

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, March 10, 1927.

Senate called to order by the President.

Prayer by the Rev. Langdon Quimby of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act relating to the Kennebec Agricultural Society at Readfield. (H. D. 830.)

(In Senate, February 18, referred to the Committee on Agriculture in concurrence.)

In the House, recalled from the Committee by joint order and referred to the Committee on Legal Affairs in non-concurrence.

In the Senate that body receded from its former action whereby the bill was referred to the Committee on Agriculture and the bill was referred to the Committee on Legal Affairs in concurrence.

From the House: An Act relative to the salary of the Mayor of the City of Augusta. (H. D. 889.)

(In Senate, February 25, referred to the Committee on Salaries and Fees in concurrence.)

In the House, recalled from the Committee by joint order, and referred to the Committee on Legal Affairs in non-concurrence.

In the Senate, that body receded from its former action whereby the bill was referred to the Committee on Salaries and Fees and the bill was referred to the Committee on Legal Affairs in concurrence.

From the House: An Act in relation to the bridge built across the Kennebec River between Bath and Woolwich. (S. P. 315.)

(In Senate, February 23, referred to the Committee on Military Affairs and sent down for concurrence.)

In the House, no action was taken by that body.

In the Senate:

Mr. DWINAL of Knox: Mr. President, the proponents of the bill now ask leave to withdraw it.

Consent being given the bill was withdrawn.

From the House: An Act to authorize the issuance of bonds for construction of State highways conditioned upon an amendment of the Constitution increasing the amount of bonds issued for State highways and bridges. (S. D. 177.)

(In Senate, March 4, referred to the Committee on Judiciary and sent down for concurrence.)

In the House, referred to the Committee on Ways and Bridges in non-concurrence.

In the Senate: On motion by Mr. Carter of Androscoggin that body receded from its former action and the bill was referred to the Committee on Ways and Bridges in concurrence.

From the House: An Act to provide an excise tax upon tobacco products, and to make the proceeds available for the development of Maine and for general and rural education. (H. D. 274.)

(In Senate, March 4, referred to Committee on Taxation and Education jointly, in non-concurrence.)

In the House, that body voted to insist on its action whereby the bill was referred to the Committee on Taxation.

In the Senate:

Mr. ROBERTS of York: Mr. President, I move that we recede and concur with the House.

Mr. SPEIRS of Cumberland: Mr. President, this bill is to tax cigarettes and tobacco and the returns are to go to education. I think that as the gasoline tax and such matters go to taxation and ways and bridges, this should go to taxation and education and I object to receding and concurring.

The PRESIDENT: Does the Senator care to make a motion?

Mr. SPEIRS: I understand, Mr. President, that there is a motion already before the Senate.

The PRESIDENT: The Senator is correct. There is a motion before the Senate.

Mr. ROBERTS: Mr. President, some time ago when this bill first came to the Senate for reference we had some conversation about referring this to taxation and education and it was so referred by the Senate but it seems at this late date in the session that we are delaying the pro-

gram and so I think that we ought to recede and concur.

The PRESIDENT: The question is on the motion of the Senator from York, Senator Roberts, that the Senate recede and concur with the House on the reference of this bill to the Committee on Taxation. Is this the pleasure of the Senate?

Mrs. PINKHAM of Aroostook: Mr. President, I ask for a division of the Senate.

A division of the Senate being had eighteen senators having voted in the affirmative and eight in the negative, the motion to recede and concur prevailed.

From the House: An Act relating to the trapping of fur bearing animals. (H. D. 337.)

In the House, referred to the Committee on Inland Fisheries and Game and Agriculture, jointly.

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

House Bills in First Reading

An Act relating to notices of foreclosure of mortgages of personal property. (H. D. 327.)

An Act defining dealers in motor vehicles. (H. D. 326.)

An Act relating to two or more towns maintaining union town farms. (H. D. 325.)

An Act to create and define the powers and duties of a State Commission to represent the State in arranging and carrying out a program for the celebration of the bicentennial of the birth of George Washington. (H. D. 288.)

The following bills, resolves, 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. Foster of Kennebec, An Act relating to the State contingent fund and the sinking fund reserve. (S. P. 453.)

(500 copies ordered printed.)

Sent down for concurrence.

Banks and Banking

By Mrs. Pinkham of Aroostook, An Act to prevent the improper use of the words "trust company." (S. P. 454.)

