

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

Tuesday, March 22, 1927.

Senate called to order by the President.

Prayer by the Rev. Milo G. Folsom of Gardiner.

Journal of previous session read and approved.

(Emergency Measure)

Resolve for the laying of the county taxes for the year 1927 (H. D. 399).

This resolve, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its final passage.

Twenty-seven Senators having voted in the affirmative and none opposed, the resolve was finally passed.

(Emergency Measure)

Resolve for the laying of the county taxes for the year 1928 (H. D. 398).

This resolve, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its final passage.

Twenty-seven Senators having voted in the affirmative and none opposed, the resolve was finally passed.

Papers from the House disposed of in concurrence.

From the House: An Act to amend the City Charter of the city of Augusta relative to the appointment of City Officers. (H. P. 949)

(In Senate, March 1, referred to Committee on Legal Affairs in concurrence.)

In the House, recalled to that branch by joint order, and indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Morrison of Franklin, indefinitely postponed in concurrence.

At this time Mrs. Allen of Penobscot assumed the Chair amidst the applause of the Senate.

House Bills in First Reading

Resolve in favor of Joseph H. Un-

derwood for damages caused by beaver (H. D. 410).

An Act relating to digging out of fox dens (H. D. 153), with petitions thereon (H. P. 583, 713, 914).

An Act relating to the protection of white perch in Pemaquid and Biscay Pond, and Macurda Pond, or Hilton Lake, in Lincoln County (H. D. 402).

An Act to regulate bass fishing in Virginia Lake in the county of Oxford (H. D. 403).

An Act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec (H. D. 404).

An Act to prohibit the bedding, advance baiting, or corning, so-called, or feeding of wild ducks (H. D. 407).

An Act relating to school house lots acquired by condemnation (H. D. 406).

An Act relating to the appointment of Trustees of the Kennebec Water District (H. D. 405).

An Act to authorize the city of Portland to provide, by ordinance, for the retirement, pension and annuity to dependents of members of the Police and Fire Departments (H. D. 335).

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

Resolve providing for an increase in State Pension for Emily F. Grotton, of Washington (H. D. 409).

Resolve in favor of Lydia Jackson of Hollis providing a State Pension (H. D. 415).

Resolve providing for a State Pension for Augusta M. Dolloff of Mount Vernon (H. D. 416).

Resolve providing for a State Pension for Eliza F. Withee of Vassalboro (H. D. 413).

Resolve providing for a State Pension for Lottie M. Marsh of Gorham (H. D. 414).

Resolve providing for a State Pension for Charles Rowe, of Brownfield (H. D. 411).

Resolve providing for a State Pension for Sarah Perkins, of Harmony (H. D. 417).

Resolve providing a State Pension for Adeline F. Washburn, of Canaan (H. D. 412).

An Act relating to increases in the capital stock of railroad corporations (H. D. 102).

An Act relating to increases in capital stock of public utility corporations and proceedings before the

public utilities commission (H. D. 101).

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

Judiciary

By Mrs. Pinkham of Aroostook, remonstrance of Mrs. Eliza A. Johnson and 59 others (S. P. 514) against the repeal in any manner of the Present Direct Primary Law;

By Mr. Smith of Somerset, remonstrance of Ivan L. Brooks and 24 others, of Pittsfield (S. P. 515); remonstrance of Jennie M. Randlett and 29 others, of Pittsfield (S. P. 516) against same;

By Mr. Speirs of Cumberland, remonstrance of King Graham and 27 others (S. P. 517) against same.

Towns

By Mr. Douglas of Hancock, remonstrance of Fletcher Wood and 95 others of Gouldsboro against setting off Bar or Rodick's Island and Burnt or Sheep Porcupine Island from Gouldsboro and annexing same to Bar Harbor. (S. P. 518)

Orders

On motion by Mr. Douglas of Hancock, it was

Ordered, the House concurring, that there be recalled to the Senate from the Committee on Towns, S. D. 101, An Act in favor of Hancock, in the county of Hancock.

On motion by Mr. Foster of Kennebec, it was

Ordered, the House concurring, that there be recalled to the Senate from the Engrossing Department, S. D. 97, An Act to amend the charter of Coburn Classical Institute.

