

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Friday, March 6, 1925.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. McAlister of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on the following:

Joint Resolution proposing an amendment to the Constitution of the United States relating to Child Labor;

Resolve ratifying proposed amendment to the Constitution of the United States relating to Child Labor (S. P. No. 121);

Resolve rejecting said proposed amendment (S. P. No. 125); reporting that the House recede and concur with the Senate in the reference of all of said matters to the Committee on Labor.

(Signed)

Messrs. SMITH of Somerset  
WADSWORTH of Kennebec

BOND of Lincoln  
—Committee on part of Senate.

HALE of Portland  
STURGIS of Auburn

DUDLEY of Woodstock  
—Committee on part of House.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act requiring owners of certain Motor Vehicles and Trailers to furnish Security for their civil liability on account of personal injuries and property damage caused by their Motor Vehicles and Trailers" (S. P. No. 131) (S. Doc. No. 57) reporting that the same be referred to the Committees on Legal Affairs and Mercantile Affairs and Insurance, jointly.

(Signed)

Messrs. CRAM of Cumberland  
HUSSEY of Aroostook  
ANTHOINE of Cumberland

—Committee on part of Senate.  
SARGENT of Sedgwick

PENDLETON of Islesboro  
DRAKE of Bath

—Committee on part of House.

In the Senate, read and accepted.  
In the House, read and accepted in concurrence.

From the Senate: Remonstrance of W. H. Eastman and 116 others against the Child Labor Amendment. (H. P. No. 887).

Which was referred to the Committee on Legal Affairs in the House February 25th.

Comes from the Senate referred to the Committee on Labor in non-concurrence.

In the House, on motion by Mr. Wing of Auburn, that body voted to recede and concur with the Senate in the reference of the above remonstrance to the committee on labor.

The following bills, resolve and remonstrance were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

**Judiciary**

By Mr. Holman of Bangor: Remonstrance of E. T. Shaw and others of Bangor against repeal in any manner of the Primary Law. (H. P. No. 1055).

**Legal Affairs**

By Mr. Wing of Auburn: An Act to amend Section 57 of Chapter 87 relating to Motions for New Trials. (H. P. No. 1056).

(500 copies ordered printed)

By Mr. Daigle of Madawaska: An act relating to assistance in marking ballots. (H. P. No. 1057).

(500 copies ordered printed)

By Mr. Martin of Augusta: An Act to amend Section 14 of Chapter 32 of the Revised Statutes relating to cinematograph and moving pictures. (H. P. No. 1058).

(500 copies ordered printed)

By Mr. Nichols of Portland: An act relating to succession taxes. (H. P. No. 1059).

(500 copies ordered printed)

By the same gentleman: An Act in relation to bonds required of executors and administrators. (H. P. No. 1060).

(500 copies ordered printed)

**Military Affairs**

By Mr. Decker of Milo: An Act relating to the desecration of flags. (H. P. No. 1061).

(500 copies ordered printed)

### Taxation

By Mr. Boody of Windham: Resolve amending Section 8 of Chapter 9 of the Constitution, as amended by Article 36 of the Constitution, providing for an Income Tax. (H. P. No. 1062).

(500 copies ordered printed)

### Ways and Bridges

By Mr. Marden of Waldo: An Act to amend Section 20 of Chapter 25 of the Revised Statutes, as amended, relating to apportionment of moneys for highways. (H. P. No. 1063).

(500 copies ordered printed)

Paper from the Senate, out of order.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday afternoon, March 10, at 4.30 o'clock.

Comes from the Senate read and passed.

In the House, passed in concurrence.

Additional papers from the Senate passed in concurrence, under suspension of the rules.

From the Senate: Bill, An Act to amend Section 34 of Chapter 211 of the Public Laws of 1921, relative to non-resident motor vehicles (S. P. 395) (S. D. 145).

In the Senate, referred to the Committee on Judiciary.

In the House, on motion by Mr. Littlefield of Kennebunk, tabled pending reference in concurrence.

Mr. WING of Auburn: Mr. Speaker, is there any way by which we can expedite the public printing so we can have these various documents on our desks as printed?

The SPEAKER: The Chair will endeavor to see the printing department this week-end. The Chair will state that from this time on there may be delay in the business of the House due largely to the matter of printing; but where the question before the House pertains solely to the reference of a bill, the matter does not seem so important if the bill is not in the possession of the members. If matters can be referred to a committee, where they will have a hearing, the business will be rushed along better.