(500 copies ordered printed.)

Sent down for concurrence.

Indian Affairs

By Mr. Miner of Washington, An Act to amend Chapter 14 of the Revised Statutes, relating to Indian tribes. (S. P. 455.)

By the same senator, An Act relative to the use of funds of Indian tribes. (S. P. 456.)

Sent down for concurrence.

Inland Fisheries and Game

By Mr. Crafts of Piscataquis, An Act relating to marketmen's licenses. (S. P. 487.)

(500 copies ordered printed.)

By the same senator, An Act relating to hunting and fishing license. (S. P. 488.)

(500 copies ordered printed.)

By Mr. Lord of York, Resolve to appropriate money for the purpose of operating fish hatcheries and feeding stations for fish, and for the protection of fish, game and birds and for printing the report of the commissioner of inland fisheries and game, and for maintenance of the Maine State Museum and for other expenses incident to the administration of the department of inland fisheries and game.

Sent down for concurrence.

Judiciary

By the same senator, An Act in relation to signs upon public highways. (S. P. 458.)

(500 copies ordered printed.)

By Mr. Oakes of Cumberland, An Act in relation to filing of complaints against removal of names from list of qualified voters. (S. P. 459.)

(500 copies ordered printed.)

By the same senator, An Act relating to primary elections. (S. P. 460.)

(500 copies ordered printed.)

By Mr. Maher of Kennebec, An Act to change the name of the municipal and police courts in the State of Maine and to establish uniform jurisdiction and procedure therein. (S. P. 461.)

(500 copies ordered printed.)

By Mr. Oakes of Cumberland, An Act relating to the protection of children. (S. P. 462.)

(500 copies ordered printed.)

By Mrs. Pinkham of Aroostook, re-mostration of Carrie M. H. Dudley and 23 others (S. P. 463) against the repeal in any manner of the present direct primary law;

By Mr. Roberts of York, remonstrance of John B. Abbot of East Waterboro and 38 others (S. P. 464); remonstrance of Mary Andrews Roberts, of Waterboro, and 25 others (S. P. 465) against the same;

By Mr. Spear of Cumberland, remonstrance of Gertrude Stevens Leavitt and 47 others of Portland and South Portland (S. P. 466) against the same;

By Mr. Nickerson of Waldo, remonstrance of C. B. Hoit, M. D., of Waldo, and 53 others (S. P. 467) against the same.

Sent down for concurrence.

Maine Publicity

By Mr. Crafts of Piscataquis, An Act relating to advertising signs upon public highways. (S. P. 489.) (500 copies ordered printed.)

Sent down for concurrence.

Mercantile Affairs and Insurance

By Mr. Drake of Sagadahoc, An Act relating to fees of insurance brokers. (S. P. 468.)

(500 copies ordered printed.)

By the same senator, An Act relating to qualification and licensing of agents of insurance companies. (S. P. 469.)

Sent down for concurrence.

Military Affairs

By Mr. Lord of York, An Act relating to certain State parks. (S. P. 485.)

By Mr. Dwinall of Knox, petition of Avaughn Ames and 95 others (S. P. 470); petition of W. H. Robinson and 24 others (S. P. 471); petition of E. H. Bowers and 15 others (S. P. 472); petition of George B. Wood and 18 others (S. P. 473); petition of Harry H. Brown and 21 others (S. P. 474); petition of E. Q. Chisholm and 49 others (S. P. 475); petition of W. E. Sherer and 120 others (S. P. 476); petition of W. O. Fuller and 12 others (S. P. 477); petition of John F. Mathews and 21 others (S. P. 478); petition of W. P. Strong and 23 others (S. P. 479); petition of Chas. Cahill and 360 others (S. P. 480) in favor of naming the Carlton bridge.

Mr. DWINAL of Knox: Mr. President, as these petitions refer to the act in relation to the bridge between Bath and Woolwich which was withdrawn earlier in today's session, the proponents ask leave to withdraw the petitions also.

Consent being given the petitions were withdrawn.

Public Health

By Mr. Miner of Washington, An

Act relating to the State department of health. (S. P. 481.)

(500 copies ordered printed.)

Public Utilities

By Mr. Dunbar of Hancock, An Act relating to laying out of highways for the purpose of diverting traffic from grade and crossings. (S. P. 482.)

(500 copies ordered printed.)

