

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

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## HOUSE

Friday, March 20, 1925

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

Prayer by the Rev. Mr. Young of Hallowell.

The CLERK: In the absence of the Speaker it becomes necessary to select a Speaker pro tem. Nominations are now in order.

Mr. NICHOLS of Portland: Mr. Clerk, in the absence of the Speaker of the House of Representatives, I nominate the gentleman from Auburn, Honorable George C. Wing, Jr., as Speaker pro tem of this House.

Mr. HOLMES of Lewiston: Mr. Clerk, I take great pleasure in seconding the nomination of the gentleman from Auburn, Mr. Wing, as Speaker pro tem.

Mr. THOMPSON of Rockland: I move you, Mr. Clerk, that the Assistant Clerk be authorized to cast the vote of the House for the gentleman from Auburn, Mr. Wing, as Speaker pro tem.

A viva voce vote being taken, the motion unimously prevailed.

Thereupon the Clerk reported that the Assistant Clerk had attended to his duty.

Mr. Wing was then escorted to the Chair by the Messenger of the House, the members rising and applauding.

Journal of the previous session read and approved.

From the Senate: Communication from Secretary of State transmitting list of Public Acts signed by Governor.

In the Senate read and order placed on file.

In the House, read and placed on file in concurrence.

Mr. HALE of Portland: Mr. Speaker, may I inquire whether that is a printed document.

The SPEAKER pro tem: It is not a printed document. The Clerk will read the communication from the Secretary of State and the Chair will inform the member from Portland that the list is on file at the door of the office of the Governor.

(Communication read by the Clerk.)

On motion by Mr. Hale of Portland 500 copies of the list of public acts were ordered printed.

Papers from the Senate disposed of in concurrence.

At this point a message was received from the Senate, through its Secretary, informing the House that the Senate has convened and elected as President pro tempore the Honorable Frederick W. Hinckley.

On motion by Mr. Nichols of Portland, the Clerk of the House was instructed to convey a message to the Senate informing that body of the election of Hon. Geo. C. Wing, Jr., as Speaker pro tempore.

Subsequently the Clerk reported that he had conveyed to the Senate the message with which he was charged.

From the Senate: Ordered, the House concurring, that three copies of the address of Brigadier General H. M. Lord, Director of the Budget of the United States, be sent by the Secretary of State to the Town or City Clerk of every City, Town or Plantation in Maine.

In the Senate read and passed.

In the House, read and passed in concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Monday afternoon, March twenty-third at 4:30 o'clock.

In the Senate, read and passed.

In the House, read and passed in concurrence.

### Senate Bills in First Reading

S. P. No. 536: An Act relating to the protection of fur-bearing animals.

S. P. No. 272: An act restricting hunting on Dry Pond in Cumberland County.

S. P. No. 195: An act to amend section 5 of Chapter 122 of the Revised Statutes relating to common thieves.

S. P. No. 235: An act to authorize the county commissioners of the county of Hancock to locate, lay out and establish a county way in tide waters of Eggemoggin Reach in said county.

From the Senate: Bill "An Act to Incorporate the Dixfield Water District (H. P. No. 451) (H. D. No. 393) which was passed to be engrossed in the House March 17th.

Came from the Senate the printed bill substituted for the original draft by reason of the fact that the original draft has become mutilated, and passed to be engrossed.

In the House: That body voted to recede and concur with the Senate in the substitution of the printed bill

for the original draft, and the bill was passed to be engrossed in concurrence.

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

#### Judiciary

By Mr. Thissell of Norridgewock: Petition of Grace M. Whitney and 95 others of Somerset County against the repeal in any manner of the present Direct Primary Law (H. P. No. 1216).

#### Legal Affairs

By Mr. Gauvin of Lewiston: Remonstrance of Fred DeCoster and certain others of Lewiston against passage of Finance Commission Bill for Lewiston (H. P. No. 1215).

#### Reports of Committees

Mr. Eustis from the Committee on Education reported "Ought not to pass on Bill, An Act relating to Kindergartens as part of the Common Schools (H. P. No. 1081) (H. Doc. No. 325), as the subject matter has been taken care of in another bill.

Mr. Hamilton from the Committee on Judiciary reported "Ought not to pass" on bill, An Act providing for the attesting of records of city and town clerks by volume (S. P. No. 348) (S. Doc. No. 122).

Mr. Atwood from same Committee reported same on bill An Act changing the place of holding the terms of Yorkshire Municipal Court (H. P. No. 770) (H. Doc. No. 184).

Mr. Bartlett from the Committee on Legal Affairs reported same on bill, An Act to inflict capital punishment for murder (H. P. No. 900) (H. Doc. No. 227).

Mr. Fuller from the same Committee reported same on bill, An Act to provide for the licensing of persons installing awnings in the State (H. P. No. 971) (H. Doc. No. 258).

