

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, February 20, 1923.

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

Prayer by the Rev. Mr. Bradford of Hallowell.

Journal of previous session read and approved.

From the Senate: Resolve proposing an amendment to the Constitution of the State of Maine authorizing the conservation, storage and control of the waters within the State.

In the Senate referred to the committee on Legal Affairs.

In the House, on motion by Mr. Douglas of Lamoine, it was voted to non-concur in the reference of the foregoing resolve to the committee on Legal Affairs; and on further motion by the same gentleman, the resolve was referred to the committee on Judiciary and Interior Waters jointly in non-concurrence.

Papers from the Senate disposed of in concurrence.

Senate Bill In First Reading

Senate 85. Resolve in favor of Rupert H. Baxter, Chairman Recess Committee on Banks and Banking, created by the Eightieth Legislature for expenses of said committee.

From the Senate: The following order:

ORDERED, the Senate concurring, that a special committee be constituted, consisting of the members of the Legislature residing in the city of Portland, to whom may be referred matters concerning only the city of Portland, to be known as the Portland Delegation.

This was read and passed in the House February 7th.

Comes from the Senate. Senate amendment A read and adopted, and the order passed as amended by Senate amendment A in non-concurrence.

Senate Amendment A.

"To whom may be referred matters concerning only the city of Portland."

In the House, it was voted that the action of the House whereby this order was passed be reconsidered; and it was further voted that Senate

Amendment A be adopted in concurrence. It was further voted that the order as amended by Senate Amendment A be passed in concurrence.

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

Agriculture

By Mr. Thomas of Farmington: An Act for the control and suppression of the European Corn Borer.

By the same gentleman: Resolve providing aid in the control and suppression of the European Corn Borer.

Appropriations and Financial Affairs

By Mr. Granville of Parsonfield: Resolve in favor of steel-filing equipment for the office of the State Auditor.

By Mr. McDonald of East Machias: Resolve appropriating money for the commissioners of Pharmacy.

Committee on Cole Report

By Mr. Baker of Steuben: An Act relating to the Income and Appropriations of the several departments and State Institutions.

Inland Fisheries and Game

By Mr. Crafts of Greenville: An Act to amend Section 50 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the trapping of furbearing animals.

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 amend Section 63 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the employment of Guides by non-residents in certain cases.

By the same gentleman: An Act to amend Section 46 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 133 of the Public Laws of 1919 and by Chapter 218 of the Public Laws of 1921, relating to the protection of fur-bearing animals.

By Mr. O'Connell of Millinocket: An Act to amend Section 54 of Chap-

ter 219 of the Public Laws of 1917, relating to the protection of certain wild birds.

By Mr. Adams of Litchfield: An Act to amend Section 27 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, and by Chapter 196 of the Public Laws of 1919, and by Chapter 218 of the Public Laws of 1921, relating to use of traps, spears and nets in taking fish in inland waters.

By Mr. Lord of Wells: An Act to amend Section 52 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the setting of traps in organized or incorporated places.

Judiciary

By Mr. Tilden of Hallowell: An Act additional to and amendatory of Chapter 139 of the Revised Statutes, as amended by Chapter 88, Public Laws of 1917, relating to transfer of insane or feeble-minded inmates.

Legal Affairs

By Mr. Oakes of Portland: An Act with reference to the Jurisdiction of the Courts in certain cases under Chapter 120 of the Revised Statutes relating to desertion and non support of families.

By the same gentleman: An Act to secure prosecution against bail in criminal cases.

By the same gentleman: An Act relative to material witnesses and bail in criminal cases.

By the same gentleman: An Act to amend Chapter 126 of the Revised Statutes relative to proof of marriage in criminal cases.

By the same gentleman: An Act to amend Chapter 112 of the Public Laws of 1919 relative to disorderly houses.

Salaries and Fees

By Mr. Sayward of Alfred: An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Section 44 of Chapter 219 of the Public Laws of 1921, relating to the salary of the treasurer of York county.

Sea and Shore Fisheries

By Mr. Gamage of South Bristol: An Act to amend Section 18 of Chapter 45 of the Revised Statutes as amended

by Section 2 of Chapter 98 of the P. L. of 1921 relating to the issuing of lobster licenses.

Orders

Mr. Winn of Lisbon presented the following order:

Ordered, that, according to the provisions of the Constitution of this State, the justices of the Supreme Judicial Court are respectfully requested to give this House their opinion upon the following question:

Question

Are the provisions of Section 2 and Section 3 of Chapter 197 of the Public Laws of 1921, entitled "An Act relating to the taxation of shares of stock of trust companies organized under the laws of this State and banking institutions formed under the laws of the United States," in accordance with the provisions of the Constitution of Maine relating to taxation?

