

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
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SENATE

Monday, March 28, 1921.

Senate called to order by Hon. Charles E. Gurney, President pro tempore, at 4.30 o'clock, P. M.

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

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

House Bills in First Reading

H. 375. An Act to amend Section 13 of Chapter 117 of the Revised Statutes, relating to the duties of the secretary of the Senate.

H. 120. An Act to change the time of holding the annual meeting of the town of East Livermore, enlarge the powers and the duties of the selectmen, and to abolish certain offices and provide for the administration of town affairs.

Communication from the Secretary of State

STATE OF MAINE
Office of Secretary of State

Augusta, March 26, 1921.

To the President of the Senate and Speaker of the House of Representatives,

Gentlemen:—

In accordance with the requirements of Section 4, Chapter 1, of the Revised Statutes, I have the honor to notify you that the public acts, a list of the titles of which is hereto appended, have been approved by the Governor.

Very respectfully,
Your Obedient Servant,

(Signed) FRANK W. BALL,
Secretary of State.

The List

An Act additional to and amendatory of Chapter 7 of the Revised Statutes, relating to Elections. Approved March 21.

An Act to amend Section 98 of Chapter 82 of the Revised Statutes, relating to the exchange of Justices of Superior Courts. Approved March 21.

An Act to amend Section 23 of

Chapter 78 of the Revised Statutes, relating to acknowledgment of deeds. Approved March 21.

An Act to amend Section 1 of Chapter 10 of the Revised Statutes, relating to poll tax. Approved March 21.

An Act to amend Section 11 of Chapter 46 of the Revised Statutes as amended by Chapter 74 of the Public Laws of 1919, relating to the furnishing of slips by weighers. Approved March 21.

An Act to amend Chapter 218 of the Public Laws of 1917, providing for the establishment of a bureau of markets. Approved March 21.

An Act to amend Chapter 134 of the Public Laws of 1834, as amended by Chapter 167 of the Public Laws of 1835 as amended by Section 11 and amendments thereto of the City Charter of the City of Bath, which is Chapter 5 of the Private and Special Laws of 1847; as amended by Chapter 135 of the Public Laws of 1895, relating to a municipal court in the City of Bath. Approved March 22.

An Act to amend Section 146 of Chapter 16 of the Revised Statutes as amended, relating to the appropriation for maintenance of Normal and Training Schools. Approved March 24.

An Act to amend Sections 4 and 7 of Chapter 95 of the Revised Statutes, as amended by Chapter 192 of the Public Laws of 1917, relating to the foreclosure of mortgages. Approved March 24.

An Act to amend Section 62 of Chapter 4 of the Revised Statutes, relating to refunding indebtedness by Cities and Towns and Temporary Loans. Approved March 24.

An Act to amend Section 17 of Chapter 60 and Section 11 of Chapter 61 of the Revised Statutes, relating to the taking of land for public uses. Approved March 24.

An Act to amend Section 10 of Chapter 25 of the Revised Statutes as amended by Section 3 of Chapter 258 of the Public Laws of 1917 and to amend Section 3 of Chapter 319 of the Public Laws of 1915 by Section 3 of Chapter 304 of the Public Laws of 1917, and by Chapters 162 and 243 of

the Public Laws of 1919, providing for the deposit of surety bonds or certified checks with bids for State highway work or for State and county aid bridge work. Approved March 24.

An Act to amend Section 43 of Chapter 2 of the Revised Statutes, relating to the appointment of Dedimus Justices. Approved March 24.

Placed on file.

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

Placed on File

By Mr. Sargent of Hancock: Remonstrance of N. L. Grindell and 48 others of Hancock County against the passage of any measure making Sunday "open time" for hunting in that county.

Appropriations and Financial Affairs

By Mr. Farrington of Kennebec: Resolve in favor of William W. Gallagher for services as clerk to the committee on judiciary.

Education

Mr. Sargent of Hancock: Petition of John W. Paris of Sedgwick and 25 others in favor of An Act to establish the State school fund and to provide for the apportionment of the same.

Judiciary

By Mr. Farrington of Kennebec: An Act to amend Section 2 of Chapter 111 of the Revised Statutes, relating to the selection and services of jurors.

By the same senator: An Act to amend Section 82 of Chapter 51 of the Revised Statutes, relating to dissolution of corporations.

Mercantile Affairs and Insurance

By Mr. Adams of Kennebec: An Act relating to the surrender of certificate or policy in life insurance companies.

By Mr. Adams of Kennebec: An Act to repeal Chapter 23 of the Public Laws of 1921, entitled "An Act to amend Section 1 of Chapter 66 of

the Revised Statutes of 1917, as amended by Chapter 217, relating to non-resident fishing license fees. (Tabled on motion by Mr. Adams.)

By the same senator: An Act to repeal Chapter 57 of the Public Laws of 1921, entitled "An Act to provide funds for operating fish hatcheries and feeding stations for fish. Tabled on motion by Mr. Adams.)

