

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

SENATE

Thursday, February 8, 1923.

Senate called to order by the President.

Prayer by Rev. M. G. Folsom of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

House Bills in First Reading

House 36: An Act to amend Chapter 399 of the Private Laws of 1885, relating to the First, Tenth and Twenty-ninth Maine Regiments Association.

House 40: An Act to extend and amend the charter of the Bangor and Brewer Steam Ferry Company.

House 41: An Act to relieve the town of Boothbay Harbor from all liability and duty to sell or furnish water for any purpose to a portion of the town of Southport and the inhabitants thereof, by reason of Chapter 203 of the Private and Special Laws of 1903.

House 43: An Act to establish the Kennebunk municipal court.

House 35: Emergency Resolve offering a reward for the recovery of the bodies of David F. Brown and Mertley E. Johnson, game wardens, who disappeared in November, 1922, and for testimony leading to the conviction of the person or persons responsible for their death.

Communication from the Governor

STATE OF MAINE,

Office of the Governor,

Augusta, February 6, 1923.

To the Senate and House of Representatives of the Eighty-first Legislature:

We have a cabinet on the third floor of the Capitol that contains several battle flags captured by Maine troops in the Civil War from the Confederate armies. If Maine should return these flags to the Southern States whose troops once carried them into battle such action would constitute an act of friendliness that never would be forgotten.

The scars of the Civil War long since have healed and many of the states, both those in the North and in the South, have given back the flags which they took from their former enemies.

I believe the veterans of the Civil War will approve the return of these flags, for no doubt the Southern States cherish the flags of their regiments just as we cherish the wonder-

ful collection of flags that we have in the rotunda of our Capitol.

I suggest to the 81st Legislature that a resolution be passed authorizing the Chief Executive to return these flags to the states from which they came.

Respectfully submitted,
(Signed) Percival P. Baxter,
Governor of Maine.

Read and referred to the committee on military affairs.

Sent down for concurrence.

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

Appropriations and Financial Affairs

By Mr. Phillips of Hancock: Resolve appropriating money for the establishment of a test laboratory at Bangor in the county of Penobscot.

By Mr. Wadsworth of Kennebec: Resolve in favor of hospital trustees for per diem, traveling and other expenses.

By Mr. Croxford of Penobscot: Resolve in favor of W. M. Stuart, postmaster of the Senate at the 81st Legislature.

By Mr. Cram of Cumberland: Resolve in favor of the Maine Railroad committee.

Claims

By Mr. Elliot of Knox: Resolve reimbursing E. W. Pike, assignee of E. G. Weston, Inc. for damage done an outdoor platform scale by a truck of the highway department.

By Mr. Clark of Lincoln: Resolve appropriating money to reimburse the town of Whitefield for payments for sheep and turkeys killed by dogs and wild animals.

By Mr. Cram of Cumberland: Resolve in favor of Mrs. Nora E. Mohan of Portland.

By the same Senator: Resolve in favor of Mrs. Theodora A. Jones of South Portland.

Indian Affairs

By Mr. Croxford of Penobscot: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof.

By the same Senator: Resolve in favor of James P. Lewis, representative of the Penobscot Tribe of Indians.

By Mr. Emery of Washington: Resolve in favor of Samuel Dana, representative of the Passamaquoddy Tribe of Indians.

By the same Senator: Resolve

making appropriations for the Passamaquoddy Tribe of Indians for the years July 1st, 1923, to June 30th, 1925.

Inland Fisheries and Game

By Mr. Spiers of Cumberland: 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, as amended by Chapter 196 of the Public Laws of 1919 and as amended by Chapter 218 of the Public Laws of 1921, relating to the dipping of smelts at Songo Lock, in the town of Naples, county of Cumberland. (500 copies ordered printed).

By Mr. Croxford of Penobscot: Resolve appropriating money to aid in screening of Lake Sebasticook in the town of Newport, county of Penobscot, with statement of facts.

Insane Hospitals

By Mr. Wadsworth of Kennebec: Resolve in favor of the Augusta State Hospital for maintenance.

By Mr. Wadsworth of Kennebec: Resolve in favor of the Bangor State Hospital for the construction of new floors in wards C-2 and E-2.

By the same senator: Resolve in favor of the Bangor State Hospital for the construction and equipment of a new building for male patients.

By the same senator: Resolve in favor of the Bangor State Hospital for maintenance.

By the same senator: Resolve in favor of the Augusta State Hospital for construction of a building for women nurses and attendants.

Judiciary

By Mr. Bemis of Somerset: An Act relating to transferring inmates of the State School for Boys to the Reformatory for Men.

By Mr. Hinckley of Cumberland: An Act to authorize the removal of the remains of Bertha May Dunlap, now buried in the Smith cemetery near Windham Center, and to enlarge the powers of the Windham Cemetery Association.

Legal Affairs

By Mr. Spiers of Cumberland: An Act relative to the granting of licenses for certain businesses and purposes by the municipal officers of the city of Westbrook. (500 copies ordered printed).

By Mr. Wadsworth of Kennebec: Resolve authorizing and directing the Governor and Council to convey cer-

tain land in Monmouth to the town of Monmouth.

