

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, March 17, 1927

Senate called to order by the President.

Prayer by the Rev. Horace B. Haskell of Gardiner.

Journal of previous session read and approved.

Mr. BUZZELL, of Oxford: Mr. President, in order to correct a technical error I move that we reconsider our action of yesterday whereby we passed to be engrossed House Document 23, An Act relating to the excise tax on railroads.

The PRESIDENT: Out of order, the Senator from Oxford, Senator Buzzell moves that the rules be suspended and that we reconsider our vote whereby we passed to be engrossed An Act relative to the excise tax on railroads, the purpose of the reconsideration being only to correct a technical error. Is it the pleasure of the Senate that this motion prevail?

The motion to suspend the rules and reconsider, prevailed.

Mr. BUZZELL: Mr. President, I now move that we adopt House Amendment A in concurrence.

The PRESIDENT: Does any Senator care to hear the amendment read? Is it the pleasure of the Senate that we adopt House Amendment A in concurrence?

The motion to adopt in concurrence prevailed and the bill as amended by House Amendment A was passed to be engrossed.

Papers from the House disposed of in concurrence.

From the House: Resolve, making an appropriation for a nurse's home at Augusta State Hospital. (S. D. 134)

(In Senate, March 1, passed to be engrossed and sent down for concurrence.)

In the House, passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate:

The PRESIDENT: Does any senator care to hear the amendment read?

Mr. FOSTER of Kennebec: I would like to have the amendment read, Mr. President.

(The Secretary read House Amendment A.)

Mr. FOSTER: I will now move, Mr. President, that the matter be tabled pending adoption of the amendment.

The PRESIDENT: The Chair will state that the next motion should be to reconsider the vote whereby this resolve was passed to be engrossed, the Chair having allowed the reading of the amendment.

Mr. FOSTER: Then, Mr. President, the proper motion is—?

The PRESIDENT: The proper motion is to reconsider the vote whereby we passed the resolve to be engrossed.

Thereupon on motion by Mr. Foster of Kennebec the Senate reconsidered its former action whereby the resolve was passed to be engrossed, and on further motion by the same senator the resolve and House Amendment A were tabled pending adoption of the amendment.

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

(In Senate, March 9, passed to be engrossed in non-concurrence.)

In the House, that body voted to adhere to its action of March 3rd, whereby the bill was indefinitely postponed.

In the Senate, on motion by Mr. Carter of Androscoggin that body voted to recede and concur with the House in the indefinite postponement of the bill.

From the House: An Act in relation to signs upon public highways. (S. D. 230)

(In Senate, March 10th, referred to the Committee on Judiciary.)

In the House, referred to the Committee on Legal Affairs in non-concurrence.

In the Senate, on motion by Mr. Lord of York that body voted to recede and concur with the House in the reference of this bill to the Committee on Legal Affairs.

From the House: An Act relating to advertising signs upon public highways. (S. D. 222)

(In Senate, March 10th, referred to the Committee on Maine Publicity.)

In the House, referred to the Committee on Legal Affairs in non-concurrence.

In the Senate, on motion by Mr. Lord of York that body voted to recede and concur with the House in the reference of this bill to the Committee on Legal Affairs.

House Bills in First Reading

An Act relating to the use as part of name, the words "bank", "savings," "trust" and kindred words. (H. D. 371)

Resolve in favor of Richard Jacobson of East Waterford compensating him for damage done his orchard by deer. (H. D. 343)

Resolve for the laying of the County Taxes for the year Nineteen hundred and twenty-seven. (H. P. 1154)

Resolve for the laying of the County Taxes for the year Nineteen Hundred and Twenty-eight. (H. P. 1153)

An Act relating to a superintending school committee for Turner (H. P. 836), together with petition in favor of the same (H. P. 837)

An Act relating to Teacher's pension for Fannie Marble. (H. D. 393)

An Act relating to the Penobscot Tribe of Indians. (H. D. 397)

An Act to establish a game preserve in the towns of Wells and Kennebunk, York County. (H. D. 118)

An Act relating to active retired justices of the Supreme Judicial Court. (H. D. 135)

An Act to extend the charter of the Penobscot Boom Corporation. (H. D. 204)

An Act to extend the charter of the Penobscot Lumbering Association. (H. D. 202)

An Act to amend the charter of the Maine Real Estate Title Company. (H. D. 201)

An Act to legalize the acts, doings and proceedings of the town of Otisfield and the assessment of taxes thereof, for the years 1924, 1925, and 1926. (H. D. 370)

An Act to confer the power to issue subpoenas to the City Council and Civil Service Commission of the city of Portland. (H. D. 400)

An Act relating to pensioning members of the Police Department of the city of Brewer. (H. D. 372)

An Act relating to the Harrison

Fire Insurance Company. (H. D. 395)

An Act to secure completion of the topographic mapping of Maine, in co-operation with the United States Geological Survey. (H. D. 401)

Mr. FOSTER of Kennebec: Mr. President, without offering any objection whatever to this measure but only in line with the former action of this body and the House I move you that at this stage this matter be tabled for further consideration.

