

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 9, 1923.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Folsom of Gardiner.

Journal of previous session read and approved.

On motion by Mr. McIlheron of Lewiston, the rules were suspended and that gentleman introduced the following order, out of order:

Ordered, the Senate concurring, that when the Senate and House adjourn, they adjourn to meet, Tuesday, February 13, at ten o'clock in the forenoon.

The order received passage and was sent up for concurrence.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

Senate 46: An Act to amend Section 120 of Chapter 16, relating to the appointment of the State Superintendent of Public Schools.

Senate 48: An Act to amend Section 10 of Chapter 137 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1917 and by Chapter 76 of the Public Laws of 1919 and by Chapter 167 of the Public Laws of 1921, relating to the appointment of probation officers.

The following bills, resolves and petitions were presented and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture

By Mr. Beckett of Calais: An Act directing the State Board of Veterinary Examiners to issue certificate of Joseph R. Waller to practice veterinary surgery, medicine or dentistry.

By Mr. Archibald of Houlton: Resolve providing for aid in the payment of premiums awarded by the Houlton Agricultural Society.

Appropriations and Financial Affairs

By Mr. Williams of Falmouth: Resolve in favor of Children's Heart Work Society.

By Mr. Hale of Portland: Resolve in favor of the Maine General Hospital.

By Mr. Beckett of Calais: Resolve in favor of Calais Hospital.

Claims

By Mr. Boman of Vinalhaven: Resolve in favor of appropriating money to reimburse the town of Vinalhaven for rental of armory to the 302d Company, C. A. C., for the year 1922.

By Mr. Martin of Augusta: Resolve in favor of A. Williams and Company to reimburse them for loss in State Highway construction during the years 1917 and 1918.

By Mr. Owens of Madison: Resolve in favor of the town of Madison to reimburse it for the amount expended for relief of Pearl Marion O'Connor and five children.

By Mr. Cherry of Eastport: Resolve to reimburse the city of Eastport for the cost of repairing a bridge.

By Mr. Rounds of Portland: Resolve in favor of the county of Cumberland.

By Mr. Morrison of Phillips: Resolve reimbursing the town of Rangeley for money expended for the support of certain State paupers.

By Mr. Towne of Norway: Resolve for payment of money due from the State to several towns for rental of armories.

By Mr. Owens of Madison: Resolve in favor of the town of Madison for amount expended for relief of Mary Pugh.

By Mr. Hamilton of Caribou: Resolve in favor of the Northern Maine Sanatorium to compensate Astle and Page for extra work on the sanatorium buildings.

Education

By Mr. Whitney of Corinth: Resolve in favor of East Corinth Academy.

Inland Fisheries and Game

By Mr. Gardiner of Gardiner: Petition of H. L. Goldsmith of West Gardiner and nine others in favor of close time on muskrats on Cobbosseecontee stream.

By Mr. Burns of Eagle Lake: Remonstrance of Joseph Plourde, of Eagle Lake, and eight others in opposition to the law to enact a resident license law for hunting and fishing, requiring an annual fee of not less than \$1.15 of all residents, except minors under 16 years of age who hunt within the State or fish in the inland waters of Maine.

By the same gentleman: Remonstrance of R. C. Brown of Winterville, and 19 others against same.

By Mr. Adams of Litchfield: An Act to limit the number of pounds of fish that may be taken from Cobbossecontee stream and connecting ponds, in the county of Kennebec.

By the same gentleman: An Act to amend Chapter 136 of the Public Laws of 1921, relating to fishing in portions of Cobbossecontee stream, the outlet of Cobbossecontee lake, and in Tacoma lake.

By Mr. Morrison of Phillips: An Act additional to Chapter 219 of the Public Laws of 1917, as amended, fixing the legal length of, and also daily limit on, trout and land-locked salmon which may be taken in certain Rangeley waters, in Franklin and Oxford counties.

By Mr. Morrison of Phillips: An Act to amend Chapter 134 of the Public Laws of 1919, as amended by Chapter 19 of the Public Laws of 1921, relating to fishing in Kennebago stream, in the county of Franklin, and in the county of Oxford.

By the same gentleman: An Act relating to fishing in Little Kennebago stream, in the county of Franklin.

By Mr. Crafts of Greenville: An Act to amend Section 53 of Chapter 219 of the Public Laws of 1917, as amended by Section 19 of Chapter 196 of the Public Laws of 1919, relating to bounties on bob cats.

