

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

Friday, March 2, 1923.

Senate called to order by the President.

Prayer by the Rev. H. H. Brown of Augusta.

Journal of previous session read and approved.

From the House: Ordered, the Senate concurring, that when the Senate and House adjourn, they adjourn to meet again Tuesday, March 6, at 10 o'clock in the forenoon.

In the House read and passed under suspension of the rules.

In the Senate read and passed under suspension of the rules.

Papers from the House disposed of in concurrence.

From the House: Resolve to place the flags of Maine in the World War in the Hall of Flags.

In the House, under suspension of the rules, without printing or reference to a committee, read twice and passed to be engrossed.

Mr. HINCKLEY of Cumberland: Mr. President, I move that this resolve be referred to the committee on military affairs in non-concurrence.

Mr. CROXFORD of Penobscot: Mr. President, I was talking with the young man who introduced this resolve, a World War veteran, and he said that they had had nearly four years and had not placed the flags in their proper place, and he is very anxious to see that it is done. I have no objection to having the resolve referred to the committee on military affairs, but it seems to me that the Senate might give the resolve a passage.

Mr. HINCKLEY: Mr. President, my only reason for referring this resolve to a committee is that I get my information largely from the committees. I do not know that that is what the World War veterans want, even, and it can't make any difference, and it will be explained before that committee.

(The Chair at this point read the resolve.)

Mr. HINCKLEY: Mr. President, I think that is very clear, and I withdraw my motion, and move it have a passage by rising vote.

The motion was agreed to by unanimous consent.

Under suspension of the rules the resolve was given its first reading, without printing, and then by a unanimous rising vote was given its second reading and passed to be engrossed.

House Bills in First Reading

H. 170.—Resolve in favor of the commissioners of pharmacy.

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

H. 176. An Act to ratify, affirm and make valid the reorganization of the parish of the Protestant Episcopal church in Bangor.

House 187. An Act to amend Section 32 of the Private and Special Laws of 1919 relating to the board of education of the city of Augusta.

House 188. On Act to incorporate the Patten Water & Power Company.

House 189. 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.

House 190. An Act to limit the number of pounds of fish that may be taken from Cobbosseecontee stream and connecting ponds, in the county of Kennebec.

House 192. An Act to regulate the taking of clams in the town of Sorrento.

House 193. An Act to extend an Act entitled "An Act to incorporate the Odd Fellows' Home of Maine."

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

Cole Report

By Mr. Allen of York: An Act relating to the expenditures of the department of public schools. (500 copies ordered printed)

Judiciary

By Mr. Buzzell of Waldo: An Act relating to inheritance taxes. (500 copies ordered printed)

By the same senator: An Act relating to deposits in savings banks. (500 copies ordered printed)

By the same senator: An Act relating to the deposits in the county treasury of certain sums of money de-

rived from estates in the probate court. (500 copies ordered printed)

By the same senator: An Act relating to accounting of trust officers in probate courts. (500 copies ordered printed)

By the same senator: An Act relating to proof of claims. (500 copies ordered printed)

By the same senator: An Act relating to sale of real estate. (500 copies ordered printed)

By the same senator: An Act relating to foreign executors, administrators, guardians conservators or other trust officer by whatever title they may be appointed by competent authority. (500 copies ordered printed)

By the same senator: An Act relating to proof of appointment. (500 copies ordered printed)

By the same senator: An Act relating to sale of real estate of non-resident owners. (500 copies ordered printed)

By the same senator: An Act relating to payment of legacies. (500 copies ordered printed)

By the same senator: An Act relating to commissioners on disputed claims in the probate court. (500 copies ordered printed)

By the same senator: An Act relating to sessions of probate court. (500 copies ordered printed)

By the same senator: An Act relating to administration without bond. (500 copies ordered printed)

By the same senator: An Act relating to allowance to minor children (500 copies ordered printed)

By the same senator: An Act relating to fees of registers of probate. (500 copies ordered printed)

By the same senator: An Act to amend Section 1, Chapter 68, Revised Statutes, relating to appointment, powers and duties of executors and administrators. (500 copies ordered printed)

By the same senator: An Act relating to waiver of provisions of will. (500 copies ordered printed)

By the same senator: An Act relating to who shall cite a trust officer to account. (500 copies ordered printed)

By the same senator: An Act in regard to the practice in probate courts. (500 copies ordered printed)

By the same senator: An Act relating to commissioners on claims ap-

pointed by judge of probate. (500 copies ordered printed)

By the same senator: An Act relating to appeal from the judge of probate. (500 copies ordered printed)

By the same senator: An Act relating to payment of legacies. (500 copies ordered printed).