The motion to table prevailed.

An Act relating to the establishment of town forests. (H. D. 275)

From the House: The Committee on Library, on Resolve to appropriate money for the erection of a new State Library. (H. D. 121) reported that the same ought to pass.

In the House, report and bill indefinitely postponed.

In the Senate, on motion by Mr. Holmes of Androscoggin, tabled pending acceptance of the report and tomorrow assigned.

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

Inland Fisheries and Game

By Mr. Granville of York, petition of F. P. Goodwin and 54 others in favor of Senate Document 385, a bill regulating the size and length of a catch of fish. (S. P. 504)

Sent down for concurrence.

Judiciary

By Mr. Dwinall of Knox, remonstrance of J. W. Fernald and 17 others (S. P. 505) against the repeal in any manner of our present Direct Primary Law;

By Mr. Lord of York, remonstrance of Geo. L. Trefethen and 51 others (S. P. 506) against the same;

By Mr. Roberts of York, remonstrance of J. Evelyn Woods of Kittery, Maine, and 28 others (S. P. 507); remonstrance of Carl C. Tebbets, of Kittery, Maine, and 26 others (S. P. 508); remonstrance of Elmer J. Burnham of Kittery, Maine, and 27 others (S. P. 509) against the same.

Sent down for concurrence.

Orders

Mr. Morrison of Franklin presented the following order and moved its passage: Ordered, the House concurring, that all petitions and remonstrances presented after four o'clock in the afternoon, March 18th, shall be referred to the next Legislature.

Mr. CARTER of Androscoggin: Mr. President, I would like to offer an amendment to this order that the time be extended to March 25th for the reception of remonstrances—from the 18th to the 25th—and I would say in support of this amendment that my sole reason for making it is that there is a hearing to be held a week from today, Thursday, which has attracted more or less attention throughout the state. Whether or not it has been advertised as yet I do not know but if it hasn't of course the Senator from Franklin, Senator Morrison might not have known it. It is a hearing on the primary petitions and as the people all over the state are taking more or less interest in this one way or another and as I know that a lot of remonstrances and other petitions are in the course of preparation, it would be rather too bad to cut out the reception of these particular remonstrances. That is my sole reason for offering this amendment.

The PRESIDENT: The Senator from Androscoggin, Senator Carter, moves that we strike out the figure 18 after the word "March" in this order and substitute therefor the figure 25. Is it the pleasure of the Senate to so amend this order?

The motion to amend prevailed and the order as so amended was passed.

Bills in First Reading

An Act in favor of Frank J. Durgin of West Forks Plantation. (S. D. 239)

Resolve providing for a State pension for Grace Griffin of Lewiston. (S. D. 240)

The PRESIDENT: Does any senator have any objection to the suspension of the rules and that simply the title be read on the first reading? If there is no objection it will save much time, and if there is, the secretary will proceed in the usual manner. Is there any objection to the rules being suspended? We have several of these matters. The Chair hearing no ob-

jection, the rules are suspended and the bills will be read by title only on the first reading.

An Act to provide for the purchase of books for the Kennebec county law library. (S. D. 241)

Resolve for State pension in favor of Rena Cooley. (S. D. 242)

An Act to incorporate Lemon Stream Log Driving Company. (S. D. 243)

An Act to provide for establishing grades and standards for farm products. (S. D. 244)

An Act to amend Section 18 of Chapter 34 of the Revised Statutes, relating to the apportionment of State aid to agricultural societies. (S. D. 245)

An Act relating to the establishing and administration of a public debt amortization fund in the city of Waterville. (S. D. 246)

Resolve providing for a State pension for Adelbert E. Baker of Lewiston. (S. D. 247)

An Act to empower the Governor and Council to lease the right to gather and harvest kelp on the submerged lands and reefs within the jurisdiction of the State. (S. D. 248)

An Act relating to the digging of clams in Wells in the county of York. (S. D. 249)

An Act to extend the charter of the Patten Water and Power Company. (S. D. 250)

An Act to amend Section 1 of Chapter 164 of the Public Laws of 1921, relating to the operation of portable saw mills. (S. D. 252)

Reports of Committees

Mr. Dwinall from the committee on Legal Affairs, on bill, an Act to amend Chapter One hundred Thirty-five of Section fourteen of the Revised Statutes of Maine relating to the taking of bail (S. D. 95), reported that the same ought not to pass.

