

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

Monday, March 23, 1925.

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

Prayer by the Rev. Mr. Megert of Hallowell

Journal of the previous session read and approved.

The SPEAKER: It has been suggested that when the House adjourn it adjourn to 9.30 tomorrow morning.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Judiciary reporting "ought not to pass" on bill An Act to amend Section 34 of Chapter 211 of the Public Laws of 1921 relating to non-resident motor vehicles. (S. P. No. 395) (S. D. 145).

Comes from the Senate report read and accepted.

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

From the Senate: Report of the committee on Judiciary reporting "ought not to pass" on bill an act to amend Section 74 of Chapter 211 of the Public Laws of 1921, relative to motor vehicles and law of the road, (S. P. No. 173) (S. D. 59).

Comes from the Senate report read and accepted.

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

From the Senate: Report of the committee on Inland Fisheries and Game on bill an act to regulate fishing in the Aroostook River and tributaries in the Aroostook county (S. P. No. 327) reporting same in a new draft (S. P. No. 546) (S. D. 232) under same title and that it "ought to pass."

Comes from the Senate report read and accepted and the bill passed to be engrossed.

In the House, on motion by Mr. Hamilton of Caribou, tabled pending acceptance of the report in concurrence.

Senate Bill in First Reading

S. P. No. 547: An act relating to

the salary of the Judge of the Kennebunk Municipal Court.

From the Senate: Resolve in favor of double stacking the State Library. (S. P. No. 58) (S. D. No. 35) which was indefinitely postponed in the House March 18th.

Comes from the Senate that body insisting on its former action whereby the bill was passed to be engrossed and asking for a Committee of Conference with the following members appointed on its part:

Messrs. CARTER of Androscoggin
ALLEN of York
CRAM of Cumberland

On motion by Mr. Nichols of Portland the House voted to join the Committee of Conference and the following Conferees were appointed on its part:

Messrs. NICHOLS of Portland
FROST of Belfast
HARRIMAN of Readfield

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

Judiciary

By Mr. Campbell of Kingman: Remonstrance of C. G. Richardson and 32 others of Patten against bill compelling potatoes under crop mortgage to be marketed through the Exchange. (H. P. No. 1225).

Orders

Mr. Holmes of Lewiston presented the following order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Legal Affairs be and hereby is instructed to hold hearings and investigate to ascertain whether or not false affidavits were made and presented to said Committee at the public hearing held March 19, 1925 on H. D. No. 91, Bill, "An Act to Establish a Finance Commission in the City of Lewiston", and on other bills affecting the City of Lewiston; and in pursuance thereof to summon witnesses, compel production of papers and records, administer oaths; and to report their findings to the Eighty-second Legislature, together with their recommendations as to whether or not proceedings should be taken against any persons for having obstructed the proceedings of the legislature by attempting to deceive the legislature in a public matter, or otherwise.

The following names are given to

said Committee as witnesses to summon and examine to ascertain the facts:

Arthur H. Field, Chief of Police, Lewiston,

William H. Colwell, desk officer of police, Lewiston,

Antonio Voyer, patrolman, Lewiston,

Malcolm Davis, patrolman, Lewiston,

Joseph A. Picard, Police Captain, Lewiston,

John J. O'Connell, Police Captain, Lewiston,

Hubert Verreault, City Hall Janitor, Lewiston,

Mrs. Alta Allen Mottram, Court Stenographer, Auburn.

Mr. BECKETT of Calais: Mr. Speaker, I move that that order be laid upon the table.

Mr. WING of Auburn: Mr. Speaker, I ask for a division.

The SPEAKER: The House hears the motion. As many as are in favor of this matter lying on the table will rise and stand in their places until counted and the monitors will return the count.

A division of the House being had, Nine having voted in the affirmative and 28 in the negative, the motion to table failed of passage.

On motion by Mr. Holmes of Lewiston, the order received passage and was sent up for concurrence.

Reports of Committees

Mr. Kinsman from the Committee on Inland Fisheries and Game on Petitions in favor of the one deer law (H. P. No. 1165) (H. P. No. 1166) (H. P. No. 1184) reported that same be placed on file.

Mr. Kinsman from same Committee reported "Ought not to pass" on bill, An Act to regulate Fishing in Swift River and its tributaries in Oxford County (H. P. No. 758) as the subject matter has been covered by another bill.

Mr. Flint from same Committee reported same on bill, An Act requiring non-residents to employ guides at all times while hunting in the State of Maine during the months of May to November inclusive (H. P. No. 1038) (H. Doc. No. 319).

