

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

Monday, February 26, 1923.

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

Prayer by the Rev. Mr. Skillin of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on School for Feeble Minded on Resolve in favor of the Maine School for Feeble Minded for maintenance reporting that same be referred to the Committee on Appropriations and Financial Affairs and School for Feeble Minded, jointly.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence, and on motion by Mr. Gagne of Lewiston 500 copies ordered printed.

From the Senate: Report of the committee on School for Feeble Minded on Resolve in favor of the Maine School for Feeble Minded for additions and improvements reporting that same be referred to the Committee on Appropriations and Financial Affairs and School for Feeble Minded, jointly.

In the Senate, report read and accepted.

In the House, report read and accepted in concurrence, and on motion by Mr. Gagne of Lewiston 500 copies ordered printed.

From the Senate: Petition of M. O. Tibbetts, Rangeley, Maine and 40 others of Maine in favor of a Constitutional Amendment prohibiting the use of Public Funds for Sectarian Schools. This was referred to the Committee on Judiciary in the in the House February 22nd.

In the Senate referred to the Committee on Education in non-concurrence.

In the House, it was voted to recede and concur with the Senate in the reference of petition.

From the Senate: An Act to amend Chapter 136 of the Public Laws of 1921, relating to Night

Fishing in certain waters of Kennebec county.

This was passed to be engrossed in the House February 22nd.

In the Senate recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

In the House, it was voted to recede and concur with the Senate and recommit the bill to the committee on Inland Fisheries and Game.

From the Senate: An Act to amend Chapter 128 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;

This was passed to be enacted in the House February 20th.

In the Senate, passed to be enacted as amended by Senate Amendment A. in non-concurrence.

Senate Amendment A. read:

Senate Amendment A to House Document No. 70 relating to Clerk Hire in the Lewiston Municipal Court.

Amend the title of House Doc. 70 which now reads "An Act to amend Chapter 128 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," so that said title will read as follows: "An Act to amend chapter 126 of the private and special laws of 1921 relating to Clerk Hire in the Lewiston Municipal Court."

In the House, on motion by Mr. Gagne of Lewiston, the House voted to reconsider the vote whereby this bill was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed. On motion of Mr. McIlheron of Lewiston it was voted to adopt Senate Amendment A in concurrence; and on further motion by the same gentleman, it was voted that the bill as amended by Senate Amendment A now be passed to be engrossed in concurrence.

The following bills, resolves and remonstrances were presented, and, upon recommendation of the committee on reference of bills, were

referred to the following committees:

Agriculture

By Mr. Whitney of Corinth: An Act to regulate the sale of Vinegar. (500 copies ordered printed.)

Appropriation and Financial Affairs

By Mr. Chalmers of Bangor: Resolve in favor of John A. McDonald, Secretary of the Committee on Insane Hospitals, for Committee Expenses.

Judiciary

By Mr. Archibald of Houlton: An Act to protect and conserve the estates of Absentees.

(500 copies ordered printed.)

By Mr. Granville of Parsonsfield: An Act to amend Section 34 of Chapter 211 of the Public Laws of 1921, and to provide for further exemptions from Registration of certain non-resident Motor Vehicles.

(500 copies ordered printed.)

By Mr. Maher of Augusta: An Act amending Public Laws 1919, Chapter 238 as amended by Chapter 222 of the Public Laws of 1921 known as the Workmens' Compensation Act.

(500 copies ordered printed.)

By Mr. Granville of Parsonsfield: An Act to exempt non-resident vehicles from registration and to establish Reciprocal Exemptions with other States.

(500 copies ordered printed.)

Legal Affairs

By Mr. Boulter of Kittery: An Act to amend Section 58 of Chapter 4 of the Revised Statutes relating to the purposes for which Cities and Towns may raise Money. (500 copies ordered printed.)

Sea and Shore Fisheries

By Mr. Baker of Steuben: Remonstrance of Llewellyn Rich and 90 others of Isle au Haut against a change in the present Commission of Sea and Shore Fisheries.