Orders

Mr. Adams of Kennebec presented the following order, and moved its passage:

Ordered, that the portraits of former Presidents of the Senate be provided with frames and arranged in suitable manner in the office of the President of the Senate, and that the President appoint a committee to carry out the provisions of this order.

Before adoption of the order the following communication was read by the President:

"STATE OF MAINE
Senate Chamber
Office of Secretary

March 26, 1921.

To the Honorable Senate of the Eightieth Legislature:

In compliance with the order passed by the Senate on January 12, the Secretary has communicated with:

Hon. Taber D. Bailey of Bangor,
Hon. Leon F. Higgins of Brewer,
Hon. Luere B. Deasy of Bar Harbor,

Hon. Ira G. Hersey of Houlton,
Hon. Carl E. Milliken of Augusta, regarding their portraits, and also with Mrs. Nathan Clifford of Cape Elizabeth regarding a portrait of the late Nathan Clifford, so that the said portraits may be framed and placed in the office of the President of the Senate.

All parties have certified it to be their pleasure to supply portraits for this use, and the portraits of all but two are now in the hands of the Secretary, and the remaining two are expected to be received in the near future.

Respectfully submitted,
(Signed) L. ERNEST THORNTON,
Secretary of the Senate."

Placed on file.

The order was then passed and the President appointed Mr. Adams as such committee.

Bills in First Reading

S. 160: Resolve, authorizing the State Land Agent to sell certain Public Lots in Lakeville Plantation in Penobscot County.

S. 163: Resolve in favor of the town of Sorrento, to reimburse the town for expenses of a law suit regarding dependents of sailors and soldiers.

S. 166: An Act to amend Section 2 of Chapter 16 of the Revised Statutes to provide for the improvement of conveyance of pupils to common schools.

S. 167: An Act to amend Revised Statutes, Chapter 33, Section 57, relating to the killing of seal gulls.

S. 168: An Act to create the Hancock-Sullivan Bridge District.

Reports of Committees

Mr. Thompson from the Committee on Claims, on list furnished by the State Auditor of certain deficiencies in certain departments of the State Government, reported the accompanying resolve, "Resolve authorizing the payment of certain deficiencies," and that it ought to pass.

Mr. Sprague from the Committee on Inland Fisheries and Game, on Resolve appropriating money to aid in screening certain lakes and ponds, reported same ought to pass, in new draft.

Mr. Allen from the committee on Taxation, on 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 (Senate Doc. No. 13) reported the same in a new draft under the title of "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 war veterans," and that it ought to pass.

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

Passed to Be Engrossed

H. 359: An Act to amend Section 139 of Chapter 16 of the Revised Statutes, as amended, relating to the appropriation for industrial education.

H. 369: An Act to enforce care of burial lots supported by trust fund.

H. 371: Resolve providing for aid in the payment of premiums awarded by the Eastern Maine State Fair.

(Tabled by Mr. Sprague of Piscataquis, pending passage to be engrossed.)

H. 373: An Act to amend Section 11 of Chapter 117 of the Revised Statutes, relating to the salaries of stenographers of Cumberland and Kennebec Superior Courts, as amended by Chapter 249 of the Public Laws of 1917, and as further amended by Chapter 198 of the Public Laws of 1919.

Orders of the Day

From the House: Ordered, the Senate concurring, that the joint standing committees of the 80th Legislature report finally not later than Friday, April 1, 1921.

Read and passed in the House.

Mr. FARRINGTON of Kennebec: Mr. President, may I ask the date of the order.

The PRESIDENT: March 28, and the report is to be not later than Friday, April 1st, 1921.

Mr. FARRINGTON: Mr. President, it strikes me that it will be absolutely impossible for the committees of this Legislature to file final reports on next Friday. I understand some committees have hearings on that date. I move we indefinitely postpone the order.

Mr. GILLIN of Penobscot: Mr. President, I desire to rise to second the motion of the Senator from Kennebec, for this reason, we have a hearing appointed for Friday of this week—the last one, I believe, and our committee has before it I think some very important measures that will take some time to thresh out, and I hope and trust that under those conditions the motion of the distinguished Senator from Kennebec will prevail.

Mr. FARRINGTON: Mr. President, may I say on behalf of so harsh a motion that it is not with any idea of any antagonism to the proposition of getting away from here as early as I can, but I think the easiest way to take care of the order is to indefinitely postpone it, and when we find we are where we can, to put in an order fixing the time.

Mr. FOLSOM of Somerset: I was going to inquire through the Chair if it would be possible for the committee on Judiciary to give us any information as to when we could have an order, or what day this order could be made, so that we would know.

The PRESIDENT: Can the Chairman of the Judiciary committee answer the inquiry of the Senator from Somerset?

