

# 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**

Tuesday, February 27, 1923.

Senate called to order by the President.

Prayer by the Rev. C. H. Atkins of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Report of the committee on legal affairs, "legislation expedient," on 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 tide waters between Orr's Island and Bailey's Island, as amended by Chapter 91 of the Private and Special Laws of Maine of the year 1921, and to authorize the town 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.

This report came from the House accepted.

In the Senate, on motion by Mr. Brewster of Cumberland, the report and bill were recommitted to the committee on legal affairs.

**House Bills in First Reading**

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.

**Communication from the Office of the State Auditor**

State of Maine  
Department of State Auditor  
Augusta

February 27, 1923

To the Honorable Senate and House of Representatives:

In accordance with Chapter 2, Section 84, of the Revised Statutes, I present herewith claims presented for payment amounting to \$28,469.06.

Respectfully submitted,

(Signed) E. D. Hayford,  
State Auditor.

Read and referred to committee on claims.

The following bill and resolve were received, and on recommendation by the committee on reference of bills, were referred to the following committees:

**Sea and Shore Fisheries**

By Mr. Clark of Lincoln: An Act to repeal certain laws relating to the alewife fishery of the State of Maine. (500 copies ordered printed)

**Taxation**

By Mr. Kirschner of Androscoggin: Resolve proposing an amendment to the Constitution, permitting the classification of property for the purpose of taxation, and the assessment of different classes at different rates.

**Bills in First Reading**

S. 149. An Act establishing a game sanctuary in the city of Bangor in the county of Penobscot.

S. 150. An Act prohibiting the use of beam trawls in the waters of Sedgwick Harbor, known as Benjamin's river.

The PRESIDENT: The Chair suggests that the Senate follow carefully these second readers—the bills they are particularly interested in.

**Passed to be Engrossed**

H. 136. An Act to unite the Preachers' Aid Society of the Maine Conference of the Methodist Episcopal church, and the Preachers' Aid Society of the East Maine Annual Conference of the Methodist Episcopal church.

H. 137. An Act to amend Sections 43 and 46 of Chapter 18 of the Revised Statutes, relating to optometry.

H. 38. An Act to repeal Chapter 66 of the Private and Special Laws of 1919, relating to the Biddeford and Saco Water Company.

H. 139. An Act to amend the charter of the Home for Aged Men.

S. 135. An Act to extend the charter of The Eastern Maine Railroad.

S. 136. An Act to amend the 18th paragraph of Section 43 of Chapter 117 of the Revised Statutes, relating to the time of payments by registers of deeds to county treasurers.

S. 137. An Act to amend Section 11 of Chapter 127 of the Revised Statutes, relating to search warrants for implements of gambling.

S. 138. An Act to legalize and make valid the doings of the inhabitants of the town of Brooklin, at the annual town meeting held on the sixth day of March, 1922.

(On motion by Mr. Sargent of Hancock, recommitted to the committee on bills in the second reading.)

S. 139. An Act to create a board of road commissioners in the town of Mt. Desert.

S. 140. An Act additional to Chapter 144 of the Revised Statutes relating to juvenile institutions.

S. 141. Resolve providing for the purchase of reports of the commemoration of a century of peace between the United States and Canada of the Maine State Bar Association.

S. 142. An Act to amend Chapter 3, Section 31, of the Revised Statutes relating to printing and binding of reports of certain State departments.

#### Passed to be Enacted

An Act to amend Section 2 of Chapter 118 of the Revised Statutes, as amended by Chapter 125 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.

(On motion by Mr. Phillips of Hancock, tabled)

An Act to extend the charter of the 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.

(On motion by Mr. Phillips of Hancock, tabled)

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 to 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

Mr. SMITH of Somerset: Mr. President, I move that we take from the table joint order setting a time limit for the introduction of bills.

The motion was agreed to and the senator then yielded to the senator from Penobscot, Mr. Croxford.

Mr. CROXFORD: Mr. President, I offer Senate Amendment A to the joint order limiting the time for introduction of bills, and move its adoption.

#### Senate Amendment A

Amend said order by striking out the words "Thursday, March 1st" in the second and third lines, and substitut-

ing in place thereof the words 'Tuesday, March 6th,' so that the order as amended shall read as follows:

"Ordered, the House concurring, that all bills, resolves, petitions and orders after the session of the Legislature held Tuesday, March 6th, except such as pertain solely to facilitating the business of the 81st Legislature, be referred to the next Legislature."

The amendment was adopted and on further motion by the same senator, the order as amended was passed and sent down for concurrence.

On motion by Mr. Brewster of Cumberland, S. D. 107, resolve proposing an amendment to the Constitution of Maine authorizing the conservation, storage and control of waters within the State, was taken from the table.

Mr. BREWSTER: Mr. President, this is a resolve with a constitutional amendment in relation to the storage of water and was referred by the Senate to the committee on legal affairs.

The House non-concurred with Senate reference and referred the resolve to the committees on judiciary and interior waters, jointly.

I feel something like the gentleman in the South who was asked by another to change a \$10 bill. He said he could not change the bill but he thanked him for the compliment.

I was rather modest about the resolve I introduced, which two years ago was referred to the committee on legal affairs, but I am certainly very glad to have it considered by both these committees, and I am sure it is entirely worthy of their attention, so that I move we recede and concur with the

House in its reference to the committees on judiciary and interior waters.

The motion was agreed to and the resolve was so referred.

Mr. BREWSTER of Cumberland: Mr. President, I think perhaps it has been brought to the attention of the members that there is something brewing for next Friday, but I do not know that a formal invitation has been extended, and on behalf of the State Chamber of Commerce I want to extend a formal invitation to the members of the Senate and their ladies to visit Portland on next Friday. You may have read something of the plans in the paper. It is thought it would be a very happy occasion and for the mutual advantage and pleasure of every one to take one day from our labors here and make the trip together.

The more formal arrangements will be completed by the one who has been unanimously chosen by every one concerned to take charge of the festivities, the Hon. Edgar E. Rounds, from whom we can take our orders on that day.

During the greater part of the day we will be the guests of the State Chamber of Commerce, but during the evening the citizens of Portland wish to invite the members of the Senate and House to attend a reception and organ concert and ball at the City hall, where you will all be welcomed, and we trust you will all enjoy it.

The PRESIDENT: The Senate hears the invitation and will govern itself accordingly.

On motion by Mr. Allen of York,

Adjourned until tomorrow morning at 10 o'clock.