By Mr. Boman of Vinalhaven: Remonstrance of R. C. Young and 46 others of Vinalhaven against same.

By Mr. Brown of Bar Harbor: Remonstrance of F. W. Phippen and 12 others; John Closson and 25 others of Bass Harbor; Geo. B. Smith and 44 others against same.

By Mr. Cates of Machiasport: Remonstrance of James Wallace of Beals Island and 61 others against same.

By the same gentleman: Remonstrance of Geo. L. Alley and 132 others of Jonesport against same.

By Mr. Rowell of So. Thomaston: Remonstrance of A. E. Elwell and 55 others of Tenants Harbor against same.

State Lands and Forest Preservation

By Mr. Granville of Parsonsfield: An Act to amend Sections 6, 9 and 17 of Chapter 78 of the Public Laws of 1921, relating to Auxiliary State Forests.

Ways and Bridges

By Mr. Martin of Augusta: An Act relative to the retirement of Highway Bonds.

Reports of Committees

Mr. Martin from the Committee on Legal Affairs on Bill "An Act additional to Chapter 356 of the Private and Special laws of 1883 entitled 'An Act to authorize the construction of a Bridge over Tidewaters between Orr's Island and Bailey's Island' as amended by Chapter 91 of the Private and Special Laws of Maine for the year 1921, and to authorize the towns of Harpswell to hire money for the construction of said bridge and to construct the same under the provisions of Chapter 319 of the Public Laws of 1915 and acts additional thereto and amendatory thereof" reported that legislation thereon is inexpedient.

Mr. Adams from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act to amend Section 56 of Chapter 33, of the Revised Statutes, relating to Inland Fisheries and Game."

Reports read and accepted and sent up for concurrence.

The SPEAKER: The Chair will state for the benefit of the new members, assuming that the old members know all about it, that whenever the Chair declares a vote any member is of course at liberty to doubt it. It seems to be a part of the proceedings that the Chair has to automatically declare votes, perhaps many times without an expression from the House. If there is anything going by in that manner which any member of the House objects to, it is his privilege at any time to doubt the vote. I am simply calling this to your attention so that there may be no misunderstanding at any time.

Reports of Committees—continued

Mr. Wood from the Committee on Education on Bill "An Act to amend Chapter 416 of the Private and Special Laws of 1907 relating to the Board of Education of the city of Augusta" reported same in a new draft under title of "An Act to amend Section 32 of the Private and Special Laws of 1919 re-

lating to the Board of Education of the city of Augusta" and that it "Ought to pass."

Mr. Clarke from the Committee on Legal Affairs on Bill "An Act to extend an Act entitled 'An Act to incorporate the Odd Fellows' Home of Maine'" reported same in a new draft under same title and that it "Ought to pass."

Mr. Ludgate from the Committee on Public Utilities on Bill "An Act to incorporate the Patten Water Company" reported same in a new draft under title of "An Act to incorporate the Patten Water and Power Company" and that it "Ought to pass."

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Adams from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act providing for Protection of White Perch in Bear Pond, situated in the town of Hartford, in the county of Oxford, and in the town of Turner, in the county of Androscoggin."

Mr. O'Connell from the same committee reported same on Bill an Act to limit the number of pounds of fish that may be taken from Cobboscontec Stream and connecting ponds, in the county of Kennebec.

Mr. Baker from the committee on sea and shore fisheries reported same on Bill an Act to regulate the taking of clams in the town of Sorrento.

Mr. Granville from the committee on ways and bridges reported same on Bill an Act to amend Section 2 of Chapter 319, Public Laws of 1915, as amended by Chapter 243, Public Laws of 1919, relating to State and County Aid in the construction of highway bridges.

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

Mr. Kitchen from the committee on inland fisheries and game reported same on Bill an Act to amend Section 26 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 and Chapter 218 of the Public Laws of 1921, relating to the taking of smelts in the tributaries to Sebago Lake.

Report read and accepted, and the bill having already been printed (House Document No. 90), was read

twice under suspension of the rules and tomorrow assigned.