On motion by Mr. Winn of Lisbon, the order was tabled in accordance with the House rules until tomorrow morning pending passage.

On motion by Mr. Granville of Parsonsfield, it was

Ordered, that on Wednesday of each week under "Orders of the Day," all matters placed on the table in the week preceding, and unassigned, shall be taken up without motion and disposed of in the order in which they were placed upon the table.

Reports of Committees

Mr. Crafts from the committee on inland fisheries and game on remonstrance of Irving E. Ray of Harrington and others against An Act making it unlawful to use corn or bait of any kind or contrivance other than decoy birds to entice game birds of any variety within shooting distance reported that the same be placed on file.

Mr. Adams from the same committee on bill An Act to amend Section 38 of Chapter 8 of the Revised Statutes, relative to the suspension of open season, reported that the same be placed on file, as the subject matter thereof has been incorporated in another bill reported by this committee.

Same gentleman from same committee reported ought not to pass on bill An Act to amend Chapter 42, Private and Special Laws 1921, relating to fishing in Moose Hill Pond, in East Livermore, with remonstrance of H. A. Morrison and 298 others against same.

Mr. Crafts from same committee re-

ported same on bill An Act to amend Chapter 14 of the Public Laws of 1921, prohibiting the hunting of deer in the counties of Cumberland and York, also remonstrances against same.

Mr. Lord from the same committee reported the same on bill, An Act to amend the first paragraph of Section 38, Chapter 219, Public Laws 1917, as amended by Chapter 37, Public Laws 1919, and by Chapter 117, Public Laws 1921, providing for a yearly limit of one deer in all counties of the State.

Reports read and accepted and sent up for concurrence.

Mr. Phillips from the committee on appropriations and financial affairs on resolve appropriating money to reimburse the committee on State prison for expenses, reported same in a new draft under title of "Resolve in favor of Jesse Overlock, secretary of committee on State prison," and that it ought to pass.

Mr. Lord from the committee on inland fisheries and game on bill An Act to amend Section 38, Chapter 8, of the Revised Statutes, relating to the suspension by the governor of open season for hunting reported same in a new draft under title of "An Act to amend Sections 38 and 39, of Chapter 8 of the Revised Statutes, relating to the suspension by the governor of open season for hunting," and that it ought to pass.

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

Mr. Lord from the same committee reported same on bill An Act to amend Chapter 136 of the Public Laws of 1921, relating to night fishing in certain waters of Kennebec county.

Report read and accepted and the bills ordered printed under the joint rules.

Report of the committee appointed to consider State assessors' report.

The joint select committee appointed by the 81st Legislature to consider the recommendations in the report for 1922 of the State board of assessors, charged with the duty of reporting to the Legislature not later than February 20th by bill or otherwise, beg leave to submit the following partial report:

The State board of assessors recommended to the consideration of the Legislature the questions of a gasoline tax, bill board tax and extension of the poll tax. Bills covering these matters have already been presented and the committee therefore does not consider necessary any report on these subjects. In regard to the other rec-

ommendations your committee has not found time to give the questions the serious consideration which they merit, and therefore requests that the time for filing a final report be extended one week.

The report was accepted and on motion by Mr. Gardiner of Gardiner, it was voted that the extension of time be granted the committee and the report sent up for concurrence.

First Reading of Printed Bills and Resolves

House 118. An Act to amend Section 52 of Chapter 117 of the Revised Statutes, as amended by Chapter 34 of the Public Laws of 1919, relating to the board of osteopathic examination and registration.

House 121. An Act to amend Sections 4 and 5 of Chapter 188 of the Public Laws of 1919, relating to the regulation of the practice of the system, method of science of healing known as osteopathy.

House 122. An Act to amend the charter of York Harbor Village Corporation.

House 127. An Act authorizing the town of York to raise money to aid the York Public Library Association.

House 128. An Act to extend the charter of the Quebec Extension Railway Company.

House 129. An Act to extend the charter granted to the Salisbury Cove Water Company for the taking of water from Lake Wood and furnishing water to the village of Salisbury Cove for two years.

House 130: An Act to extend the Charter of the R. & T. Cement Railroad.

House 131: An Act to amend Chapter 197 of the Public Laws of 1917 as amended by Chapter 172 of the Public Laws of 1919, relating to the State Department of Health.

