. Rogers for building a highway in the town of Searsport.

In the House House amendment A was adopted and the bill passed to be engrossed as amended.

On motion by Mr. Thombs of Penobscot the rules were suspended, the Senate adopted House Amendment A, in concurrence, and the bill as amended was then passed to be engrossed.

From the House: An Act amending Chapter 45, Section 35 of the Revised Statutes, relating to the legal size of lobsters and the method of measurement.

The PRESIDENT: In the Senate the new draft was recommitted to the committee. In the House the original bill was also recommitted.

On motion by Mr. Stevens of York the Senate concurred with the House and recommitted the original bill to the committee.

House Bills in First Reading

H. 244. An Act to authorize the proprietors of Portsmouth bridge to discontinue the public use of its bridges and to sell its property and franchises to and merge the same with the Boston and Maine railroad. (House Amendment A read and adopted in concurrence.)

H. 351. An Act for the better enforcement of poll taxes.

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

Education

By Mr. Sprague of Piscataquis: Petition of Wilson River Grange in support of House Doc. No. 216 in regard to the distribution of school funds.

By the same senator: Petition of

the East Sangerville Grange in support of House Doc. No. 216 relative to the distribution of the State School Fund.

Inland Fisheries and Game

By Mr. Sargent of Hancock: Remonstrance of F. H. Smith and others of Hancock County against bill relating to Sunday Hunting in Hancock County.

By the same senator: Remonstrance of Vernon Haskell and fifteen others of the town of Deer Island, Hancock County, against bill relating to Sunday Hunting in Hancock County.

By Mr. Holt of Hancock: Remonstrance of W. H. Rice and thirteen others of Lamoine, Hancock County, against bill relating to Sunday Hunting in Hancock County.

By the same senator: Remonstrance of E. M. DeMeyers and 31 others of Franklin, Hancock County, against bill relating to Sunday Hunting in Hancock County.

By Mr. Emery of Washington: Remonstrance of E. S. Stewart and 30 others against passage of bill permitting Sunday Hunting in Washington County.

Judiciary

Mr. Farrington of Kennebec: An Act to amend Section two and four of Chapter 69 of the Revised Statutes, relating to Inheritance taxes.

Orders

On motion by Mr. Parent of Androscoggin, it was

Ordered, that the Governor be requested to return resolve, entitled, Resolve in favor of the State purchasing the alphabetical index of the Revolutionary pensioners in Maine, for further consideration.

Mr. PARENT: May I inquire, Mr. President, if the resolve is in the hands of secretary?

The PRESIDENT: It is.

Mr. PARENT: Mr. President, I move that we reconsider the vote whereby this resolve was passed to be enacted.

Mr. SPRAGUE of Piscataquis: Mr. President, I would rather not have

that action reconsidered. I have just talked with the Governor in regard to this matter, and I am in entire accord with him. It is simply to keep the matter as it is now until we know just what the situation may be later on. It is only \$300, anyway, and it is a very important matter to the people of the state.

I move it lie on the table.

The PRESIDENT: The senator from Androscoggin, Senator Parent, moved that we reconsider the vote whereby this resolve was passed to be enacted. The senator from Piscataquis, Senator Sprague, moves that it lie on the table.

A viva voce vote was had and the resolve was tabled.

On motion by Mr. Morrill of Cumberland, it was

Ordered, the House concurring, that a joint recess committee, constituted to serve without pay, consisting of two members to be appointed by the Governor, two members on the part of the Senate to be appointed by the President of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, to investigate, consider and report to the next Legislature concerning a more equitable system of distribution of the state school funds, and to consider in connection therewith and report concerning appropriate legislation to coordinate the distribution of the state school funds with the distribution of such funds as may be apportioned to the State of Maine under such legislation, if any, as may be enacted by Congress along the lines of the Smith-Towner bill, so-called.

Sent down for concurrence.

Bills in First Reading

S. 13. An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to exemption from taxation of the estates of soldiers and sailors.

Mr. ALLEN of York: Mr. President, I move that we reconsider the

vote by which we accepted the report of the committee on this bill. I would like to inquire if the bill has had its first reading?

The PRESIDENT: We have accepted the report, and this is the first reading.

Mr. SPRAGUE of Piscataquis: Mr. President, can I properly inquire just what this is—is it a school matter?

The PRESIDENT: It is not.

Mr. ALLEN: Mr. President, I will say to the members of the Senate that the wrong bill has been presented here and I wish it to be re-committed to the committee. I move the bill be recommitted to the committee on taxation.