On motion by Mr. Smith of Somerset, it was

Ordered, that the Rev. L. W. Grundy, of North Anson, be invited to act as Chaplain of the Senate on Wednesday, March 23.

On motion by Mr. Speirs of Cumberland, it was

Ordered, that the Rev. J. A. Hammond, of Westbrook, be invited to act as Chaplain of the Senate on Friday, March 25.

Bills in First Reading

An Act to provide for an approach to the Kennebec Bridge and to acquire the same by purchase or eminent domain. (S. D. 253).

(On motion by Mr. Maher of Kennebec, tabled pending second reading.)

An Act to protect muskrats in the towns of Bucksport and Orland, in the County of Hancock. (S. D. 254).

Resolve, for aid to Typhoid Carriers to be expended under the State Department of Health. (S. D. 255).

An Act to amend Section 21 of Chapter 117 of the Revised Statutes, as amended by Chapter 144, Public Laws of 1921, relating to the salary of the Commissioner of Agriculture. (S. D. 256).

Resolve, in favor of the Maine State Agricultural Society for the State Stipend for Nineteen Hundred and Twenty-Six. (S. D. 257).

An Act to incorporate the Union Terminal Company. (S. D. 258).

(On motion by Mr. Maher of Kennebec, tabled pending second reading.)

Reports of Committees

Mr. Dwinal, from the Committee on Legal Affairs, on bill An Act to amend Section 49 of Chapter 137 of the Revised Statutes, relating to the identification of criminals and suspicious persons (S. D. 93) reported that the same ought not to pass.

Mr. Granville, from the Joint Committee on Public Utilities, Interior Waters and Judiciary, on bill An Act regulating the exportation of hydro-electric power from Maine (S. D. 15) reported that the same ought not to pass.

At this point the President resumed the Chair amidst the applause of the Senate.

Mr. Nickerson, from the Committee on Taxation, on Resolve proposing an amendment to Section 8 of Article 9 of the Constitution of the State of Maine fixing the maximum rate on intangibles (S. D. 147) reported that the same ought not to pass.

The same Senator, from the same Committee, on Resolve proposing an amendment to Section 8, Article 9 of

the Constitution of the State of Maine providing that no tax on inheritances be levied (S. D. 148) reported that the same ought not to pass.

The same Senator, from the same Committee, on Resolve proposing an amendment to Section 8, Article 9 of the Constitution of the State of Maine providing that no tax on income shall be levied (S. D. 149) reported that the same ought not to pass.

Mr. Douglas, from the same Committee, on bill An Act defining real estate for purposes of taxation (S. D. 196) reported that the same ought not to pass.

The same Senator, from the same Committee, on bill An Act regulating taxation of forest lands (S. D. 199) reported that the same ought not to pass.

The reports were severally read and accepted.

Mr. Dunbar, from the Committee on Claims, on Resolve appropriating money to reimburse the town of Orland for support of George Savoy (S. P. 274) reported that the same ought to pass.

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

Mr. Speirs, from the Committee on Education, on bill An Act relating to Teachers Pensions (S. D. 77) 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 Judiciary, on bill An Act conferring jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the Probate Courts (S. D. 31) reported that the same ought not to pass.

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

The minority of the same Committee, on the same subject matter, reported the same in a new draft, under the title of An Act conferring concurrent jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the Probate

Courts (S. P. 519) and that it ought to pass.

(Signed) OAKES
PATTERSON
HALE

(On motion by Mr. Maher of Kennebec, both reports were tabled pending acceptance of either and the new draft ordered printed).

Mr. Dwinal, from the Committee on Legal Affairs, on bill An Act to renew the charter of the R. and T. Cement Railroad (S. D. 52) reported the same in a new draft, under the same title (S. P. 520) and that it ought to pass.

The same Senator, from the same Committee, on bill An Act to establish a Board of Police of the City of Waterville (S. D. 103) reported the same in a new draft, under the same title (S. P. 521) and that it ought to pass.

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

Mr. Morrison, from the same committee, on bill An Act to enlarge the civil jurisdiction of the Municipal Court of the City of Biddeford (S. D. 54) reported that the same ought to pass.