Mr. GILLIN: I think so. I think as far as the Judiciary committee is concerned we are approaching the finality, and the Senate and House must know from the number of bills that have come out that we are acting expeditiously; but we are up against some propositions that probably we can get rid of, all of them, this week, and we might be able Friday morning to make a final report. But I think the motion of the Senator from Kennebec is most wise under the conditions—we have a joint session with your committee—and therefore I think that we should have no time limit at the present time.

The PRESIDENT: The motion is on indefinite postponement.

Mr. FARRINGTON: Mr. President, with the unanimous consent of the Senators I will withdraw that motion and move that the order be laid on the table.

Mr. GILLIN: Mr. President, I second that motion.

The motion was agreed to.

Additional Papers from the House

The PRESIDENT: Additional papers from the House, owing to the importance of which I am going to ask the Secretary to read:

The SECRETARY: "Committee on appropriations and financial affairs, to which was referred the resolve in favor of the erection of the State of Maine building on the grounds of the Eastern States Exposition at Springfield, Mass., have had the same under consideration and ask leave to report that the same ought to pass."

The PRESIDENT: Will the Secretary now please read the resolve?

The SECRETARY: "Resolve, in favor of the erection of a State of Maine building on the grounds of the Eastern States Exposition at Springfield, Mass.—Resolved that there be, and hereby is appropriated the sum of \$15,000 for the year 1921 and \$15,000 for the year 1922, for the construction, including all necessary expenses incident thereto, of a building upon the grounds of the Eastern States Exposition at Springfield, Mass., said building to be known as the State of Maine Building, and to be designed and constructed for the purpose of exhibiting the products of Maine farms and other industries. Such appropriation shall be expended under the direction of a committee consisting of the Commissioner of Agriculture and two members to be appointed by the Governor and Council. This committee shall serve without compensation, except that the two members appointed by the Governor and Council shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the committee."

The PRESIDENT: The first question is on the adoption of the report of the committee.

The report of the committee was accepted, and on motion by Mr. Babb of Cumberland, the rules were suspended and the resolve was given its second reading and passed to be engrossed.

Mr. SPRAGUE of Piscataquis: Mr. President, last Friday we tabled a joint order relative to joint recess committee on distribution of State funds. I did not table this for the

purpose of dilatory tactics or because I had any antagonism. I wanted to know and understand what it was. I find that there is an order appointing a recess committee, which has a state-wide scope of the utmost importance to the people of this State, and I believe in fairness and justice to both sides of this question that this should be referred to the committee on education, and I make that motion.

The PRESIDENT: The motion really is that the order have a passage. Will the senator defer and let this lie upon the table until morning?

Mr. SPRAGUE: I withdraw my motion.

Mr. THOMPSON of Knox: Mr. President, I have a resolve here which I present in favor of the town of South Thomaston for the reimbursement of that town for high school tuition paid by the town of South Thomaston to the City of Rockland for the year ending July 1, 1919.

You will perceive that the money has been long overdue. I have been to the State superintendent two or three times. He informs me that he can do nothing for it under any law governing his department, also that the Governor and Council are unable to do anything. The money has been actually paid, as certified by the superintendent of schools of that town, but owing to neglect of some one the town has not received its money. The superintendent of schools informs me that the only way to get at this for the purpose of reimbursing the town is by legislative action.

I move therefore that the rules be suspended and that the resolve be received and given its two several readings and passed to be engrossed. The statement of facts which accompanies the resolve is substantially as I have stated here on the floor.

The PRESIDENT: May the Chair inquire whether the Senator from Knox desires to have this referred to a committee?

Mr. THOMPSON: If it is the best

thing to do, I have no objection to referring it to any proper committee.

The PRESIDENT: Will the Secretary please read the resolve and the statement of facts?

(Resolve and statement of facts read by Secretary.)

The motion was agreed to, the rules were suspended and the resolve was received, given its two readings and passed to be engrossed.

The PRESIDENT: By error a bill, An Act to amend Section 27, Sub-Section 6, Chapter 52 of the Revised Statutes, relating to investments by savings banks and railroad equipment obligations, has been given its second reading. The Secretary informs me that the committee on banks and banking reported the bill and asked that it be printed and returned to the committee. It was included with other papers and passed along, given its several readings and passed to be engrossed. The committee on banks and banking evidently not having finished their consideration of this, it is now moved by the Senator from Androscoggin, Senator Parent, that the rules be suspended and that we reconsider the votes by which this was given its several readings and passed to be engrossed.

The motion was agreed to, and on further motion by the same Senator the bill was referred to the committee on banks and banking.

Mr. FARRINGTON of Kennebec: Mr. President, I move we take from the table the House order relating to final reports of committees.

The motion was agreed to and the same Senator offered Senate Amendment "A." Amend House order by striking out the words "Friday, April 1st, 1921," and by inserting in place thereof, "Monday, April 4, 1921."

The motion was agreed to, Senate Amendment "A" was adopted, and the order sent down for concurrence.

On motion by Mr. Bemis of Somerset,

Adjourned until tomorrow morning at 10 o'clock.