Mr. MORRILL of Cumberland: Mr. President, can I inquire what the bill is, what the number of the bill is?

The PRESIDENT: It is Senate Bill No. 13, An Act relating to the exemption from taxation of the estates of soldiers and sailors.

Mr. MORRILL: Have you the bill there?

The PRESIDENT: We have the printed copy of the bill.

Mr. MORRILL: I wish you would read it.

The PRESIDENT: The secretary will read the bill.

(The bill was read by the secretary.)

Mr. MORRILL: Now, Mr. President, if it would be in order for me to say a word—

Mr. THOMBS of Penobscot, I rise to a point of order.

The PRESIDENT: The senator from Cumberland has the floor.

Mr. MORRILL: I yield to the senator from Penobscot.

Mr. THOMBS: Mr. President, I rise to a point of order.

The PRESIDENT: State your point.

Mr. THOMBS: Is there not a motion before the Senate?

The PRESIDENT: There is a motion that the bill be recommitted.

Mr. THOMBS: Has that motion been put, Mr. President?

The PRESIDENT: No.

Mr. MORRILL of Cumberland: Mr. President, I rise to a question of inquiry to find out what the object was, and I want to make a few remarks upon it even if they are out of order, I should ask consent to say just a few words, not that I am antagonistic to the motion of the Senator from York, but in going over this matter, if I may be permitted to do so, there was a bill introduced to repeal the old law and this committee reported ought not to pass on the bill to repeal the old law. Then the other matter was taken up with the committee, and to make it plain to you what I wanted, what the unanimous opinion of the committee was, in other words to exempt up to \$5,000. And I did not know but there was some uncertainty about that, as to whether it did really exempt up to \$5,000 as set forth now in this new draft, and I submitted it to the Attorney General this morning, and a ruling had been made on it which made the old law confusing to the selectmen of the towns. Even in the city of Portland, the assessor ruled this way, that if an old soldier was worth a hundred thousand dollars, say for instance, take off \$5,000 and tax the balance. That according to the ruling of the attorney general was not according to the law; so I submitted it to him, and asked him if he would explain if that simply meant what it appeared to, and what it was the intention of the committee to report, that \$5,000 be exempted, and he said that the bill was properly drawn and that would be the law providing it passed. Now I am informed by the Senator from Androscoggin that it was to be referred for revision but does not change the status or standing of the bill as reported by the committee and as approved by the attorney general as being correctly drawn.

That is where I am. I do not object to its being recommitted, but I should object, and I should want the right to go before the committee to have the bill read as it does now for an

exemption of \$5,000, and of course the right to tax what there was over. I do not object, only I just want to state my position in it, and I thank you for your attention.

The pending question being the recommitment of the bill to the committee on taxation, a *vive voce* vote was had and the motion was adopted and the bill was recommitted.

S. 150. An Act to amend Section 9 of Chapter 29 of the Revised Statutes, as amended by Chapter 202 of the Public Laws of 1917, prohibiting the treatment of World War veterans as paupers.

S. 152. Resolve authorizing the Governor and Council to adjust claims for damages caused by flowing Indian Island in Penobscot County.

Reports of Committees

Mr. Gillin from the Committee on Judiciary, on An Act for recording transfers of registered title to motor vehicles, and to prevent fraud and theft, report that the same ought not to pass.

Mr. Thombs from the Committee on Legal Affairs, on An Act to amend Section 22 of Chapter 51 of the Revised Statutes, relating to records and stock-books of corporations (House Doc. No. 356), reported that the same ought not to pass.

Mr. Baxter from the Committee on Banks and Banking, on 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, reported that the same be printed and the bill returned to the Committee.

The reports were accepted and sent down for concurrence.

Mr. Allen from Committee on Education, on Resolve in favor of the President and Trustees of Bates College, reported that the same ought to pass.

Mr. Gillin from the Committee on Judiciary: on An Act to amend Chapter 132 of the Public Laws of 1919, entitled "An Act to create the Maine Water Power Commission (Senate Doc. No. 7)", reported the same in a

new draft under the same title, and that it ought to pass.

Mr. Hall from the Committee on Pensions: on Resolve providing for a State Pension for Lorenzo D. Wright of Montville, reported the same in a new draft under the title of "Resolve in favor of Lorenzo D. Wright of Montville," and that it ought to pass.

Mr. Hall from the Committee on Pensions on the following Resolves:

Resolve, providing the State Pension for Mrs. Jessie Bacon.

Resolve, in favor of Josephine F. Boothby of Farmingdale.

Resolve, in favor of a State Pension to Lelia E. Bowley, of Jay, Maine.

