

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

Monday, March 19, 1923.

Senate called to order by the President.

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

Journal of preceding session read and approved.

Papers from the House disposed of in concurrence.

House Bills in First Reading:

House 351: An Act to amend section 25 of chapter 124 of the revised statutes, relating to penalty for falsely assuming to be an officer. (House Amendment A adopted in concurrence.)

House 349: An Act to prohibit the conferring of degrees without special authorization

(On motion by Mr. Hinckley of Cumberland, tabled pending second reading.)

House 375: Resolve appropriating money for the Maine School for the Deaf.

House 378: Resolve in favor of H. G. Smallidge for services at the organization of the House at the 81st Legislature.

House 379: Resolve in favor of William A. Heal, secretary of committee on Sanatoriums.

House 376: An Act to authorize the town of Southport to construct a bridge over the tidewaters to Joe Island Gut.

House 377: An Act to authorize the city of Lewiston to issue its bonds to the amount of two hundred thousand dollars to construct an armory in the city of Lewiston.

From the House: An Act to amend Section 10 of Chapter 172 of the Public Laws of 1919, relating to local health officers, (Senate Document No. 53.)

In the Senate passed to be engrossed without amendment.

Came from the House passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate the vote was reconsidered whereby this bill was passed to be engrossed.

On motion by Mr. Hinckley of Cumberland, tabled pending adoption

of House Amendment "A" in concurrence.

From the House: An Act to provide for an issue of State Highway and Bridge Bonds. (Senate Do. No. 198.)

Came from the House, that branch having recalled the same from the Governor, adopted House Amendment "A" and passed the bill to be engrossed, as amended by House Amendment "A," in non-concurrence.

The Senate voted to reconsider the votes whereby this bill was passed to be enacted and passed to be engrossed.

House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

Bill in First Reading

Senate 249: An Act to amend sections 1 and 5 of chapter 169 of the Public Laws of 1919, as amended by chapter 183 of the Public Laws of 1921, relating to the support of dependents of soldiers, sailors and marines.

Reports of Committees

Mr. Emery, from the Committee on Indian Affairs, on Resolve, appropriating money for wood and wood-hauling for the Penobscot Tribe of Indians, reported that the same ought not to pass

Mr. Elliot, from the same Committee, on Resolve, appropriating money for the purchase and installation of a scow trolley system for the Old Town and Indian Island Ferry, reported that the same ought not to pass.

The same senator from the same Committee, on petition of Sopil Mitchell and ten others of the Passamaquoddy Tribe of Indians asking for the appointment of an overseer of the poor, reported that the same be placed on file.

The same senator, from the same Committee, on petition of Sopil Mitchell and ten others of the Passamaquoddy Tribe of Indians relative to appropriations, reported that the same be placed on file.

Mr. Clark on the Committee on Inland Fisheries and Game on petition of J. Putnam Stevens and eleven others in the interests of conservation of fish and game, reported that the same be placed on file.

Mr. Brewster, from the Committee on Legal Affairs, on An Act relating

to children born out of wedlock and to make uniform the law relating thereto, (Senate Doc. No. 122), reported that legislation thereon is inexpedient.

The reports were accepted and sent down for concurrence.

Mr. Croxford, from the Committee on Indian Affairs, on Resolve, in favor of James P. Lewis, Representative of the Penobscot Tribe of Indians, reported that the same ought to pass.

The same senator from the same Committee on Resolve, in favor of Samuel Dana, Representative of the Passamaquoddy Tribe of Indians, reported that the same ought to pass.

The same Senator, from the same committee, on Resolve in favor of Penobscot Tribe of Indians for the general care, maintenance and education thereof, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. Elliot from the same committee, on An Act to amend Chapter 14 of the revised statutes, relating to Indian tribes, reported that the same ought to pass.

Mr. Emery, from the same committee, on Resolve making appropriations for the Passamaquoddy Tribe of Indians for the years July 1st, 1923, to June 30, 1925, reported that the same ought to pass.

Mr. Brewster, from the committee on legal affairs, on An Act to amend the trustee process (Senate Doc. No. 213), reported the same in a new draft, under the same title, and that it ought to pass.

The same Senator, from the Portland delegation, on An Act to provide for the establishment of the Portland stadium and athletic field commission, reported the same in a new draft, under the same title, and that it ought to pass.

Mr. BEMIS from the committee on State School for Boys, State School for Girls and State Reformatories, on Resolve in favor of the State School for Girls for maintenance and other purposes, reported the same in a new draft, under the same title; also a new draft under title of Resolve for the construction and equipment of an infirmary and dispensary at the State School for Girls, and that they ought to pass.

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

Final Committee Report

Mr. Emery from the committee on

Indian affairs submitted its final report.

The same Senator from the committee on Maine publicity submitted its final report.

The reports were accepted and sent down for concurrence.

Passed to be Engrossed

House 203. An Act to amend Chapter 112 of the Public Laws of 1919, relating to disorderly houses.

(On motion by Mr. Hinckley of Cumberland, tabled pending passage to be engrossed.)