Mr. Dwinall from same Committee reported same on bill, An Act to permit towns to be divided into polling districts for the election of municipal officers (H. P. No. 1045) (H. Doc. No. 280).

Mr. Beckett from same Committee reported same on bill, An Act to establish a State Bureau of Criminal Identification and Investigation and to establish a Commission to appoint members of said Bureau (H. P. No. 1018) (H. Doc. No. 262).

Reports read and accepted and sent up for concurrence.

Mr. Seidel from same Committee reported same on bill, An Act to create the West Branch Penobscot River Bridge District (H. P. No. 714) (H. Doc. No. 171).

(Tabled by Mr. Campbell of Kingman pending acceptance of the report.)

Mr. Seidel from the Committee on Legal Affairs reported "Ought not to pass on bill, An Act relating to the relief of poor debtors (H. P. No. 888) (H. Doc. No. 213).

Report read and accepted and sent up for concurrence.

Mr. Wing from the Committee on Judiciary reported "Ought to pass" on bill An Act to authorize the City of Belfast to pay its bonded indebtedness, and to issue new bonds for that purpose. (H. P. No. 838.)

Mr. Atwood from the Committee on Legal Affairs reported same on bill An Act in relation to the jurisdiction of the Municipal Court of the City of Portland. (H. P. No. 771.)

Mr. Lamson from the Committee on Pensions reported same on Resolve in favor of Nancy T. Morrill of Madison for State Pension. (H. P. No. 781.)

Same gentleman from same Committee reported same on Resolve providing for a State Pension for Alice Guptill, of Belfast. (H. P. No. 774.)

Mr. Winn from same Committee reported same on Resolve in favor of Bessie E. King of Belfast, for State Pension. (H. P. No. 626.)

Same gentleman from same Committee reported same on Resolve providing for a State Pension for George A. McKusick, of Guilford. (H. P. No. 778.)

Same gentleman from same Committee reported same on Resolve in favor of Eliza J. Eldridge of Hampden, for State Pension. (H. P. No. 779.)

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

Mr. Bragdon from the Committee on Education reported same on bill An Act to amend Revised Statutes Chapter 16, Section 130, as amended by Public Laws 1919, Chapter 69, relating to Certification of Teachers. (H. P. No. 856) (H. Doc. No. 202.)

Mr. Bartlett from the Committee on Legal Affairs reported same on bill "An Act to amend Section 18 of

Chapter 51 of the Revised Statutes, as amended by Chapter 23 of the Public Laws of 1919, relating to Proxies" (H. P. No. 858) (H. Doc. No. 203.)

Reports read and accepted and the bills having already been printed were read twice and tomorrow assigned.

Mr. Dwinall from same Committee reported same on bill An Act giving certain powers to the Governor and Council with respect to State Highway, Interstate and International Bridges (H. P. No. 943) (H. Doc. No. 244.)

(Tabled by Mr. Daigle of Madawaska pending second reading.)

Mr. Fuller from same Committee reported same on bill An Act relating to land taken for parks, squares, public libraries and playgrounds. (H. P. No. 920) (H. Doc. No. 233.)

Mr. Hale from the Committee on Military Affairs reported same on Resolve in favor of Portland Armory. (H. P. No. 513) (H. Doc. No. 113.) (Tabled by Mr. Hale of Portland pending acceptance of the report.)

Report read and accepted and the bill having already been printed was read once and tomorrow assigned.

Mr. Bragdon from the Committee on Education on bill An Act relating to kindergartens as a part of the common schools. (H. P. No. 1083) (H. Doc. No. 327) reported same in a new draft (H. P. No. 1220) under same title and that it "Ought to pass."

Mr. Bartlett from the Committee on Legal Affairs on bill An Act to incorporate Old Town Herbert Gray School District (H. P. No. 496) (H. Doc. No. 101) reported same in a new draft (H. P. No. 1217) under same title and that it "Ought to pass."

Mr. Sargent from the Committee on Public Utilities on Resolve for the appointment of one or more persons to represent the State in certain proposed changes in freight rates affecting the people of the State (H. P. No. 247) (H. Doc. No. 76) reported same in a new draft (H. P. No. 1218) under same title and that it "Ought to pass."

Mr. Littlefield from the Committee on Sea and Shore Fisheries on bill An Act relating to application for license to build or extend

wharves of fish weirs (H. P. No. 164) reported same in a new draft (H. P. No. 1219) under same title and that it "Ought to pass."

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

Mr. Foster from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on bill an Act to amend Sections 85, 86, 87 and 88 as amended by various Public Acts, of Chapter 2 of the Revised Statutes, relating to the State Auditor. (H. P. No. 1)

Same gentleman from same Committee reported same on bill an Act to refine the surplus revenue account. (H. P. No. 96) (H. Doc. No. 25) as the subject matter is covered by another bill.