### Orders

Mr. Winn of Lisbon presented the

following order and moved its passage:

Ordered, that the Secretary of State have printed at once, and filed, for the use of the members of the Legislature, a list of all registrations to date in the office of the Secretary of State of Legislative Counsel and Agents, the names of the party, parties or corporations employing same, and the legislation concerning which they are employed.

Mr. WING of Auburn: Mr. Speaker, does not the law already provide that the Secretary of State shall report to the House these men? I rise to make the inquiry.

The SPEAKER: The Chair is uncertain whether that is a law or a rule. Has the gentleman consulted the Statutes?

Mr. WING: My remembrance is, Mr. Speaker, that it is a Statute, and that the Secretary of State is required to report from time to time, and the report is read into the Record and ordered printed.

On motion by Mr. Wing of Auburn, the order was tabled, pending passage.

On motion by Mr. Hale of Portland, it was

Ordered, that 500 additional copies be printed of House Paper, No. 947, House Document No. 246, being An Act relating to the taxation of forest property in organized towns and plantations.

### Reports of Committees

Mr. Robie from the Committee on Agriculture reported "Ought not to pass" on bill "An Act relating to the use of the Babcock Test as applied to samples of milk and cream" (H. P. No. 676) (H. Doc. 159).

Same gentleman from same committee reported same on bill An Act to provide for the destruction of dead and worthless apple trees (H. P. No. 588) (H. Doc. No. 137).

Mr. Oakes from the Committee on Judiciary reported same on bill An Act to amend Chapter 6 of the Revised Statutes so as to make party enrollment in primary elections universal (H. P. No. 269) (H. Doc. No. 54), as the subject matter is covered by other legislation.

Mr. Beckett from the Committee on Legal Affairs reported same on bill An Act relating to meetings of municipal officers to accept legacies and gifts (H. P. No. 499) (H. Doc. 96).

Mr. Atwood from same Committee reported same on bill, An Act relating to burying grounds (H. P. No. 498) (H. Doc. No. 100).

Reports read and accepted and sent up for concurrence.

Mr. Bishop from the committee on Salaries and Fees reported same on bill An Act relating to the compensation of the Judge of Probate for Knox County (H. P. No. 50).

(Tabled by Mr. Thompson of Rockland pending acceptance of the report.)

Mr. Palmer from the committee on Salaries and Fees reported ought not to pass on bill An Act relating to the salary of the County Attorney of Lincoln County (H. P. No. 795).

Same gentleman from same committee reported same on bill An Act relating to the compensation of Clerk of Courts of Waldo County (H. P. No. 504).

Reports read and accepted and sent up for concurrence.

Mr. Melcher from the committee on Salaries and Fees reported "ought not to pass" on bill An Act relating to the salary of the Judge of the Rockland Police Court (H. P. No. 49).

(Tabled by Mr. Thompson of Rockland pending acceptance of the report.)

Mr. Melcher from committee on Salaries and Fees reported ought not to pass on bill An Act relating to amount allowed for clerk hire in office of Register of Probate in Waldo County (H. P. No. 124).

Report read and accepted and sent up for concurrence.

Mr. Bartlett from the committee on Legal Affairs reported "Ought to pass" on Bill "An Act to incorporate Houston Brook Driving Company". (H. P. No. 620).

Report read and accepted and the bill ordered printed under the joint rules.

Mr. Palmer from the Committee on Salaries and Fees reported same on Bill "An Act increasing the Salary of the Postmaster of the House". (H. P. No. 791).

(Tabled by Mr. Wing of Auburn pending acceptance of the report).

Mr. Frost from the Committee on Salaries and Fees reported "Ought to pass" on Bill "An Act relating to the salary of the Recorder of the Kennebunk Municipal Court". (H. P. No. 794).

Mr. Palmer from same Committee reported same on Bill "An Act relating to the Salary of the Clerk of Courts in Washington County". (H. P. No. 793).

Reports read and accepted and the bills ordered printed under the Joint Rules.

Mr. Dwinall from the Committee on Legal Affairs reported same on Bill "An Act to amend the Charter of the City of Brewer, Private and Special Laws of 1889, Chapter 453, as amended by the Private and Special Laws of 1923, Chapter 13. (H. P. No. 713) (H. Doc. No. 172).

Mr. Fuller from same Committee reported same on Bill "An Act relating to Distribution of Personal Estate". (H. P. No. 497) (H. Doc. No. 102).

Reports read and accepted, and the bills having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Mr. Hamilton from the Committee on Judiciary on Bill "An Act to amend an Act to amend Sections 11, 12 and 13 of Chapter 6 of the Revised Statutes, relating to Primary Elections" (H. P. No. 234) (H. Doc. No. 48) reported same in a new draft (H. P. No. 1064) under title of "An Act to amend an Act to amend Sections 11, 12, 13 and 38 of Chapter 6 of the Revised Statutes, relating to Primary Elections", and that it "Ought to pass".