Mr. Boman from the Committee on Sea and Shore Fisheries reported same on bill, An Act relating to close time on Lobsters (H. P. No. 447).

Reports read and accepted and sent up for concurrence.

Mr. Robie from the Committee on Agriculture on bill, An Act to change

the grades of the Apple Packing Law (H. P. No. 478) (H. Doc. No. 104) reported same in a new draft (H. P. No. 1226) under same title and that it "Ought to pass."

Mr. Deering from same Committee on Resolve appropriating money for the Maine Agricultural Experiment Station for the purchase of additional land at Highmoor Farm (H. P. No. 183) (H. Doc. No. 189) reported same in a new draft (H. P. No. 1231) under title of "Resolve granting authority to the Maine Agricultural Experiment Station for the purchase of land" and that it "Ought to pass."

Mr. Frost from the Committee on Inland Fisheries and Game on bill "An Act entitled an Act for the better protection of trout in certain waters in Washington county" (H. P. No. 751) reported same in a new draft (H. P. No. 1232) under title of "An Act to regulate fishing in East Stream, so-called, in the county of Washington" and that it "Ought to pass."

Mr. Kinsman from same Committee on bill, An Act prohibiting ice fishing in Watchie Pond in the town of Standish, Cumberland County (H. P. No. 746) reported same in a new draft (H. P. No. 1227) under title of "An Act relating to Ice Fishing in Watchie Pond, in the town of Standish, in the county of Cumberland" and that it "Ought to pass."

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

Mr. Stone from the Committee on Inland Fisheries and Game on bill, An Act to prohibit night fishing in the inland waters of the State of Maine (H. P. No. 259) (H. Doc. No. 50) together with remonstrances (H. P. No. 738) (H. P. 842) reported same in a new draft (H. P. No. 1228) under title of "An Act to regulate Night Hunting and Fishing" and that it "Ought to pass."

(Tabled by Mr. Cyr of Waterville pending acceptance of the report.)

Mr. Stone from the committee on Inland Fisheries and Game, on Resolve relating to an appropriation for the repair and improvement of Fish Hatchery at Lake Megunticook, in Camden, County of Knox (H. P. No. 112) reported same in a new draft (H. P. No. 1229) under same title and that it "Ought to pass."

Mr. Sargent from the Committee on Public Utilities on bill An Act to amend Section 72 of Chapter 56 of the Revised Statutes, relating to the

ringing of the engine bell or sounding of the whistle at Grade Crossings (H. P. No. 972) (H. Doc. No. 257) reported same in a new draft (H. P. No. 1230) under same title and that it "Ought to pass."

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

Mr. Flint from the Committee on Inland Fisheries and Game reported "Ought to pass" on bill An Act relating to the issuance of permits to propagate game birds, game and fur-bearing animals. (H. P. No. 748)

Mr. Moore from the Committee on Sea and Shore Fisheries reported same on bill An Act relating to the better protection of smelts. (H. P. No. 127)

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

First Reading of Printed Bills and Resolves

H. P. No. 771: An Act in relation to the jurisdiction of the Municipal Court of the city of Portland.

H. P. No. 838: An Act to authorize the city of Belfast to pay its bonded indebtedness, and to issue new bonds for that purpose.

H. P. No. 1217: An Act to incorporate Old Town Herbert Gray School District.

H. P. No. 1219: An Act relating to application for license to build or extend wharves or fish wiers.

H. P. No. 1220: An Act to amend Section 30 of Chapter 16 of the Revised Statutes and Chapter 134 of the Public Laws of 1917, providing for Kindergartens as part of the common school course.

H. P. No. 1221: An Act relating to the taking of additional land by railroad corporations; proceedings before Public Utilities Commission.

H. P. N. 1222: 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; and 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.

H. P. No. 1223: 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.

H. P. No. 1224: An Act to extend the powers of Western Maine Power Company, formerly Limerick Water and Electric Company.

H. P. No. 626: Resolve in favor of Bessie E. King of Belfast, for State Pension.

H. P. No. 774: Resolve providing for a State Pension for Alice Gup-till, of Belfast.

H. P. No. 778: Resolve providing for a State Pension for George A. McKusick of Guilford.

H. P. No. 779: Resolve in favor of Eliza A. Eldridge, of Hampden, for State Pension.

H. P. No. 781: Resolve in favor of Nancy T. Morrill of Madison, for State Pension.

H. P. No. 1218: Resolve providing for appointment of one or more persons to represent the State in certain proposed changes in freight rates affecting the people of the State.