The report was read and accepted.

The majority of the committee on Judiciary, on bill, An Act to amend Section one, Chapter eighty-four of the Revised Statutes in relation to the appointment of clerks of the Judicial Courts (S. D. 33), reported that the same ought not to pass.

(Signed) WING of Auburn
ALDRICH
WING of Kingfield
PATTERSON
DUDLEY
BARTLETT
CARTER

The minority of the same commit-

tee on the same subject matter, reported that the same ought to pass.

(Signed) MAHER
OAKES
HALE

(On motion by Mr. Carter of Androscoggin the majority report, ought not to pass, was accepted).

The committee on Claims, on Resolve in favor of the Maine State Agricultural Society for the State stipend for nineteen hundred and twenty-six. (S. D. 19), reported the same in a new draft, under the same title (S. P. 510), and that it ought to pass.

(Signed) DUNBAR
HAPRIMAN
SMITH
KING
WEBBER
LEATHERS
ALLEN
MCLEAN

Mr. Crafts from the committee on Inland Fisheries and Game, on bill, An Act to protect muskrats in the towns of Bucksport and Orland, in the county of Hancock (S. P. 281), reported that the same ought to pass.

Mr. Carter from the committee on Judiciary, on Resolve providing for approach to Kennebec bridge at Bath (S. D. 116), reported the same in the form of an act involving the same subject matter, entitled "An Act to provide for an approach to the Kennebec bridge and to acquire the same by purchase or eminent domain" (S. P. 511), and that it ought to pass.

The reports were accepted and the bill and resolves were laid on the table for printing under the joint rules.

Mr. Granville from the committee on Public Utilities, on bill, An Act relating to the Brownville and Williamsburg Water Company (S. D. 76), reported that the same ought to pass.

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

Passed to be Engrossed

An Act relating to whole family protection for members of fraternal benefit societies. (H. D. 100)

Further papers from the House disposed of in concurrence.

An Act relating to the issue of prior

preference stock by Boston & Maine Railroad in exchange for certain of its bonds. (S. D. 55).

An Act relating to purposes for which cities and towns may raise money. (S. D. 59).

An Act to amend Section twenty-seven of Chapter eighty-four of the Revised Statutes of Maine relating to applicants for admission to the Bar of this State. (S. D. 65).

An Act to provide for the marking of the Maine and New Hampshire Boundary Line. (S. D. 109).

An Act to assent to the purpose and provisions of an Act of the Congress of the United States, entitled "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and for Other Purposes." (S. D. 183).

An Act relating to investments by Saving Banks in obligation of Steam Railroads. (H. D. 43).

An Act to incorporate Blue Hill Water Company. (H. D. 74).

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

An Act to regulate fishing in the outlet of Grand Lake, so-called, wholly or partly in Forest City, so-called, an unorganized township in the county of Washington. (H. D. 294).

An Act to protect Pheasants in the town of Poland in the county of Androscoggin. (H. D. 295).

An Act relating to Juvenile Institutions. (H. D. 296).

(On motion by Mr. Carter of Androscoggin, tabled pending passage to be enacted.)

An Act to provide for the purchase of books for the Penobscot Bar Library Association. (H. D. 311).

An Act authorizing and empowering the Register of Deeds for the county of Cumberland to make a true copy of contents of Volume one hundred fifty-one of the Cumberland County Records of Deeds and to certify that it is a true copy of said records. (H. D. 312).

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

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

Finally Passed

Resolve for the purchase of one hundred and fifty copies of "Ellsworth, Maine; an History." (S. D. 162).

Resolve to reimburse recess committee for expenses. (S. D. 175.)

Resolve to appropriate money to aid in the screening of Alford's Lake in the county of Knox. (H. D. 170).

Resolve for the purchase of seventy-five copies of "Matinicus Isle; Its Story and Its People." (H. D. 270).

Resolve to appropriate money for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture. (H. D. 282).

Resolve in favor of Cora N. Perkins, providing a State pension. (H. D. 297).

Resolve providing for a State pension for Mary J. French of Carmel. (H. D. 298).

Resolve providing for a State pen-

sion for Emily Noddin of Kenduskeag. (H. D. 299).

Resolve in favor of Louise D. Mayhew of Mount Vernon in lieu of teacher's pension. (H. D. 301).

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

Orders of the Day

Mr. WOODS of Penobscot: Mr. President, Senate Document 159, An Act to regulate fishing in Bowler Pond in Palermo, in the county of Waldo, recalled from the House yesterday by Senate order, I move be retabled until March 23rd.

The motion to retable prevailed.

On motion by Mr. Crafts of Piscataquis,

Adjourned until tomorrow morning at ten o'clock.