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

The same Senator, from the same Committee, on bill An Act to extend the charter of the Sandy River and Rangeley Lakes Railway Company (S. D. 94) reported that the same ought to pass.

(On motion by Mr. Maher of Kennebec, tabled pending acceptance of the report).

The same Senator, from the same Committee, on bill An Act to repeal acts incorporating the town of Concord (S. D. 104) reported that the same ought to pass.

(On motion by Mr. Morrison of Franklin, tabled pending acceptance of the report.)

The same Senator, from the same Committee, on bill An Act validating acts and deeds valid except for certain irregularities and omissions (S. D. 100) reported that the same ought to pass.

Mr. Granville, from the Committee on Public Utilities, on bill An Act relating to the approval of stocks,

bonds and notes (S. D. 164) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An Act relating to the filing of rate schedules by public utilities in accordance with orders of the Public Utilities Commission (S. D. 165) reported that the same ought to pass.

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

The majority of the Joint Committee on Public Utilities, Interior Waters and Judiciary, on bill An Act to amend the charters of all corporations making, generating, selling, distributing and supplying electricity (S. D. 6) reported that the same ought to pass.

(Signed)

CARTER
CRAFTS
LORD
PAGE
DUNBAR
POWERS
BRIGGS
THURSTON
BARTLETT
PATTERSON
COMINS
DRAKE
DUDLEY
OAKES
WING of Auburn
WING of Kingfield

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

(Signed)

GRANVILLE
BISHOP
RICHARDSON
HUGHES
TUCKER
ALDRICH
DOUGLAS
GREENLEAF
HALE
PIPER
CHASE
MILLIKEN
DOUGLAS

(On motion by Mr. Carter of Androscoggin, both reports were tabled pending acceptance of either and ordered printed.)

The majority of the Joint Committees on Public Utilities, Interior Waters and Judiciary, on bill An Act to amend the charters of Maine corporations incorporated for transmis-

sion of electricity and to limit the rights of foreign corporations authorized to do business in Maine for similar purposes (S. D. 7) reported that the same ought not to pass.

(Signed)

DUNBAR
GRANVILLE
RICHARDSON
COMINS
ALDRICH
POWERS
HUGHES
TUCKER
PIPER
HALE
DOUGLAS
GREENLEAF
DOUGLAS
PAGE
BISHOP
CHASE
MILLIKEN
WING of Kingfield

The minority of the same Committee, on the same subject matter, reported the same in a new draft, under the same title (S. P. 522) and that it ought to pass.

(Signed)

CARTER
CRAFTS
DRAKE
OAKES
DUDLEY
THURSTON
PATTERSON
BARTLETT
WING of Auburn

(On motion by Mr. Carter of Androscoggin both reports and the new draft were tabled and ordered printed.)

The majority of the joint committee on public utilities, interior waters and judiciary, on bill an act to provide for the organization of electric transmission companies, with limited powers, and to provide for issuing permits to electrical companies and others to sell electricity thereto for transportation and sale outside of the State of Maine under certain specified conditions (S. D. 40), reported the same in a new draft, under the title of an act to provide for the exportation of surplus power (S. P. 523), and that it ought to pass.

(Signed)

GRANVILLE
MAHER
DUNBAR
GREENLEAF
BISHOP
PATTERSON
HALE
DOUGLAS

POWERS
TUCKER
MILLIKEN
PIPER
DOUGLAS
RICHARDSON
CHASE
WING of Kingfield

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

(Signed)

DRAKE
DUDLEY
PAGE
COMINS
HUGHES
BRIGGS
THURSTON
CRAFTS
LORD
ALDRICH
CARTER
OAKES
WING of Auburn
BARTLETT

(On motion by Mr. Smith of Somerset both reports and the new draft were tabled and ordered printed.)

The majority of the joint committees on public utilities, interior waters and judiciary on bill an act to create a commission to negotiate a treaty regarding water power and electricity in New England (S. D. 75), reported that the same ought not to pass.