House 373: An Act to establish closed time on lobsters from a point in a straight line from Bear Cove on the western side of Petit Manan Point to Little Black Ledge directly north of Moulton's Ledge Spar Buoy to the Schoodic Island whistling buoy.

Senate 243: An Act to amend Section 43 of Chapter 117 of the revised statutes, as amended by the Public Laws of 1919 and 1921, relating to the compensation of register of deeds of Knox County.

Senate 244: An Act to amend Section 37 of Chapter 117 of the revised statutes, as amended, relating to the salary of county attorney of Somerset County.

Senate 245: Resolve in favor of Northern Maine Sanatorium, at Presque Isle, Aroostook County, for personal services, maintenance, repairs and improvements.

Senate 246: An Act to amend Section 18 of Chapter 135 of the revised statutes, relating to bail.

Senate 247: An Act to amend Section 24, Chapter 128 of the revised statutes, relating to conspiracies.

Senate 248: Resolve in favor of the Augusta State Hospital for maintenance during the years July 1st, 1923, to June 30, 1924, and July 1, 1924, to June 30, 1925.

Passed to be Enacted

An Act directing the State board of veterinary examiners to issue certificate to Joseph R. Waller to practice veterinary surgery, medicine or dentistry.

An Act to amend the charter of the City of Calais providing for biennial elections.

An Act to regulate the practice of the system, method or science of healing known as chiropractic, creating a board of examination and registration for those desiring to

practice the same, and providing penalties for violation of this act.

(Subsequently, on motion by Mr. Powers of Aroostook, the vote was reconsidered whereby this bill was passed to be enacted, and on further motion by the same senator the bill was tabled.)

An Act to promote the production and sale of certified seed and to protect the branding thereof, and repealing Chapter 141 of the Public Laws of 1917

An Act to amend Sections 92 and 94 of Chapter 82 of the Revised Statutes, relating to procedure in civil cases in Superior courts.

An Act to amend Section 29 of Chapter 9 of the Revised Statutes as amended by Section 1 of Chapter 71 of the Public Laws of 1921, relating to time of payment of excise tax on railroads.

Orders of the Day

Mr. ALLEN of York: Mr. President, I would like to inquire of the Secretary if he has in his possession the bill acted upon last Friday relating to the transportation of feebleminded.

The PRESIDENT: The bill is in the possession of the Senate.

On further motions by Senator Allen, the vote was reconsidered whereby the report of the committee on judiciary on this bill "ought not to pass" was accepted, and the bill was recommitted to the committee on judiciary in concurrence.

On motion by Mr. Wadsworth of Kennebec, S. 239, Resolve in favor of the Maine Railroad Committee was taken from the table, and on further motion by the same senator the report of the committee on bills in the second reading was accepted, and the bill was given its second reading and passed to be engrossed.

On motion by Mr. Kirschner of Androscoggin, H. 342, An Act to amend Chapter 173 of the Public Laws of 1919, relating to the registration of resident hunters was taken from the table, and on further motion by the same senator the bill was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Hinckley of Cumberland H. 349, An Act to prohibit the conferring of degree without

special authorization, was taken from the table.

On further motion by the same senator, the vote was reconsidered whereby this bill was given its first reading, and the vote whereby House Amendment A was adopted in concurrence.

Mr. HINCKLEY: Mr. President, in connection with this amendment, this bill went to the legal affairs committee, and that committee reported on the bill in the original draft.

The situation is this: There are colleges in the State of Maine, four important colleges, that are granting degrees after a prescribed course of study. They are granting degrees under special act of the Legislature. If I understand correctly there is one college, recently incorporated under general law, (located in Portland) and that college is granting degrees not only by completing the course while in attendance upon the school, but by correspondence.

The argument was made before the committee that they should be given three years to allow those students with whom they had contracted to give this course to complete it and get their degree—they reported, I believe in 1925—and this amendment makes it 1927, two years beyond. I think if we have any college without special legislative authority granting degrees in this State we should stop it as soon as possible until it is investigated thoroughly by the Legislature and the Legislature provides by special act to do it.

On further motion by the same senator House Amendment A was indefinitely postponed, and the bill was then given its first reading.

Mr. SARGENT: of Hancock Mr. President, in the absence of Senator Hussey and by his consent, I move to take from the table H. 153, An Act to amend Section 36 of Chapter 57 of the Revised Statutes, relating to jury trials in Probate courts.

The motion was agreed to, and on further motion by the same senator the bill was recommitted to the committee on judiciary.

On motion by Mr. Smith of Somerseset, H. 332, Resolve authorizing the Treasurer of State to accept from

the executors of the will of John Prescott two five hundred dollar United States Liberty bonds in lieu of the legacy of \$1000 left said Prescott to the Western Maine Sanatorium at Hebron, was taken from the table.

On further motion by the same

senator the bill was given its second reading and passed to be engrossed.

On motion by Mr. Speirs of Cumberland,

Adjourned until tomorrow morning at ten o'clock.