Resolve, providing a State Pension for Mrs. Mary A. Bragdon of Franklin.

Resolve, in favor of Mary Edwards for State Pension.

Resolve, in favor of Mary Foster of Bridgton for State Pension.

Resolve, to grant a pension of \$20 a month to Nellie Hall of Barrington.

Resolve, to pay Linna L. Johnson of Dresden a pension of \$25 per month.

Resolve, granting a pension to Josiah L. McCobb.

Resolve, to grant a pension to Mrs. Wilson M. Mayo of South Brewer.

Resolve, providing a State Pension for Mary P. Newell.

Resolve, in favor of Abbie A. Norton of Industry in the county of Franklin and State of Maine.

Resolve, to grant a pension to Emma Coffin Norton.

Resolve, for a pension in favor of J. Oscar Rust.

Resolve, providing a State Pension for Sarah Saul.

Resolve, in favor of Francis Stone, Civil War Veteran, for pension of \$12.00 a month.

Resolve, in favor of Annie M. Welch of Kennebunk.

Resolve, providing a State Pension for Mary M. Wentworth of Hallowell, reported the same in a new draft under title of

"Resolve, providing for certain State Pensions," and that the same ought to pass.

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

Passed to Be Engrossed

S. 32: An Act to amend Sections 2 and 3 of Chapter 264 of the Public Laws of 1919, extending the provisions for applicants for the Soldiers' Bonus.

S. 146: An Act to amend Chapter 85, Section 1, of the Private and Special Laws of 1917, relating to a better protection of lobsters within certain waters adjacent to Hancock County.

S. 147. An Act amendatory of and additional to Chapter 45 of the Revised Statutes, as amended, relating to the Lobster Industry.

S. 149. An Act to amend Section 10 of Chapter 128 of the Revised Statutes, relating to the unauthorized use of insignia of war veterans.

H. 320. Resolve in favor of the Maine State Prison for maintenance and current expenses.

H. 326. An Act to establish the Western Washington Municipal Court.

H. 327. An Act relating to life insurance for minors and the surrender of such insurance.

(Tabled on motion by Mr. Farrington of Kennebec.

H. 328. An Act to protect the Bee Industry of the State of Maine.

H. 329. An Act to repeal Chapter 18 of the Resolves of 1917, relating to animal industry.

H. 330. Resolve in favor of R. Lyle Hodgins for damage sustained in building the State Hospital at Bangor.

H. 331. Resolve in favor of Dr. J. Willis J. Marion of Calais for medical services to Frank Frances, a member of the Passamaquoddy Tribe of Indians, now deceased.

H. 332. Resolve in favor of C. H. Thompson of Calais for board and lodging of Mary Socktoma, a member of the Passamaquoddy Tribe of Indians, during her illness.

H. 334. An Act additional to Chapter 33 of the Revised Statutes, as amended relating to night fishing in certain waters in Kennebec County.

H. 335. An Act to amend Section 74 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to night hunting of skunks and raccoons.

H. 341. Resolve repealing resolve for the maintenance of the Blaine House.

H. 343. An Act relating to the Penamaquan Power Company.

On motion by Mr. Putnam of Washington, Senate amendment A was adopted as follows:

Amend by adding "Section 9. The State of Maine reserves the right to take over for public use by proper legislation, the property rights and franchises of said corporation upon the payment to said corporation of just compensation, but such compensation shall not include the value of the franchise hereby granted," and the bill as amended was passed to be engrossed.

H. 345. An Act to amend Section 35 of Chapter 11 of the Revised Statutes, requiring monthly settlement by tax collectors.

H. 346. An Act governing the conduct of maternity hospitals.

H. 347. An Act to regulate the taking of alewives in the town of Surry.

H. 348. An Act to amend Section 70 of Chapter 8 of the Revised Statutes, relating to forest fire fighters in the Maine Forestry District.

H. 354. An Act to amend Section 18 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the protection of fish.

H. 273. An Act to amend Section 36 of Chapter 53 of the Revised Statutes, relative to Mutual Fire Insurance Companies.

H. 266. Resolve in favor of Francois X. Marcotte for services and expenses as Police Commissioner for the City of Lewiston.

H. 267. Resolve in favor of Ralph

W. Crockett for services and expenses of Police Commissioner for the City of Lewiston.

From the House: An Act to incorporate the York County Bar Association. (On motion by Mr. Bemis of Somerset the Senate voted to reconsider the action whereby this bill was passed to be engrossed, and on further motion by the same Senator House Amendment "A" was adopted in concurrence, and the bill as amended was passed to be engrossed and sent down for concurrence.)