By Mr. Melcher of Rumford: An Act relating to plug fishing for land-locked salmon and trout, in Moose-lucmaguntic and Richardson lakes, in the counties of Oxford and Franklin.

By Mr. Morrison of Phillips: 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 and by Chapter 73 of the Public Laws of 1921, relating to fishing in a portion of Rangeley stream.

By the same gentleman: "An Act to amend Section 29 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917 and Chapter 196 of the Public Laws of 1919, relating to Transportation of Fish under Tag without the owner accompanying the same.

By the same gentleman: An Act to provide for a closed season for Hunting in Bowman Town, Parmachenee

Town, Oxbow Town, North Cupsuptic Town, so-called, and the south half of Seven Ponds Township, and the north half of Stetson Township, so-called, the same being situated in the county of Oxford and in the county of Franklin.

By Mr. Fickett of Naples: An Act additional to Chapter 219 of the Public Laws of 1917, as amended by Chapter 218 of the Public Laws of 1921, relating to the protection of Muskrats.

By Mr. Small of Standish: An Act to prohibit the use or possession of Rifles, or Shotguns loaded with buck-shot or slugs, in the forests of the 8 Southern Counties of the State during closed season on Deer therein.

By Mr. Gardiner of Gardiner: An Act to amend Section 46, of Chapter 219 of the Public Laws of 1917, and by Chapter 218 of the Public Laws of 1921, relating to the protection of Fur-bearing Animals.

By Mr. Dunn of No. Yarmouth: An Act to prohibit the taking of Muskrats in Royall's River and tributaries, in the County of Cumberland.

By Mr. Gardiner of Gardiner: An Act to repeal Chapter 215 of the Public Laws of 1917, as amended by Chapter 115 of the Public Laws of 1921, relating to the Bounty on Bears.

By Mr. Lord of So. Portland: Resolve in favor of Screening Peabody Pond, in Cumberland County.

By Mr. Piper of Jackman: Resolve appropriating money to aid in the Screening of Pleasant Pond, in the Plantations of Caratunk and The Forks, in the county of Somerset.

Judiciary

By Mr. Sanders of Portland: An Act to protect the Manufacturing Art and Scientific Consumers and Users of Direct Electrical Current in the city of Portland. (500 copies ordered printed.)

By Mr. Sayward of Alfred: An Act to establish the Northern York Municipal Court.

By Mr. Nichols of Portland: An Act authorizing the city of Portland to construct Public Buildings upon Public Grounds.

(On motion by Mr. Nichols of Portland, tabled pending reference to any committee.)

By Mr. Whitney of Corinth: An Act to authorize the Storage of Water in Schoodic Lake.

Br. Mr. Archibald of Houlton: An Act to amend Section 14, Chapter 135, Revised Statutes, relating to Sureties in Criminal Cases.

By Mr. Maher of Augusta: An Act to amend Section 1 of Chapter 145, Revised Statutes, relating to Hospital Trustees.

By Mr. Cherry of Eastport: An Act to amend the Charter of the city of Eastport.

By Mr. Archibald of Houlton: An Act to authorize the Register of Deeds for the Southern Registry District for the County of Aroostook to certify records.

By the same gentleman: An Act to cure defect in the original organization of Madigan Memorial Hospital, a charitable and benevolent corporation, and to validate the doings of said corporation and officers thereof since its organization.

Legal Affairs

By Mr. Beckett of Calais: An Act to amend the Charter of the city of Calais providing for the election of a City Manager.

(500 copies ordered printed.)

By the same gentleman: An Act to amend the Charter of the city of Calais providing for Biennial Elections.

(500 copies ordered printed.)

By Mr. Curtis of Brewer: An Act to incorporate the city of Brewer High School District.

(500 copies ordered printed.)

By Mr. Phillips of Orrington: An Act to incorporate the North Orrington Cemetery Improvement Association.

(On motion by Mr. Phillips of Orrington, tabled pending reference to any committee.)

By Mr. Drake of Bath: An Act to amend Section 35 of Chapter 44 of the Revised Statutes as amended by Chapter 67 of the Public Laws of 1921, relating to Licenses for Lighting Rod Agents.

By Mr. Tilden of Hallowell: An Act to amend the charter of the city of Hallowell, relative to the appointment of the city marshal and street commissioner.

Mr. TILDEN of Hallowell: Mr. Speaker, I move that 300 copies of that bill be printed.

The SPEAKER: I wish to suggest to the gentleman from Hallowell (Mr. Tilden), and to the other members,

that it is better in the judgment of the Chair to have 500 copies of any bill printed where special printing is ordered. Does the gentleman care to amend his motion.