Mr. Foster from same Committee reported same on Resolve in favor of the Governor and Council. (H. P. No. 2) as the subject matter is covered by another bill.

Mr. Hayford from the Committee on Banks and Banking reported same on Bill an Act relating to Trust Companies. (H. P. No. 591) (H. Doc. No. 136)

Mr. Hale from the Committee on Judiciary reported same on bill an Act relative to motor vehicles, neutral zone, and to revise and amend Sections 75 and 34 of Chapter 211 of the Public Laws of 1921. (H. P. No. 965) (H. Doc. No. 181) as the matter is covered by other legislation.

(Tabled by Mr. Burnham of Kittery pending acceptance of the report.)

Mr. Oakes from same Committee, reported same on bill, "An Act enlarging the powers of State Highway Police Chief" (H. P. 702) (H. D. 167) as the matter is covered by pending legislation.

(Tabled by Mr. Littlefield of Kennebunk, pending acceptance of the report.)

Mr. Hale from same Committee, reported same on bill, "An Act relating to registration of motor vehicles of non-residents, and fees for same." (H. P. 1016) (H. D. 261)

Mr. Wing from same Committee, reported same on bill, "An Act to amend section thirty-four of chapter two hundred and eleven of the Public Laws, relating to the registration of motor vehicles by non-residents" (H. P. 451) (H. D. 93) as the matter is covered by pending legislation.

(Tabled by Mr. Littlefield of Ken-

nebunk, pending acceptance of the report.)

Mr. Hale from same Committee, reported same on bill, "An Act relating to the notice given by the Assessors of Taxes before assessments" (H. P. 1043) (H. D. 278)

Mr. Hamilton from same Committee, reported same on bill, "An Act relating to operation of motor vehicles," (H. P. 494) (H. D. 99) as the matter is covered by other legislation.

Mr. Nichols from same Committee reported same on Bill "An Act to amend Section 41 of Chapter 211, Public Laws of 1921 as amended by Public Law of 1923, relating to Penalties under Motor Vehicle Laws" (H. P. No. 699) (H. Doc. No. 164)

(Tabled by Mr. Littlefield of Kennebunk pending acceptance of the report.)

Mr. Hamilton from same Committee reported same on Bill "An Act relating to Motor Vehicle Laws" (H. P. No. 1131) (H. Doc. No. 377)

(Tabled by Mr. Littlefield of Kennebunk pending acceptance of the report)

Same gentleman from same Committee reported same on Bill "An Act relating to Registration of Motor Vehicles of Non-residents, and Fees of Residents" (H. P. No. 413) (H. Doc. No. 86)

(Tabled by Mr. Littlefield of Kennebunk pending acceptance of the report.)

Mr. Nichols from same Committee reported same on Bill "An Act relating to driving Motor Vehicles while under the influence of Intoxicating Liquors" (H. P. No. 412) (H. Doc. No. 85)

Reports read and accepted and sent up for concurrence.

Mr. Hamilton from same Committee reported "Ought to pass" on bill An Act to incorporate the Caribou Sewer District. (H. P. No. 632) (H. Doc. No. 147)

Mr. Oakes from same Committee reported same on bill An Act relating to Motor Vehicle Laws (H. P. No. 700) (H. Doc. No. 165)

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

Mr. Nichols from same Committee on bill An Act relating to the taking of additional land by railroad corporations; proceedings before Public Utilities Commission (H. P. No. 708) H. Doc. No. 152) reported same in a new draft (H. P. No. 1221) under

same title and that it "Ought to pass."

Same gentleman from same Committee bill an Act relating to the collection of taxes by legal process (H. P. No. 844) (H. Doc. No. 194) reported same in a new draft (H. P. N. 1222) under title of an Act to amend Section 76 of Chapter 11 of the Revised Statutes, as amended by Chapter 182 of the Public Laws of 1921, to provide for notice to mortgagees in case mortgaged real estate is sold for taxes; to provide for redemption by a mortgagee if notice is not given; and to provide for redemption in case real estate is sold for taxes when same are assessed against the name of a person not the true owner" and that it "Ought to pass."

Mr. Sargent from the Committee on Public Utilities on bill, "An Act to Authorize the Rumford and Mexico Water District to take water from Walker Brook, in the towns of Roxbury and Weld" (H. P. No. 503) reported same in a new draft (H. P. No. 1223) under title of "An Act amendatory of and additional to Chapter 290 of the Private and Special Laws of 1911, creating the Rumford and Mexico Water District, authorizing said District to take water from Walker Brook in the towns of Roxbury and Weld," and that it "Ought to pass."