(Signed)

MAHER
DUNBAR
GRANVILLE
RICHARDSON
MILLIKEN
DOUGLAS
CHASE
PIPER
HALE
GREENLEAF
PAGE
BISHOP
HUGHES
BRIGGS
DUDLEY
ALDRICH
TUCKER
DOUGLAS

The minority of the same committees, on the same subject matter, reported the same in a new draft, under the title of bill an act to create a commission to investigate and to negotiate a compact, regarding water power and electricity in New England (S. P. 524), and that it ought to pass.

(Signed)

OAKES
LORD
DRAKE

POWERS
PATTERSON
COMINS
THURSTON
CARTER
CRAFTS
WING of Kingfield
WING of Auburn
BARTLETT

(On motion by Mr. Oakes of Cumberland both reports and the new draft were tabled and ordered printed.)

Mr. BRAGDON, from the Committee on Temperance, on bill An Act relating to the disposal of liquors which have been forfeited. (S. D. 82) reported that the same ought to pass.

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

The same Senator, from the same Committee, on bill An Act to regulate the sale of cider (S. D. 80) reported the same in a new draft, under the same title (S. P. 525) and that it ought to pass.

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

Passed To Be Engrossed

An Act relating to the Jurisdiction of the Probate Court. (S. D. 112.)

An Act to incorporate the Maine Casualty Company. (S. D. 123.)

Orders of the Day

On motion by Mr. Holmes of Androscoggin, the Senate reconsidered its former action whereby it passed to be engrossed An Act to incorporate Maine Casualty Company (S. D. 123), and on further motion by the same Senator the bill was laid upon the table.

Mr. CARTER of Androscoggin: Mr. President, are we under Orders of the Day?

The PRESIDENT: We are.

Mr. CARTER: Mr. President, I was about to ask the unanimous consent of the Senate to introduce a bill but before asking for it, in support of it, I would like to say there is a bill pending before the Judiciary Committee, the hearing on which I think is Thursday, in relation to municipal courts in the State. In Livermore Falls there is a municipal court and a complimen-

tary bill was intended to be introduced to go along with this general bill. I got this morning by special delivery the complimentary bill, which for some reason had been overlooked in the office of the attorney and this should go along with the bill which we are to hear next Thursday and I now ask the consent of the Senate to introduce this bill.

Consent being given, Mr. Carter of Androscoggin introduced An act to amend Chapter 120 of the Private and Special Laws of 1899 establishing the Livermore Falls Municipal Court as amended by Chapter 34 of the Private and Special Laws of 1919 (S. P. 526), and on further motion by the same Senator the bill was referred to the Committee on Judiciary.

Mr. CARTER: Mr. President, will this bill be transmitted at once to the custody of the clerk of the Judiciary Committee?

The PRESIDENT: The Chair is of the opinion it requires concurrent action on the part of the House.

Thereupon, on motion by Mr. Carter of Androscoggin, the bill was sent down for concurrence.

Mr. MAHER of Kennebec: Mr. President, upon the matter which I gave notice on the last legislative day that I would move reconsideration, I now move reconsideration.

The PRESIDENT: The question is on the motion of the Senator from Kennebec, Senator Maher, that we reconsider the vote whereby we indefinitely postponed Resolve to appropriate money for the erection of a new State library (H. D. 21.)

A viva voce vote being doubted

A division of the Senate was had.

Three having voted in the affirmative and 22 in the negative the motion to reconsider failed of passage.

On motion by Mr. Case of Washington, the Senate voted to take from the table An Act defining dealers in motor vehicles (H. D. 326), tabled by that Senator on March 18th pending consideration.

Mr. CASE: Mr. President, I now move the adoption of House Amendment A.

Mr. FOSTER of Kennebec: Mr. President, may we have the amendment read?

The PRESIDENT: The Secretary will read the amendment.

(The Secretary read House Amendment A.)

The PRESIDENT: The question is on the adoption of the amendment.

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

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table An Act in favor of Frank J. Durgin, (S. D. 239) tabled by that Senator on March 18th pending second reading, and on further motion by the same Senator the bill received its second reading and was passed to be engrossed.

On motion by Mr. Dwinal of Knox
Adjourned until tomorrow morning at ten o'clock.