Mr. TILDEN: That is entirely satisfactory, Mr. Speaker, although I thought 300 would be sufficient.

(500 copies ordered printed.)

By Mr. Ray of Old Town: An Act to amend Section 6 of Chapter 17 of the Private and Special Laws of 1921, entitled "An act to amend the city charter of Bangor."

(On motion by Mr. Barwise of Bangor, tabled pending reference to any committee.)

By Mr. Downing of Bangor: An Act to amend Chapter 66 of the Private and Special Laws of 1915 entitled "An act providing pensions to employees of the city of Bangor."

(On motion by Mr. Phillips of Orrington, tabled pending reference to any committee.)

By Mr. Douglas of Lamoine: An Act to repeal Section 139 of Chapter 4 of the Revised Statutes, relating to the organization of less populous townships.

By Mr. Piper of Jackman: An Act to incorporate the Fall Brook Improvement Company.

By Mr. Curtis of Brewer: An Act to amend Chapter 328 of the Private and Special Laws of 1889, as amended by Chapter 453 of the Private and Special Laws of 1889, entitled "An Act to incorporate the city of Brewer."

By the same gentleman: Petition of Chas. J. Hutchings and 16 others in favor of same.

Library

By Mr. Moody of York: Resolve appointing a committee of investigation to procure plans and estimates for a State Library building.

Maine Publicity

By Mr. Douglas of Lamoine: Resolve appropriating money to set forth the natural, agricultural, industrial and recreational advantages of the State of Maine.

Mercantile Affairs and Insurance

By Mr. Barwise of Bangor: An Act amending Section 5 of Chapter 33 of the Revised Statutes relative to form of Standard Insurance Policy.

By Mr. Drake of Bath: An Act to amend Section 91 of Chapter 53, Revised Statutes, as amended by Chap-

ter 39, Public Laws of 1919, relating to the annual statement of conditions of insurance companies and providing a penalty for neglect to file the statement.

Pensions

By Mr. Baker of Steuben: Resolve for increase of pension of Sarah J. Everson.

By Mr. Heal of Weston: Resolve in favor of Wilmore Quimby of Haynesville for State pension.

By Mr. Stevens of Belgrade: Resolve providing a State pension for Ada M. Cowan.

By Mr. Owens of Madison: Resolve in favor of Nancy T. Morrill for State pension.

By Mr. Reed of Harmony: Resolve to provide a teacher's pension of \$150 a year for Miss Fannie Marble.

By Mr. Ranney of Winn: Resolve in favor of Blanch A. Grant for State pension.

Portland Delegation

By Mr. Nichols of Portland: An Act to grant a new charter to the City of Portland.

(On motion by Mr. Nichols of Portland, tabled pending reference to any committee.)

(On motion by Mr. Rounds of Portland, 1000 copies ordered printed.)

Public Utilities

By Mr. Crafts of Greenville: An Act to authorize the sale by Sebec Dam Company and the purchase by Milo Electric Light & Power Company of all the property, rights, privileges, immunities and franchises of Sebec Dam Company.

Salaries and Fees

By Mr. Bisbee of Damariscotta: An Act to amend Section 37 of Chapter 117 of the Revised Statutes of 1916, relative to the salaries of county attorneys.

By Mr. Beckett of Calais: An Act to amend Revised Statutes, Chapter 117, Section 45, as amended by Chapter 214, Public Laws of 1919, as further amended by Chapter 219 of Public Laws of 1921, restoring the amount for clerk hire in office of Register of Probate in Washington County to same rate as in 1922 and the three years preceding.

By Mr. Keene of Belfast: An Act to amend Section 45, Chapter 117, Revised Statutes, as amended in 1917, 1919 and 1921, relating to clerk hire in the County Offices.

By Mr. Pendleton of Islesboro: An Act to amend Section 39, Chapter 117, Revised Statutes, as amended in 1917, 1919 and 1921, relating to salaries of Registers of Probate.

Sea and Shore Fisheries

By Mr. Gamage of So. Bristol: Remonstrance of James E. Dalton and 43 others of Nobleboro and Bristol, against any change of the present law regarding "The Sea and Shore Fisheries Commissioners.

By Mr. Cates of Machiasport: An Act relating to the taking of clams in Machiasport.

By Mr. McDonald of East Machias: An Act for the better protection of Clams within the limits of the town of Roque Bluffs.

By Mr. Bisbee of Damariscotta: An Act for better protection of Smelts in the Damariscotta River.