Portland Delegation

By Mr. Brewster of Cumberland: An Act to grant a new charter to the city of Portland. (1000 copies ordered printed).

Public Buildings and Grounds

By Mr. Smith of Somerset: Resolve for maintenance and improvement of the State Park in Augusta.

Public Utilities

By Mr. Wadsworth of Kennebec. An act to incorporate the Winthrop Water District.

By the same senator. An Act to supply the town of Winthrop with fine water.

School for Feeble Minded

By Mr. Sargent of Hancock: Resolve in favor of the Maine School for Feeble Minded for additions and improvements.

By the same senator: Resolve in favor of the Maine School for Feeble Minded for maintenance.

Sea and Shore Fisheries

By Mr. Stevens of York: An Act to amend Section 35, Chapter 45 of the Revised Statutes, relating to the legal size of lobsters and method of measurement in York county. (Tabled pending reference on motion by Mr. Allen of York).

By the same senator: An Act to amend Section 17, Chapter 46, relating to lobster licenses in York county. (Tabled pending reference on motion by Mr. Allen of York).

By Mr. Sargent of Hancock: An Act to regulate the taking of clams. (500 copies ordered printed).

By Mr. Emery of Washington: An Act to amend Section 122 of Chapter 4 of the Revised Statutes relating to license for building a fish weir or trap.

By the same senator: An Act to amend Section 67 of Chapter 22 of the Revised Statutes relative to a close time on scallops.

By the same senator: An Act to amend Chapter 401, Special Laws 1901 as amended by Chapter 351, Special Laws 1909, relating to the protection of salmon, alewives and smelts in Pleasant river.

By the same senator: An Act for the better protection of smelts.

State Sanatoriums

By Mr. Wilson of Aroostook: Resolve in favor of Northern Maine

Sanatorium at Presque Isle, Aroostook county, for personal services, maintenance, repairs and improvements.

By the same senator: Resolve making an appropriation for the construction of a new building at the Northern Maine Sanatorium. Presque Isle, Aroostook County, and for the purchase of equipment therefor, and for maintenance.

State School for Boys, State School for Girls and State Reformatory

By Mr. Bemis of Somerset: Resolve in favor of the State School for Girls for maintenance and other purposes.

Temperance

By Mr. Spencer of York: An Act to amend section 21, chapter 127, revised statutes, as amended by chapter 235, public laws of 1919, relating to intoxicating liquors.

(500 copies ordered printed.)

By the same senator: An Act to amend chapter 294, public laws of 1917, as amended by chapter 63, public laws of 1921, relating to intoxicating liquors.

(500 copies ordered printed)

By Mr. Clark of Lincoln: An Act to amend section 17, chapter 127, revised statutes, as amended by chapter 62, public laws of 1921, relating to the manufacture of intoxicating liquors.

(500 copies ordered printed.)

Ways and Bridges

By Mr. Wadsworth of Kennebec: Resolve appropriating money to aid the town of Monmouth in building a road.

By Mr. Clark of Lincoln: Resolve appropriating money to aid the town of Somerville in building a road.

By Mr. Sargent of Hancock: Resolve appropriating money for aid in repairing road in towns of Castine and Penobscot.

By Mr. Emery of Washington: Resolve appropriating money for road in Jonesboro.

By the same senator: Resolve appropriating \$1000 for the town of Robbinston for repairs on the Ridge Road.

By the same senator: Resolve appropriating money for improving the road from Boyden lake to North Perry in the town of Perry.

Reports of Committees

Mr. Phillips from the committee on State Lands and Forest Preservation, on An Act concerning the improvement, protection or preservation of fruit, shade or ornamental trees (Senate Doc. No. 19), reported that the same ought not to pass.

The report was accepted and sent down for concurrence.

Mr. Phillips from the same committee, on An Act to amend section 36 of chapter 8 of the revised statutes relating to forest fire notices (Senate Doc. No. 14), reported that the same ought to pass.

The report was accepted, and on motion by Mr. Hinckley of Cumberland, under suspension of the rules, the bill was given its first reading.

Passed to be Engrossed

H. Doc. No. 27—An Act to amend charter of Augusta Water District.

H. Doc. No. 28—An Act to authorize Harrison to raise money to build clock tower.

H. Doc. No. 32—An Act to incorporate the Boothbay Harbor School District.

H. Doc. No. 34—An Act to increase amount allowed for clerk hire, Clerk of Courts office in Franklin County.

S. Doc. No. 46—An Act to amend section 120 of Chapter 16 relating to appointment of State Supt. of Schools.

S. Doc. No. 48—An Act to amend section 10 of Chapter 137 relating to the appointment of probation officers.

The PRESIDENT: The Chair would suggest that when a bill gets along toward the stage of being engrossed that its friends should scrutinize it pretty carefully as it is nearing its final passage.

Orders of the Day

On motion by Mr. Cram of Cumberland, the report of the committee on salaries and fees, legislation inexpedient, on S. D. No. 11 relating to the salaries of justices of the Supreme Judiciary Court, was taken from the table, and on further motion by the same senator the report was accepted.

Sent down for concurrence.

On motion by Mr. Morneau of Androscoggin,

Adjourned until tomorrow morning at 10 o'clock.