By Mr. Eaton of Oxford: An Act for the better protection of banks in particular transactions. (500 copies ordered printed)

By Mr. Speirs of Cumberland: An Act establishing the Maine School for the Blind. (500 copies ordered printed)

By the same senator: An Act permitting sterilizing operations in certain cases of mental disease and feeble-mindedness. (500 copies ordered printed)

Mr. SPEIRS of Cumberland: Mr. President, I move that we reconsider the vote whereby this act was referred to the committee on judiciary.

The motion was agreed to and on further motion by the same senator the bill was referred to the committee on health.

Judiciary and Labor

By Mr. Smith of Somerset: Petition of Joseph F. Curtis of Biddeford and 86 others in favor of An Act to amend Sections 1 and 3 of Chapter 350 of the Public Laws of 1915, relative to the hours of employment of women and minors.

Legal Affairs

By Mr. Cram of Cumberland: An Act relating to the investments of certain trust funds held for public or private uses. (500 copies ordered printed)

Public Utilities

By Mr. Smith of Somerset: An Act authorizing the appointment of a fuel administrator and defining his powers and duties. (500 copies ordered printed)

Sea and Shore Fisheries

By Mr. Emery of Washington: An Act to amend Section 122, Chapter 4, Revised Statutes, relating to wharves and fish weirs.

By the same senator: An Act for the better protection of salmon, shad, alewives and smelts.

By the same senator: An Act for concurrent jurisdiction over fishways.

Temperance

Mr. Cram of Cumberland: An Act amending Section 33 and Chapter 127

of the Revised Statutes of Maine, relating to the disposal of intoxicating liquors declared forfeited. (500 copies ordered printed)

Bills in First Reading

S. 160. An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in the office of clerk of courts in Androscoggin county.

Reports of Committees

Mr. Buzzell presented the report of the special committee to revise the inheritance and probate laws of Maine. Placed on file.

Mr. Eaton from the committee on banks and banking, on An Act to revise and consolidate the banking laws of this State (Senate Doc. No. 44), reported same in a new draft, under the same title, and that it ought to pass.

Mr. Clark from the committee on counties, on county estimates of the various counties of the State, reported accompanying resolves entitled, "Resolve for the laying of the county taxes for the year 1923," and "Resolve for the laying of the county taxes for the year 1924," and that they ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules.

Mr. Bailey from the committee on public utilities, on An Act to amend Section 2 of Chapter 55 of the Revised Statutes, relating to Public Utilities Commission (House Doc. No. 104), reported that the same ought to pass.

On motion by Mr. Hinckley of Cumberland, the rules were suspended and the bill was given its first reading.

On motion by Mr. Brewster of Cumberland, tabled pending second reading.

Mr. Spencer from the same committee, on An Act to prevent smoking in street railroad cars, reported that the same ought to pass.

Mr. Putnam from the committee on State lands and forest preservation, on resolve authorizing and directing the Governor and Council to convey certain land in Monmouth to the town of Monmouth, reported the same in a new draft, under same title and that it ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules

Mr. Phillips from the same committee on resolve authorizing the Govern-

nor and Council to transfer the title of the State to certain lands in Lakeville Plantation to Carrie M. Tupper, reported that the same ought not to pass.

The report was accepted and sent down for concurrence.

Mr. Adams from the committee on ways and bridges, on An Act to provide for an issue of State highway and bridge bonds, reported the same in a new draft, under the same title, and that it ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

Passed to be Engrossed

S. 82. Resolve appointing a committee of investigation to procure plans and estimates for a State library building.

S. 94. An Act to amend Section 32 of Chapter 117 of the Revised Statutes, as amended by Chapter 183 of the Public Laws of 1917 and by Chapter 152 of the Public Laws of 1921, relating to the board of State assessors.

S. 145. An Act to amend Section 1 of Chapter 8 of the Revised Statutes, relating to the Supreme Judicial Court.

S. 155. An Act making it unlawful for any person to have intoxicating liquors in his possession in any public place.

S. 156. Resolve in favor of the State School for boys for maintenance and other purposes.

Orders of the Day

On motion by Mr. Hinckley of Cumberland, H. D. 35, An Act to amend Sections 38 and 39 of Chapter 8 of the Revised Statutes, relative to the suspension by the Governor of open season for hunting, was taken from the table.

On further motion by the same senator, under suspension of the rules, the bill was given its second reading and was passed to be engrossed.

On motion by Mr. Trefethen of Franklin, the report of the committee on salaries and fees, ought not to pass, on An Act to increase the salary of the clerk of courts of Franklin county, was taken from the table, and on further motion by the same senator the bill was recommitted to the committee on salaries and fees.

On motion by Mr. Eaton of Oxford, Adjourned until next Tuesday, March 6th, at 10 o'clock in the forenoon.