Passed To Be Engrossed

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 the tide waters of Eggmoggin Reach in the town of Sedgwick.

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

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

H. P. No. 632: An Act to incorporate the Caribou Sewer District.

H. P. No. 700: An Act relating to Motor Vehicle Laws.

H. P. No. 856: An Act to amend Revised Statutes Chapter 16, Section 130, as amended by Public Laws of 1919, Chapter 69, relating to certification of teachers.

H. P. No. 858: 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. 920: An Act relating to land taken for parks, squares, public libraries and playgrounds.

H. P. No. 1211: An Act to close hunting in certain territory in Sagadahoc County to be known as the West Bath Game Preserve.

H. P. No. 589: Resolve in favor of an appropriation for the Directors of the Port of Portland for the payment of salaries and expenses.

(Tabled by Mr. Boynton of South Portland, pending second reading

and especially assigned for Wednesday, March 25.)

Finally Passed

The SPEAKER: The Chair will state that, while it has not been customary up to this time to present matters for final enactment upon the first day of the week, these two matters are concerned with the county taxes and it is important that they be passed so that the information may be sent back to the various counties during the month of March, and unless there is objection we will take a vote upon the final passage of these county matters.

Resolve for the laying of the County Taxes for the year 1925.

The SPEAKER: This being an emergency measure and a two-thirds majority of the entire membership of the House being necessary on its final passage, all those in favor of its final passage will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and fourteen voted, all in the affirmative, so the resolve was finally passed.

Resolve for the laying of the county taxes for the year 1926.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair presents an act to amend section sixty of chapter 126 of the revised statutes relating to old, diseased or disabled animals; the bill introduced by the gentleman from Bangor, Mr. Smith, upon which the Committee on Agriculture first reported that the bill should not pass, which report was accepted in the House. Subsequently in the Senate the bill was recommended to the Committee on Agriculture without action on the part of the House and the Committee subsequently reported that the bill should pass. The gentleman from Bangor, Mr. Smith, now moves, in order that the bill may receive favorable action at the hands of the House and in order that the records may be made clear, that the action of the House whereby the report "Ought not to Pass" was accepted, be expunged from the record, the date of that action being February 27th. Is it the pleasure of the House that the action whereby the report of the Committee on Agriculture on this bill, "Ought not to Pass" was accepted, be expunged from the record?

Thereupon, on motion by Mr. Smith of Bangor the House voted that its action whereby the report of the Committee, "Ought not to Pass"

on this bill was accepted, be expunged from the record; and upon further motion by the same gentleman the House voted to accept the report of the committee on Agriculture "ought to pass" and that the bill be now printed.

On motion by Mr. Hall of Waterville, the rules were suspended and the House voted to reconsider its action whereby it accepted the report of the committee, "ought not to pass" on H. P. No. 747, An Act permitting taking of pickerel and smelts through the ice from the Belgrade chain of lakes; and on further motion by the same gentleman the bill was substituted for the report, and the bill ordered printed.

On motion by Mr. Littlefield of Kennebunk, it was voted to take from the table report of the committee on Judiciary, ought not to pass, on bill an act relating to the registration of motor vehicles by non-residents (H. P. No. 451) H. D. 164, tabled by that gentleman March 20, pending acceptance of the report; and on further motion by the same gentleman the report was accepted.

On motion by Mr. Littlefield of Kennebunk it was voted to take from the table report of the committee on Judiciary ought not to pass on bill, an act relating to penalties under motor vehicle law (H. P. No. 699) H. D. 164 tabled by that gentleman March 20, pending acceptance of the report; and on further motion by the same gentleman the report was accepted.

On motion by Mr. Littlefield of Kennebunk it was voted to take from the table report of the committee on Judiciary ought not to pass on bill an act relating to motor vehicle laws (H. P. No. 1151) H. D. 377, tabled by that gentleman March 20, pending acceptance of the report; and on further motion by the same gentleman the report was accepted.

On motion by Mr. Littlefield of Kennebunk it was voted to take from the table report of the committee on Judiciary, ought not to pass on bill an act relating to registration of motor vehicles of non-residents and fees of residents (H. P. No. 413) H. D. 86, tabled by that gentleman March 20, pending acceptance of the report; and on further motion by the same the report was accepted.

On motion by Mr. Aver of Cornish, Adjourned until tomorrow morning at 9.30 o'clock.