By Mr. Foster of Kennebec, An Act relating to telegraph and telephone companies. (S. P. 483)

(500 copies ordered printed)

Sent down for concurrence.

Salaries and Fees

By Mr. Drake of Sagadahoc, An Act relating to the salary of the Register of Deeds in Sagadahoc County. (S. P. 484)

Sent down for concurrence.

Ways and Bridges

By Mrs. Pinkham of Aroostook, An Act relating to the use of the proceeds of bonds authorized to be issued for State highways and bridges. (S. P. 486)

Sent down for concurrence.

Orders

On motion by Mr. Foster of Kennebec, it was

ORDERED, that the President lay before the Senate on Wednesday of each week all matters on the calendar for that day which have been previously tabled and unassigned.

Reports of Committees

Mr. Morrison, from the Committee on Legal Affairs, on bill An Act to amend Section 34 of Chapter 30 of the Revised Statutes of 1916, relating to fire inspector (S. D. 92) reported that the same ought not to pass.

Mr. Dwinall, from the same Committee, on bill An Act to amend Section 12 of Chapter 78 of the Revised Statutes relative to conveyances (S. D. 106) reported that the same ought not to pass.

Mr. Holmes, from the same committee, on bill An Act relating to registration of veterinary surgeons (S. D. 88) reported that the same ought not to pass.

The reports were severally read and accepted.

Sent down for concurrence.

Mr. Mitchell, from the Committee on Appropriations and Financial Affairs, on bill, An Act to authorize the County of Aroostook to enlarge and repair the Court House at Houlton

and erect a central heating plant (S. D. 61) reported that the same ought to pass.

The report was read and accepted, the bill read once and tomorrow assigned for second reading.

The majority of the Committee on Commerce, on bill An Act relating to Eastern Standard Time (S. P. 125) (S. D. 49) reported that the same ought to pass.

(Signed) HARRIMAN
CASE
BRAGDON
HOUGHTON
DUDLEY
TRIPP
MEARS
WILLIAMS
BRIGGS

The minority of the same Committee, on the same subject matter, reported that the same ought not to pass.

(Signed) NADEAU

Mr. HARRIMAN of Kennebec: Mr. President, I move the adoption of the majority report.

Thereupon, on motion by Mr. Holmes of Androscoggin, both reports and the bill were tabled pending acceptance of the majority report.

Mr. Miner, from the Committee on Indian Affairs, on Resolve in favor of the Passamaquoddy tribe of Indians at Peter Dana's Point, Princeton, for general care, maintenance and education thereof (S. P. 279) reported that the same ought to pass.

The same Senator, from the same Committee, on Resolve in favor of the Passamaquoddy tribe of Indians at Pleasant Point for general care, maintenance and education thereof (S. P. 278) reported that the same ought to pass.

The reports were severally read and accepted and the resolves laid upon the table for printing under the joint rules.

The same Senator, from the same Committee, on bill, An Act relating to supervision of schools at Pleasant Point and Peter Dana's Point; reports and compensation of Superintendents amended (S. D. 142) reported that the same ought to pass.

Mr. DWINAL from the Committee on Legal Affairs, on bill An Act to ratify and make valid a quitclaim deed given by the Highway Commission for land near the state ferry

in Woolwich (S. D. 85) reported that the same ought to pass.

Mr. Morrison, from the same Committee, on bill An Act to amend the charter of Coburn Classical Institute (S. D. 97) reported that the same ought to pass.

The reports were severally read and accepted, the bills each read once and tomorrow assigned for second reading.

The same Senator, from the same Committee, on bill An Act to amend Section 23 of Chapter 176 of the Public Laws of 1925, relating to recording of instruments and conveyances (S. D. 98) reported the same in a new draft, under the same title (S. P. 490) and that it ought to pass.

The report was read and accepted, and the bill was laid upon the table for printing under the joint rules.

Passed to Be Engrossed

Resolve in favor of the Pownal State School for maintenance for the fiscal years nineteen hundred twenty-eight and nineteen hundred twenty-nine. (H. D. 304)

Resolve in favor of the Pownal State School for additions and improvements. (H. D. 305.)

(On motion by Mr. Mitchell of Aroostook the resolve was tabled pending passage to be engrossed.)

An Act relating to investments by Savings Banks in obligations of steam railroads. (H. D. 43.)