House 123: Resolve in favor of the Commissioner of Agriculture for carrying out the provision of Chapter 81 Public Laws of 1921.

House 124: Resolve in favor of Highmoor Farm in the town of Monmouth.

House 125: Resolve in favor of animal husbandry.

House 126: Resolve in favor of scientific investigation in Agriculture in Aroostook county.

Passed to be Engrossed

House 103: An Act to amend Section 45 of Chapter 219 of the Pub-

lic Laws of 1921, relative to clerk hire in the Registry of Deeds for York county.

House 105: An Act to legalize Oaths administered by Fred A. Torrey, of Stonington, in the county of Hancock.

House 106: An Act to amend Section 38, Chapter 117 of the Revised Statutes, as amended by Section 38, Chapter 219 of the Public Laws of 1921, increasing the salary of the Judge of probate of Sagadahoc county.

House 102: Resolve in favor of Thomas A. Sanders, secretary to committee on Appropriations and Financial Affairs.

House 104: Resolve in favor of Edward Gagne, secretary of the committee for school for Feeble-Minded.

Passed to be Enacted

An Act to amend the Charter of the City of Brewer.

An Act to establish the Kennebunk Municipal Court.

An Act to amend Section 72 of Chapter 211 of the Public Laws of 1921, relating to the penalty for reckless driving, going away without stopping after an accident, and using motor vehicles without authority.

An Act to amend Section 89 of Chapter 51 of the Revised Statutes relating to the dissolution of corporations.

An Act to amend the Charter of the Dover and Foxcroft water district.

An Act relating to Pensioning members of the Police Department of the City of Brewer.

An Act to amend Section 35 of Chapter 8 of the Revised Statutes, relating to building of camp fires.

An Act to amend Chapter 123, of the Private and Special Laws of 1921, amending Chapter 103 of the Private and Special Laws of 1919, amending Chapter 444 of the Private and Special Laws of 1907, relating to clerk hire in the Lewiston Municipal Court.

An Act to amend Section 3 of Chapter 216 of the Private and Special Laws of 1911, relating to the Incorporation of Parsonsfield Kezar Falls Village Corporation.

An Act to validate the Incorporation of the Bath City Hospital.

Finally Passed

Resolve appropriating money to

reimburse the town of Alfred for part of cost of bridge.

Resolve in favor of Dr. Charles E. Johnson, of Princeton.

Orders of the Day

On motion by Mr. Blaisdell of Sullivan it was voted to take from the table the order tabled by that gentleman on Friday, February 16th with reference to the printing of the House Journal; and on further motion by the same gentleman, it was voted to amend that order by substituting the words "two hundred" for the words "one hundred," so that the order as amended shall read as follows: "That the Clerk of the House prepare and cause to be printed and bound under his supervision and direction two hundred copies of the Journal of the House of the present session." And on further motion by the same gentleman the order as amended was passed.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I wish to take from the table the order relating to the Governor's Contingent Fund Message, tabled by me February 1st, and I yield the floor to the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds of Portland, it was voted to withdraw the motion to indefinitely postpone the order; and on further motion by the same gentleman, the order received passage, and was sent up for concurrence.

Mr. PHILLIPS of Orrington: Mr. Speaker, I would like to ask that the rules be suspended and the vote reconsidered whereby those resolves were referred to the Cole committee.

The SPEAKER: The Chair will ask the gentleman (Mr. Phillips) if he alludes to the resolve introduced today, or to previous resolves?

Mr. PHILLIPS: I understood it to be previous resolves, Mr. Speaker.

The SPEAKER: Will the gentleman state to the Chair the nature of the resolves?

Mr. PHILLIPS: I cannot do it, Mr. Speaker.

The SPEAKER: Will the gentleman state to the Chair when the resolves were introduced in the House?

Mr. PHILLIPS: That I don't know. I heard in the reading certain re-

solves, as I understood them, pertaining to departmental expenses, and they were assigned to the Cole committee.

The SPEAKER: The gentleman alludes then, no doubt, to the bill introduced this morning.

On motion by Mr. Phillips of Orrington, it was voted that the action of the House be reconsidered where-by bill, An Act relating to the in-

come and appropriations of the several departments and state institutions, was referred to the committee on Cole Report; and on further motion by the same gentleman, the bill was tabled, pending assignment to a committee.

On motion by Mr. Belliveau of Waterville,

Adjourned until tomorrow morning at ten o'clock.