Same gentleman from same Committee on bill, "An Act to extend the Powers of Western Maine Power Company" (H. P. No. 550) reported same in a new draft (H. P. No. 1224) under title of "An Act to extend the Powers of Western Maine Power Company, formerly Limerick Water and Electric Company" and that it "Ought to pass."

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

#### First Reading of Printed Bill and Resolve

H. P. 1211: An Act to close hunting in certain territory in Sagadahoc County to be known as the West Bath Game Preserve.

H. P. 589: Resolve in favor of an appropriation for the payment of salaries and expenses.

#### Passed to Be Engrossed

S. P. No. 108: An Act to amend the charter and change the name of People's Realty Association to People's Mutual Loan Association.

S. P. No. 277: An Act to author-

ize "The First Church and Parish" of Falmouth to sell and convey certain lands and buildings.

S. P. No. 282: An Act to correct a clerical error in Section 13 of Chapter 98 of the Private and Special Laws of 1923.

S. P. No. 451: An Act to change the personnel of the budget committee.

S. P. No. 528: An Act to amend Chapter 20 of the Revised Statutes relating to apothecaries and the sale of poisons.

H. P. No. 258: An Act providing for a yearly limit of one deer in all counties of the State.

Mr. HAMILTON of Caribou: Mr. Speaker, I offer Amendment A to House Paper 258 (H. D. 51) as follows:

"Said act is hereby amended by adding in section thirty-eight, after the word 'thereof,' in the twenty-fifth line on page three, the words, 'in any of the counties of the State except the county of Aroostook, wherein no person shall, during the open seasons above named, except as hereinafter provided, take, catch, kill or have in possession, whenever or wherever taken, caught or killed, more than two deer or parts thereof. A person lawfully killing a deer in open season shall have a reasonable time in which to transport the same to his home and may have the same in possession at his home in closed time.'"

Mr. CAMPBELL of Kingman: Mr. Speaker, I would like to add "Penobscot County" to that.

The SPEAKER pro tem: The gentleman is not in order.

Mr. HAMILTON of Caribou: Mr. Speaker, pending the adoption of the amendment, because of the short time we have this morning, and the many speeches to be made by the people from Aroostook, I move that the amendment and bill lie on the table until Wednesday next.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Hamilton, moves that the bill and amendment lie on the table. Is that the pleasure of the House?

Mr. NICHOLS of Portland: Mr. Speaker, may I ask the gentleman from Caribou (Mr. Hamilton) if he will have the amendment printed?

Mr. HAMILTON: Yes.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Hamilton, amends his motion by adding the

printing thereto. Is it the pleasure of the House that this matter lie on the table?

The motion to table prevailed, and on further motion by the same gentleman five hundred copies of the amendment were ordered printed. On further motion by the same gentleman, the matter was especially assigned for Wednesday, March 25.

H. P. No. 382: An Act to amend Chapter 216 of the Public Laws of 1903, pertaining to the school board of the city of Brewer.

H. P. No. 715: An Act to authorize the State Board of Registration of Optometry to issue a certificate of registration to David M. House.

H. P. No. 895: An Act to amend Section 127 of Chapter 87 of Revised Statutes, relating to affidavits being received as prima facie evidence.

H. P. No. 941: An Act relating to admission to the bar.

H. P. No. 969: An Act relieving the State of the necessity of alleging and proving the non-existence of a Federal permit in proceedings for punishment for unlawful transportation of liquor and for forfeiture of vehicles, boats, etc.

H. P. No. 1171: An Act to require the teaching of American History and Civil Government in the Public and Private Schools.

H. P. No. 1181: An Act to grant a new charter to the City of Saco.

H. P. No. 1190: An Act relating to the Salaries of Deputy Sheriffs of Cumberland County.

H. P. No. 1191: An Act to amend Chapter 174 of the Public Laws of Maine for 1923, known as the Military Law."

H. P. No. 1192: An act relating to the taking of smelts, suckers, bait fish, white fish and cusk.

H. P. No. 232: Resolve in favor of the designation of a certain day in February of each year as "Potato Day."

H. P. No. 1188: Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment.

H. P. No. 1189: Resolve in favor of Central Maine Sanatorium.

(Tabled by Mr. White of Bowdoin-hame pending second reading.)

H. P. No. 1193: Resolve in favor of the Directors of the Port of Portland.

H. P. No. 1194: Resolve in favor of the Directors of the Port of Portland.

Mr. PIPER of Jackman: Mr. Speaker, I move that we adjourn.

The SPEAKER pro tem: The gentleman from Jackman, Mr. Piper, moves that the House adjourn in ac-

cordance with the order before passed.

A viva voce vote being taken, the House voted to adjourn, in accordance with the order, until 4.30 o'clock Monday afternoon, March 23rd.