An Act relating to purposes for which a city or town may raise money. (S. D. 59.)

An Act authorizing and empowering the Register of Deeds for the County of Cumberland to make a true copy of contents of Vol. 151 of the Cumberland County Records of Deeds and certify that it is a true copy. (H. D. 312.)

An Act relating to insurance upon lives of directors, officers, agents and employes of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto.

Which title was amended by the Committee on Bills in Second Reading to read as follows:

An Act prescribing the effect of corporate by-laws and the authority of officers of corporations to execute notes and other instruments. (H. P. 939) (H. D. 287.)

Passed to Be Enacted

An Act relating to the Oquosoc Angling Association. (S. D. 42.)

An Act to amend Chapter Sixty-two of the Public Laws of Nineteen Hundred and Twenty-three, Relating to the Production and Sale of Certified Seed. (S. D. 48.)

An Act to Amend Section Seventy-seven of Chapter Two Hundred and Eleven of the Public Laws of Nineteen Hundred and Twenty-one, Relating to Reserved Automobile Registration Numbers. (S. D. 96.)

An Act Relating to Taking Alewives in Eastern Penobscot River in the town of Orland. (S. D. 139.)

An Act to Annex a Portion of Frenchville to Saint Agatha. (H. D. 42.)

An Act to Amend Section Eleven of Chapter Six of the Revised Statutes, Relating to the Opening and Closing of the Polls at Primary Elections. (H. D. 44.)

(On motion by Mr. Oakes of Cumberland, tabled pending passage to be enacted.)

An Act to Amend Section Twenty-one of Chapter Seven of the Revised Statutes, Relating to Closing of Polls at Elections. (H. D. 45.)

(On motion by Mr. Oakes of Cumberland, tabled pending passage to be enacted.)

An Act Increasing the Fees for Permits for Opening Paved Public Highways. (H. D. 95)

An Act Granting Charles H. Scott the Right to Maintain a Ferry across Eggemoggin Reach in Hancock County. (H. D. 147)

An Act for the Better Protection of Shell Fish in the Town of Georgetown. (H. D. 163)

An Act to Eliminate Jackman from the Maine Forestry District. (H. D. 238)

An Act to Amend An Act to Incorporate the Richardson Wharf Company Approved April Second, Eighteen Hundred Fifty-six, as Amended by An Act Approved February Thirteenth, Eighteen Hundred Eighty. (H. D. 254)

An Act to Set Off a Part of the Town of Penobscot in the County of Hancock and Annex the Same to the Town of Castine. (H. D. 255)

An Act to Incorporate the Great Pond Railway Company. (H. D. 256)

An Act to Enable the Home for Aged Men to Hold Property Up to One Million Dollars. (H. D. 277)

An Act to Incorporate the Union

River Railway Company. (H. D. 283)

An Act to Provide for the Retirement of Firemen in the City of Augusta Upon Half Pay. (H. D. 284)

An Act Relating to Close Time on Scallops. (H. D. 285.)

An Act Relating to the Property of Extinct or Disbanded Congregational Churches, Parishes or Societies. (H. D. 289.)

Finally Passed

Resolve in Favor of Mrs. Daniel Jewett. (S. D. 127.)

Resolve to Reimburse the City of Bath for Support of William A. Griffin, former Resident of Malaga Island. (S. D. 128.)

Resolve in Favor of the Town of Athens for reimbursement for Sheep Killed by Dogs. (S. D. 129.)

Resolve to Reimburse the Town of Smyrna for Support of John Pomeroy, a Civil War Veteran.

Resolve in Favor of the Cobboosecontee Fish and Game Association. (H. P. 42) (H. D. 144)

Resolve for Teacher's Pension for Etta M. Patten. (H. D. 253)

Resolve in Favor of Alvin Bolstridge of Winterville. (H. D. 260)

(On motion by Mr. Harriman of Kennebec, tabled pending final passage.)

Resolve in Favor of Clifford T. Kennedy of Vanceboro, for reimbursement for Expenditures for Civil Suit Brought Against Him. (H. D. 262)

(On motion by Mr. Maher of Kennebec, tabled pending final passage.)