State Lands and Forest Preservation

By Mr. Lord of Wells: Resolve relating to the acquirement of Certain Lands in the Ogunquit Village Corporation in the town of Wells, for a Public Park, and making an appropriation therefor.

Towns

By Mr. Fickett of Naples: An Act to divide the town of Harpswell.

Ways and Bridges

By Mr. Edwards of Bethel: Resolve in favor of the town of Andover for repair, maintenance, improvement and reconstruction of a road.

By the same gentleman: Petitions of Walter L. Gray and 42 others; B. G. McIntire and 22 others; B. W. Gardiner and 19 others; H. A. Staples and 19 others; Fred B. Merrill and 35 others; H. C. Howard and 23 others, and Walter G. Morse and 19 others in favor of same.

By Mr. Brett of Otisfield: Resolve to aid the town of Harrison in building and repairing Road.

By Mr. Conant of Buckfield: Resolve in favor of the town of Hebron for appropriating money to aid in the repairing of Road.

By Mr. Dunn of No. Yarmouth: Resolve in favor of the town of North Yarmouth to aid in repairing a Road.

By Mr. Beckett of Calais: Resolve appropriating money for the repair of a Highway Bridge between Calais, Washington County, Maine, and Milltown, New Brunswick.

By Mr. Fickett of Naples: Resolve in favor of new drawbridge at Naples.

By Mr. Edwards of Bethel: Resolve in favor of the town of Bethel.

By Mr. Teague of Somerville: Resolve in favor of the town of Somerville to aid in construction of a road.

By Mr. Smith of Ludlow: Resolve in favor of the town of Dyer Brook to aid in repairing road.

By Mr. Perkins of Orono: Resolve in favor of Old Town and Milford Bridge for hand-rails.

By Mr. Beckett of Calais: Resolve appropriating money for the repair of a Highway Bridge between Calais, Washington County, Maine, and Milltown, New Brunswick.

By Mr. Farley of Bridgewater: Resolve in favor of the town of Monticello to repair a Bridge.

By Mr. Perkins of Orono: Resolve in favor of the town of Milford for Road repair.

By Mr. O'Connell of Millinocket: Resolve in favor of the town of Pownal for construction and repairs of Highways

By Mr. Palmer of Island Falls: Resolve in favor of Road in the towns of Crystal and Sherman.

By Mr. Nickerson of Swanville: Resolve to aid the town of Waldo in repairing Road.

By Mr. Cherry of Eastport: Resolve appropriating money to repair Eastport bridge.

By Mr. Small of Standish: Resolve in favor of the town of Sebago.

By Mr. Drake of Bath: Resolve appropriating \$1000 in aid of town road in West Bath from the New Meadows Inn to the State highway leading from Portland to Rockland.

By Mr. Pendleton of Islesboro: Resolve in favor of road in town of Frankfort.

By Mr. Winslow of Raymond: Resolve in favor of improving the State highway between Gray Station and the State Home for Feeble Minded.

Orders

Mr. BARWISE of Bangor: Mr. Speaker, in order to correct an oversight in passing routine orders the first part of the session, I wish to give notice at this time under rule 59 of the House rules that on Tuesday next, I shall introduce an order,

adding to the standing rules a rule which will read substantially as follows:

"Rule 60: All adjournments of the House shall be to 10 o'clock in the forenoon of the following day unless the adjournment motion shall otherwise provide."

I ask merely that this be placed on file now.

The SPEAKER: The House hears the notice.

On motion by Mr. Granville of Parsonsfield, it was

Ordered, that the use of the hall of the House be granted to the committees on ways and bridges and public utilities jointly for the afternoon of Tuesday, Feb. 20.

On motion by Mr. Granville of Parsonsfield, it was

Ordered, that the use of the hall of the House be granted to the committees on taxation and ways and bridges the afternoon of Wednesday, Feb. 21.

Mr. Douglas of Lamoine presented the following order and moved its passage:

Ordered, that the use of the hall of the House be granted for Lincoln Day address at 10.30 in the forenoon of Tuesday, the 13th of February, and that Rev. Ashley A. Smith of Bangor be invited to deliver it.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, will not that interfere with our adjournment order to 10 o'clock Tuesday?

The SPEAKER: The Chair will state that that might somewhat depend on the amount of business we have to do. The Chair would suggest to the gentleman (Mr. Douglas) possibly an amendment.

Mr. DOUGLAS: My idea was to get the Lincoln Day address, Mr. Speaker, that is all. The time is immaterial.