First Reading of Printed Bills and Resolves

House 84: An Act to amend the Charter of the city of Hallowell, relative to the appointment of the city marshal and street commissioner.

House 162: An Act to promote the production and sale of certified seed and to protect the branding thereof; making an appropriation therefor, and repealing Chapter 141, Public Laws of 1917.

House 163: An Act additional to Chapter 433 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Portland Water District," and to limit and define the powers of the trustees of said Portland Water District in certain things.

House 168: An Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895 as amended by Chapter 101 of the Private and Special Laws of 1909, as amended by Chapter 146 of the Private and Special Laws of 1915, as amended by Chapter 33 of the Private and Special Laws of 1919, relating to the salary of the recorder of the Bangor Municipal Court.

House 171: An Act to amend Chapter 31 of the Private and Special Laws of 1905, entitled "An Act to authorize the Houlton Water Company to generate, sell and distribute electricity," as amended by Chapter 348 of the Private and Special Laws of 1909.

House 172: An Act relative to motor vehicles, neutral zone, and to revise and amend Sections 34 and 75 of Chapter 211, of the Public Laws of 1921.

House 173: An Act to amend Chapter 145 of the Private and Special Laws of 1887, entitled "An Act to provide sewerage in the town of Houlton," as amended by Chapter 142 of the Private and Special Laws of 1903 and by Chapter 107 of the Private and Special Laws of 1907.

House 174: An Act to amend an Act relating to Caribou Municipal Court, as amended by Section 8 of Chapter 357 of the laws of 1909.

House 175: An Act to amend Sections 59 and 60, Chapter 18, Revised Statutes, relating to registration of veterinary surgeons.

House 176: An Act to ratify, affirm and make valid the reorganization of the parish of the Protestant Episcopal Church in Bangor.

House 180: An Act to extend the Charter of Penobscot Valley Gas Company.

House 164: Resolve providing a State pension for Marie N. Varrell. Mr. Moody of York offered House Amendment "A" as follows:

House Amendment "A" to Resolve providing a State Pension for Marie N. Varrell.

Amend said resolve and the title to the same by substituting in place of the word or name "Marie" wherever it appears in either the title or the body of said resolve, the word or name "Maria."

Amendment "A" read and adopted.

First Reading of Printed Bills (Continued)

House 165: Resolve increasing pension of Lester Patten of Hermon.

House 166: Resolve in favor of State Pension for Levi Holden.

House 167: Resolve increasing the State pension of Charles D. Preble of Kittery.

House 169: Resolve in favor of the Board of Registration of Medicine.

House 170: Resolve appropriating money for the Commissioners of Pharmacy.

(On motion by Mr. Rounds of Portland, tabled pending second reading.)

House 177: Resolve providing for State pension for Mary A. Grant of Etna.

House 178: Resolve in favor of Mary E. Ames, of Stockton Springs.

House 179: Resolve in favor of Mary S. Hillman for State Pension.

Passed to Be Engrossed

Senate 108: An Act providing for a jeweler's lien.

Senate 109: An Act to amend Chapter 163, Special Laws of 1913 relating to a close time on Lobsters in the waters of Jonesport and Addison.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen of this House, we are paying out now a large amount of money to advertise Maine and the summer time is when people come here on their vacations. Now, if you are going to close up all the fishing and the clam digging and everything, what will we have to show these people except our good roads, of which we have only a few miles? It looks to me as though we were making a mistake to spend thousands of dollars to get people here and then say that they must pay five dollars, and I move that these several bills lie on the table—bills 109, 110, 111, 113 and 115.

The SPEAKER: The Chair will state that the only bill before the House is the first bill, number 109.

On motion by Mr. Rounds of Portland the bill was tabled pending passage to be engrossed.

Passed to Be Engrossed Continued

Senate 110: An Act to amend Chapter 172, Special Laws of 1899 relating to a close time on Lobsters in Pigeon Hill Bay in the towns of Milbridge and Steuben.

(On motion by Mr. Rounds of Portland, tabled pending passage to be engrossed.)