Resolve to Reimburse the Town of Lincoln for Support of State Paupers. (H. D. 263)

Resolve in Favor of the Town of Yarmouth. (H. D. 264)

Resolve to Reimburse the Biddeford & Saco Railroad Company for Over-Payments on Taxes. (H. D. 265)

Resolve in Favor of the Town of Abbot for Reimbursement of Moneys Expended for the Support of Scott W. Pierce and Family. (H. D. 266)

Resolve to Reimburse the Town of Washburn for Support of George H. Inman, a State Pauper. (H. D. 267)

Resolve providing for a State Pension for Lewis P. Ryan of Guilford. (H. D. 271)

Resolve in Favor of Highmoor Farm, in the Town of Monmouth. (H. D. 278)

Resolve Making Appropriation for

the Support and Maintenance of the Maine Agricultural Experiment Station. (H. D. 279)

Resolve in Favor of Scientific Investigation in Agriculture in Aroostook County. (H. D. 280)

Resolve in Favor of Animal Husbandry. (H. D. 281)

Orders of the Day

On motion of Mr. Carter of Androscoggin, the Senate voted to take from the table House report, "ought to pass" on An Act relating to passes on common carriers for public utilities commission, (H. D. 168) tabled by that Senator on March 4th pending acceptance of report.

Mr. CARTER: Mr. President, by sort of a verbal agreement between two or three senators, this was to come off the table for argument or motion, today. I have had handed me this morning by another Senator, what may be a suggested amendment to this bill. The bill itself, I am not personally interested in. I will therefore move to retable, pending possible adoption of the suggested amendment, and will especially assign for Wednesday next.

The motion to retable and assign prevailed.

The President laid before the Senate An Act to obtain the benefit of credit allowed under Federal Estate Tax (H. D. 58), tabled on March 9th by Mr. Maher of Kennebec pending passage to be enacted and especially assigned for today.

Mr. MAHER: Mr. President, I am having prepared, I will state, an amendment which is in the Attorney General's office but it is not yet ready and so I move that this be tabled until tomorrow morning, when the amendment will be ready.

The motion to retable prevailed.

The President laid before the Senate House Report "A" "Ought to Pass"; House Report "B" "Ought Not to Pass," on Concurrent Resolution Memorializing Congress to abolish Federal Estate (Inheritance) tax (H. D. 11), tabled by Mr. Holmes of Androscoggin on March 9th, pending acceptance of report A, and especially assigned for today.

Thereupon, upon motion of Mr. Holmes of Androscoggin, the report was retabled and especially assigned for tomorrow morning.

The President laid before the Senate An Act to regulate fishing in Bowler Pond in Palermo in the

county of Waldo (H. D. 159), tabled by Mr. Bragdon of Aroostook on March 9th, pending passage to be engrossed, and especially assigned for today.

Mr. BRAGDON of Aroostook: Mr. President, I will yield to the Senator from Waldo, Senator Nickerson.

Mr. NICKERSON of Waldo: Mr. President, I will ask that this matter be retabled and especially assigned for Thursday, next.

The PRESIDENT: The Chair will state that the motion is in order but the gentleman will remember that it will automatically come off the table next Wednesday, we having just passed an order to that effect.

Mr. NICKERSON: Mr. President, I desire to change my motion and will move that this Act be retabled and assigned for Tuesday, next.

The motion to retable and assign prevailed.

The PRESIDENT: Any Senator may now proceed to take anything from the table under Orders of the Day, the matters specially assigned for today having been taken care of.

Upon motion by Mr. Smith of Somerset, the Senate voted to take from the table Remonstrance of J. Leroy Willard and others against increase in tax on gasoline, (H. P. 959) tabled by that Senator on March 2nd, pending reference; and upon further motion by the same Senator these papers were referred to the Committee on Taxation and Ways and Bridges jointly in non-concurrence.

Upon motion by Mr. Smith of Somerset, the Senate voted to take from the table An Act relating to children between the ages of 15 and 16 who have not completed the sixth grade (S. P. 409) tabled by that Senator on March 8th, pending reference.

Mr. SMITH of Somerset: I now yield to the Senator from Cumberland, Senator Speirs.

Mr. SPEIRS of Cumberland: I don't know about the matter, Mr. President. I didn't table it. I don't know what the bill is.

(The Secretary read the title of the bill)

Thereupon, upon motion by Mr. Speirs of Cumberland, the bill was referred to the Committee on Education.

Upon motion by Mr. Bragdon of Aroostook

Adjourned until tomorrow morning, March 11, at 10.00 o'clock.