Mr. GRANVILLE: No other business interfering, it would be all right, but we are not sure of being through at 10.30.

Thereupon, the time being changed from 10.30 a. m. to 11 a. m. and the gentleman from Lamoine, Mr. Douglas, agreeing to that amendment, the order received passage as amended.

Mr. MOODY of York: Mr. Speaker, I have an order which I will read.

Ordered, the Senate concurring, that the Librarian be requested to furnish each member and officer of the Senate and House of Representatives with one copy of "Maine in the Northeastern Boundary Controversy," by Burrage; and may I say a few words in explanation?

The SPEAKER: The Chair recognizes the gentleman.

Mr. MOODY: This (holding in his hand the book in question) is the volume referred to in the order. Down in the basement of this building there are between five and six hundred copies of it. They were printed in 1919, and it is a very valuable book by Dr. Burrage. It treats of the controversy relative to the northeastern boundary, and had it not been for the staunch and courageous stand taken by the statesmen who conducted our side of that case, a part of Oxford, almost all of Franklin, a large part of Somerset, a part of Penobscot and all that glorious Aroostook would be now in the Dominion of Canada; and for aught I know my friend Story would be sitting in the Parliament House at Ottawa (laughter), and for aught I know the representative from Fort Kent, with her sweet soprano, would be singing, "God Save Our Gracious King" instead of "America." (Laughter and applause.)

Thereupon the order received passage.

Reports of Committees

Mr. STORY from the committee on ways and bridges on Resolve in favor of the Plantation of Macwahoc to reimburse for cost of planking a bridge, reported that same be referred to the committee on claims.

Report read and accepted and sent up for concurrence.

Mr. NICHOLS from the committee on judiciary on bill "An Act to amend Section 72 of Chapter 211 of the Public Laws of 1921, relative to penalty for reckless driving, going away without stopping after an accident, using motor vehicles without authority," reported same in a new draft under same title and that it ought to pass.

Mr. OAKES from the committee on legal affairs reported same on bill "An act to amend the city charter of Brewer."

Mr. BECKETT from the committee on public utilities reported same on bill "An Act to amend the charter of

the Dover and Foxcroft Water District."

Reports read and accepted and the new drafts ordered printed under the joint rules.

Mr. OAKES from the committee on legal affairs reported ought to pass on bill "An Act relating to pensioning members of the police department of the city of Brewer."

Report read and accepted, and the bill ordered printed under the joint rules.

Mr. SANDERS from the committee on appropriations and financial affairs on Resolve appropriating money for rebuilding steamship sheds at the State Pier, reports the same in new draft, under same title, and that it ought to pass.

First Reading of Printed Bills and Resolves

House 66: An Act to validate the incorporation of the Bath, City Hospital.

House 68: An Act to amend Chapter 216, Private and Special Laws of 1911, relating to incorporation of Parsonsfield Kezar Falls Village Corporation.

House 70: An Act to amend Chapter 128 of the Private and Special Laws of 1921, relating to clerk hire in the Lewiston Municipal Court.

House 67: Resolve appropriating money to reimburse the town of Alfred for part of cost of bridge.

House 69: Resolve in favor of Dr. Charles E. Johnson of Princeton.

Passed to be Engrossed

Senate 42: Resolve in favor of Harry P. Hawes, assistant secretary of the Senate of the 80th Legislature.

House 19: An Act to amend Section 9 of Chapter 40 of the Revised Statutes, relating to unauthorized advertisements as certified public accountants.

House 47: An Act to amend Section 11 of Chapter 9 of Public Laws of 1919, relating to the salary of the stenographer of Penobscot County Superior Court.

House 48: An Act relating to a winter speed course or way above the Gardiner-Randolph bridge at Farmingdale.

House 50: An Act to amend paragraph numbered one of Section 1 of Chapter 76 of the Revised Statutes of Maine, relative to the granting of licenses for the sale, lease or exchange of real estate.

House 51: An Act to amend Sections 1 and 2 of Chapter 95 of the Public Laws of 1917, relating to giving checks or drafts on banks where the maker has not sufficient funds.

House 49: Resolve in favor of Marjorie Lee, stenographer, to committee on elections.

Mr. WING of Auburn: Mr. Speaker, the Resolve having to do with the appropriation for sectarian schools,

referred to the committee on education, may I inquire if it is to be printed?

The SPEAKER: The Chair will state to the gentleman that it is Senate Document No. 58 and is printed.

On motion by Mr. Cherry of Eastport,

Adjourned until Tuesday morning, Feb. 13, at 10 o'clock.