Senate 111: Bill "An Act to amend Chapter 121, S. L. 1915, as amended by Chapter 89, S. L. 1917, relating to close time on Lobsters in waters of Machais Bay and adjacent waters in Washington County."

(On motion by Mr. Rounds of Portland tabled pending passage to be engrossed.)

Senate 112: Bill "An Act to amend Chapter 380, Special Laws of 1909, as amended by Chapter 84, S. L. of 1915 relating to a close time on Lobsters in the bays of the towns of Gouldsboro, Eden, Trenton, Lamoine, Hancock, Sullivan and Sorrento."

(On motion by Mr. Rounds of Portland tabled pending passage to be engrossed.)

Senate 113: An Act to amend Chapter 122, Special Laws of 1915, relating to a closed time on Lobsters in the waters of Jonesboro and Roque Bluffs in Washington County.

(On motion by Mr. Rounds of Portland tabled pending passage to be engrossed.)

Senate 115: Bill "An Act to amend Chapter 154, Special Laws of 1915, relating to a close time on Lobsters in the Waters of the towns of Cutler, Trescott and Lubec in Washington County."

(On motion by Mr. Rounds of Portland tabled pending passage to be engrossed.)

House 140: An Act to incorporate the Grand Temple Pythian Sisters of Maine."

House 141: An Act increasing clerk hire in office of Register of Deeds in Penobscot County.

House 142: An Act to increase the salary of the Judge of the Municipal Court of Dexter.

House 143: An Act to amend Section 3 of Chapter 325 of the Private

and Special Laws of 1897, as amended by Chapter 17 of the Private and Special Laws of 1909, as amended by Chapter 101 of the Private and Special Laws of 1919, providing for Clerk Hire by the Judge of the Municipal Court of Waterville.

House 144: An Act to fix the salary of the Judge of the Municipal Court of Pittsfield.

House 145: An Act relating to Clerk Hire in office of Register of Deeds for county of Penobscot, to correct clerical error.

House 146: An Act to increase the salary of clerks in the office of Register of Probate for Hancock county.

House 147: An Act to amend Section 74 of Chapter 45 of the Revised Statutes as amended by Chapter 71, Public Laws of 1917, relating to the regulation of Smelt Fishing.

Passed to be Enacted

An Act to amend Section 2, of Chapter 118 of the Revised Statutes, as amended by Chapter 126 of the Public Laws of 1921, relating to Fees of Trial Justice.

An Act to amend Section 40 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 of the Public Laws of 1919, and as further amended by Chapter 219 of the Public Laws of 1921, relating to Compensation of Clerk of Courts of Cumberland County.

An Act to amend Section 38 of Chapter 117 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of the Judge of Probate of Sagadahoc County.

An Act to legalize oaths administered by Fred A. Torrey of Stonington, in the county of Hancock.

An Act to amend Section 45 of Chapter 219 of the Public Laws of 1921, relating to Clerk Hire in the Registry of Deeds for York county.

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.

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.

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

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

An Act to extend the Charter of the Quebec Extension Railway Company.

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 or science of healing known as Osteopathy.

An Act to amend Section 58 of Chapter 8 of the Revised Statutes, as amended by Chapter 5 of the Public Laws of 1919, relating to Forest Fire Signs.

Finally Passed

Resolve appropriating money for the purpose of completing the new cell block of the Maine State Prison at Thomaston.

Resolve in favor of Thomas A. Sanders, Secretary of Committee on Appropriations and Financial Affairs.

Resolve in favor of the Maine State Prison at Thomaston for the repair of outside buildings.

Orders of the Day

On motion by Mr. Brewster of Dexter, it was voted to take from the table report of committee on judiciary on bill an act to amend Chapter 147 of the Revised Statutes, as amended by Chapter 80 of the Public Laws of 1917, relating to the State Board of Charities and Corrections, tabled by that gentleman February 23; and on further motion by the same gentleman, the report of the committee was accepted.

On motion by Mr. Reed of Harmony.

Adjourned until tomorrow morning at ten o'clock.