Mr. Frost from the Committee on Salaries and Fees on Bill "An Act relating to clerk hire in the Registry of Probate of York County" (H. P. No. 634) reported same in a new draft (H. P. No. 1065) under same title and that it "Ought to pass".

Mr. Melcher from same Committee on Bill "An Act to increase the salary of the clerks in the office of the Register of Probate for Oxford County" (H. P. No. 796) reported same in a new draft (H. P. No. 1066) under same title and that it "Ought to pass".

Mr. Bishop from same Committee on Bill "An Act relating to the salary of the Sheriff of Sagadahoc County" (H. P. No. 797) reported same in a new draft (H. P. No. 1067) under same title and that it "Ought to pass".

Same gentleman from same Committee on Bill "An Act to increase the salary of the County Attorney for Knox County" (H. P. No. 125) reported same in a new draft (H. P. No. 1068) under same title and that it "Ought to pass".

Mr. Palmer from same Committee on Bill "An Act relating to the salary of the Clerk of Courts, Knox County" (H. P. No. 22) reported same in a new draft (H. P. No. 1069)

under same title and that it "Ought to pass".

Same gentleman from same Committee on Bill "An Act relating to the salary of the Judge of Probate of Waldo County (H. P. No. 638) reported same in a new draft (H. P. No. 1070) under same title and that it "Ought to pass".

Same gentleman from same Committee on Bill "An Act relating to the County Commissioners of Waldo County" (H. P. No. 335) reported same in a new draft (H. P. No. 1071) under same title and that it "Ought to pass".

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Additional paper from the Senate, out of order, under suspension of the rules.

Resolve to appropriate moneys for the payment of certain claims and departmental overdrafts for which no legislative appropriation has been made, and to provide for carrying on the activities of departments and institutions for the remaining months of the fiscal year ending June 30, 1925, and for other purposes.

In the Senate, referred to the committee on Appropriations and Financial Affairs.

Mr. WING of Auburn: Mr. Speaker, does this resolve carry an accompanying statement of facts under the rule?

The SPEAKER: The facts appear to be contained in the resolve itself. The items are listed.

On motion by Mr. Wing of Auburn, the resolve was referred to the committee on Appropriations and Financial Affairs in concurrence and 500 copies ordered printed.

#### First Reading of Printed Bills and Resolves

H. P. No. 73: An Act increasing the salary of the Register of Deeds of Lincoln county..

H. P. No. 74: An Act relative to clerk hire in the office of Registry of Deeds of Lincoln county.

H. P. No. 207: An Act to increase the salary for clerk hire in the office of Registry of Probate for Knox Co. (Tabled by Mr. Thompson of Rockland pending second reading).

H. P. No. 384: An Act relating to the salary of the clerk of the Lewiston Municipal Court.

H. P. No. 1046: An Act to amend Section 38 of Chapter 117 of the Re-

vised Statutes, relating to compensation of Judges of Probate.

H. P. No. 1047: An Act relative to an increase in the salaries of the Judge and Recorder of the Millinocket Municipal Court..

H. P. No. 1048: An Act relative to salaries and expenses of County Commissioners.

H. P. No. 1049: An Act relating to the salary of the Judge of the Municipal Court of South Portland.

H. P. No. 1050: An Act to amend Section 43 of Chapter 219 of the Public Laws of 1921, increasing the salary of the Register of Deeds of York County.

H. P. No. 1051: An Act relating to the salary of Sheriff of Waldo county.

H. P. No. 1052: An Act relating to the trapping of fur-bearing animals.

H. P. No. 1053: An Act relating to the revocation of licenses and certificates issued by the department of Inland Fisheries and Game.

H. P. No. 1054: An Act to authorize Harry M. Stanley to construct and maintain a wharf and boathouse on Lake Maranacook in Winthrop.

H. P. No. 464: Resolve appropriating money to rebuild one pier of the Gardiner and Randolph draw bridge.

#### Passed to be Engrossed

S. P. No. 93: An Act to amend Section 2 of Chapter 95 of the Public Laws of 1917 as amended by Section 2 of Chapter 7 of the Public Laws of 1923, relating to the giving of checks and drafts on banks where the maker has not sufficient funds.

(Tabled by Mr. Frost of Berwick pending third reading).