Passed to Be Enacted

An Act to incorporate the Monmouth Water and Sewer District.

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

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

An Act to repeal the act creating the office of Live Stock Sanitary Commissioner and to transfer the duties of said office to the Commissioner of Agriculture.

An Act to amend Section 20 of Chapter 144 of the Revised Statutes, as amended by Chapters 130 and 232 of the Public Laws of 1917, relating to the age of commitment to the State School for Girls.

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.

An Act to amend and enlarge the corporate powers of the Fort Kent Electric Company.

Finally Passed

Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.

Resolve providing a State pension for Caroline Springer.

Resolve authorizing the Land Agent to sell a parcel of land not exceeding two acres from one of the public lots in West Forks Plantation, Somerset County.

Resolve appropriating money for continuance of White Pine Blister Rust Control.

Resolve in favor of Wilson J. Holway, of The Forks Plantation, Somerset County, Maine, for Bobcat Bounty.

Orders of the Day

Mr. SPRAGUE of Piscataquis: Mr. President, this morning we acted upon something regarding the distribution of the school funds. I am not clear what was done. I am not informed fully in regard to the purport of the order or bill whatever it was—I do not know the significance of what has been done and I should like further light in regard to the matter.

The PRESIDENT: Does the Senator from Piscataquis desire to have the order read again?

Mr. SPRAGUE: I should like to have it read and then I should like to know just what our action was.

The PRESIDENT: The Secretary will read the order.

(Order read by the Secretary).

Mr. SPRAGUE: Just what did we do this morning?

The PRESIDENT: We passed the order.

Mr. SPRAGUE: Mr. President, I move the Senate reconsider its vote by which it passed this order.

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

Mr. PARENT of Androscoggin: Mr. President, I move we take from the table, An Act to legalize the municipal election of the city of Bangor, tabled by Senator Gillin, March 23rd.

The motion was agreed to.

The PRESIDENT: The Chair will state that the Secretary confirms his own idea that the pending question is the passage to be engrossed, and not the passage to be enacted as appears on the calendar.

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

The PRESIDENT: The Chair evidently did not make himself clear. The bill is in an amendable state without further motion.

Mr. PARENT: At the request of Senator Gillin, I offer the following amendment and move its adoption. It is merely to correct a clerical error.

Senate Amendment A. Amend by striking out the word "elective," in the fifth line and substituting therefor the word "election."

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

Mr. BAXTER of Sagadahoc: Mr. President, I move we take from the table, An Act to incorporate the Ashland Electric Light & Power Company.

The motion was agreed to and on further motion by the same Senator the Senate reconsidered its action whereby this bill was passed to be engrossed.

Mr. BAXTER: Mr. President, I now wish to offer Senate Amendment "B" and move its adoption.

Senate Amendment "B." It shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this State, or to contract with any person, firm or corporation for the transmission or sale of electric current beyond the limits of this State, and said corporation shall not be permitted to acquire in any manner the franchises of or consolidate with, transfer or lease its property rights and franchises to any other corporation, firm or person now transmitting or having the right to transmit electric power beyond the confines of the State, without express authority of the Legislature.

The motion was agreed to and the amendment was adopted.

Mr. PARENT of Androscoggin: Mr. President, I move that the bill, An Act to legalize the municipal election of the city of Bangor, pass to be enacted.

The PRESIDENT: The Chair will inform the Senator from Androscoggin that it will be necessary for the House to adopt the amendment.

Mr. EMERY of Washington: Mr. President, I move we take from the table House Document 143, An Act amending Section 1, Chapter 62 of the Revised Statutes, relating to corporations for charitable and other purposes.

The motion was agreed to, and on further motion by the same Senator, the rules were suspended and the Senate reconsidered its action by which this bill was passed to be engrossed.

Mr. EMERY: Mr. President, I now offer Senate Amendment "A" and move its adoption.

Mr. THOMBS of Penobscot: Mr. President, may I inquire if this was a bill that was acted upon by the legal affairs?

The PRESIDENT: It was.

Mr. THOMBS: I move, Mr. President, that the matter now lay upon the table.

The motion was agreed to.

Mr. TUTTLE of Aroostook: Mr. President, I move we take from the table Report of committee to visit Eastern States Exposition at Springfield, Mass.

The motion was agreed to, and on further motion by the same Senator, the report of the committee was accepted and placed on file.

On motion by Mr. Gould of Aroostook,

Adjourned until tomorrow morning at 10 o'clock.