S. P. No. 127: An Act to repeal Section 21 of Chapter 34 of the Revised Statutes, relating to the use of the score card system by agricultural societies in the judging of dairy products.

S. P. No. 178. An Act to repeal Section 43 of Chapter 19 of the Revised Statutes as amended by Chapter 194 of the Public Laws of 1923 relative to health officers.

(Tabled by Mr. Bragdon of Perham pending third reading).

S. P. No. 234: An Act to change the name of the city of South Portland.

(Tabled by Mr. Hale of Portland pending passage to be engrossed).

H. P. No. 445: An Act prohibiting fishing in the tributaries to St. Croix Lake in Townships 7 and 8, Range 4, Aroostook county.

H. P. No. 454: An Act to ratify

and make valid the incorporation of Hammond Street Congregational church in Bangor.

H. P. No. 486. An Act relating to fishing in Stony Brook in Newry and Hanover in Oxford county.

H. P. No. 533: An Act to prohibit fishing in the tributaries of Lake Anasagunticook in Canton and Hartford in the county of Oxford.

H. P. No. 534: An Act to establish daily limit on fish in C Pond, in Township C Surplus, Oxford county.

H. P. No. 536: An Act to regulate ice fishing in Long Pond in the towns of Somerville and Jefferson, in the county of Lincoln and, in the town of Windsor, in the county of Kennebec.

H. P. No. 551. "An Act relating to the Fees of Clerks of Cities and Towns."

H. P. No. 949. "An Act in relation to Standard Time."

#### Orders of the Day

On motion of Mr. Thompson of Rockland it was voted to take from the table Senate Paper 204, (S. D. 72) report of the committee on State Lands and Forest Preservation on Resolve authorizing the Land Agent to sell and convey a certain interest of the State in Township 1, Range 7, Penobscot county.

The SPEAKER: The pending question is the acceptance of the report of the committee, which report was "ought to pass in a new draft".

On further motion by Mr. Thompson of Rockland, the report was accepted, and on further motion by the same gentleman, the report was tabled pending first reading.

On motion by Mr. Wing of Auburn, it was voted to take from the table the order presented by the gentleman from Lisbon, Mr. Winn, tabled earlier in the session.

Mr. WING: Mr. Speaker, I have ascertained that there is no provision of law as I indicated to the House. The Secretary of State has informed me that these lists were printed in 1921 which was the reason for the inquiry which I made because I remembered that they were printed in the Record; and with this explanation I now move the passage of the order.

Thereupon, the order received passage.

Mr. WING: Mr. Speaker, there is

in the possession of the committee on Judiciary House Paper 731, an act in relation to state funds for charity patients in public and private hospitals. I have received numerous calls for copies of this document, and an examination of it shows that it was ordered printed; but, through some misunderstanding it has not been printed, I move you, sir, that the House request its return to this body for the purpose of printing, and that there be printed 500 copies.

The SPEAKER: As the Chair recalls it, the gentleman from Strong, Mr. Eustis, who is absent today, introduced that measure, and subsequently stated to the House that as he intended to prepare a new draft, he desired to economize on the printing by not ordering the original bill printed. Whether that new draft has been submitted or not the Chair does not know. Is there any member present who has information about that?

Mr. HAMILTON of Caribou: Mr. Speaker, a new draft is being prepared in the Judiciary room at the present time.

The SPEAKER: Does the new draft differ materially from the original bill?

Mr. HAMILTON: Just some additions to it.

Mr. WING: Mr. Speaker, the matter is evidently attracting a good deal of attention from public spirited citizens who are interested in the various hospitals.

The SPEAKER: The Chair would suggest that the gentleman either have the committee report it without printing, or prepare an order to recall it from the committee.

Mr. WING: What the Chair has stated with reference to the new draft may perhaps be sufficient explanation, and I will not press the motion.

The SPEAKER: The gentleman withdraws his motion.

On motion by Mr. Littlefield of Kennebunk, it was voted to take from the table Senate Paper 395, Senate Document 145, an act to amend Section 34 of Chapter 211 of the Public Laws of 1921, relative to non-resident motor vehicles; tabled by that gentleman earlier in the session; and on further motion by the

same gentleman, the bill was referred to the committee on Judiciary in concurrence with the Senate.

There being no further business under orders of the day, the Clerk read the notices.

The SPEAKER: The members will bear in mind that Tuesday is the last day for the introduction of

bills. The order is worded "Tuesday after the session." All bills or resolves introduced subsequent to the session of Tuesday next will be referred to the next legislature.

On motion by Mr. Kitchen of Presque Isle,

Adjourned until Tuesday afternoon, March 10, at 4.30 o'clock.