

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

Thursday, March 26, 1925.

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

Prayer by the Rev. Mr. Folsom of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 315: An act to amend Section 3 of the Public Laws of 1923 relating to retiring and pensioning State employees.

S. P. 330: An act relating to the adjustment of rate of interest on farm loans granted by the State.

S. P. 571: Resolve in favor F. W. Cunningham & Sons for contractors fees as per contract with the State dated October 1923 in connection with the State Prison, Thomaston, Maine, together with disbursements.

From the Senate: Bill an act to regulate fishing in the Aroostook River and tributaries, in Aroostook county, S. P. 546, S. D. 232, which was indefinitely postponed in the House March 24.

Comes from the Senate that body insisting on its former action where-by the bill was passed to be engrossed, and asking for a committee of conference with the following members appointed on its part:

Senators WILSON of Aroostook
CRAFTS of Piscataquis
BUZZELL of Oxford

In the House, on motion by Mr. Hamilton of Caribou, that body voted to join in the committee of conferees.

The SPEAKER: At a later time the Chair will name the conferees on the part of the House.

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

Appropriations and Financial Affairs

By Mr. Boynton of South Portland: Resolve in favor of Ellis F. Baker. (H. P. 1239).

By Mr. Beckett of Calais: Resolve in favor of Lewis A. Burleigh, Jr., clerk of the committee on bills in the third reading. (H. P. 1240).

Reports of Committees

Mr. Norwood from the Committee on Agriculture reported Ought not to pass on bill An Act to amend Chapter 4 of the Revised Statutes relating to the registration and licensing of dogs (H. P. No. 618) (H. Doc. No. 138).

Mr. Sturgis from same Committee reported same on bill An Act to regulate the sale of apples in open packages (H. P. No. 1116) (H. Doc. No. 379).

Mr. Fuller from the Committee on Legal Affairs reported same on bill An Act giving a right to bring an action on the case for damages caused by interference with Log Driving by Storage Dams (H. P. No. 1107) (H. Doc. No. 336) as the matter is covered by other legislation.

Mr. Seidel from same Committee reported ought not to pass on bill An Act relating to electors in un-organized places (H. P. No. 942) (H. Doc. No. 245).

Mr. Bartlett from same Committee reported same on bill An Act relating to lodging houses (H. P. No. 1105) (H. Doc. No. 338).

Mr. Holman from the Committee on Library on Resolve authorizing the State Librarian to purchase for the State 150 copies of the History of Oxford County when printed. (H. P. No. 28) reported that same be referred to next Legislature.

Reports read and accepted and sent up for concurrence.

Mr. Sturgis from the Committee on Agriculture reported ought to pass on bill An Act to regulate the sale of oleomargarine or any other substitute for butter (H. P. No. 1117) (H. Doc. No. 380).

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned.

Mr. Jones from the Committee on State School for Boys, State School for Girls and State Reformatories reported same on Resolve in favor of Trustees of Juvenile Institutions (H. P. No. 387).

Same gentleman from same Committee reported same on Resolve in favor of State School for Boys (H. P. No. 389).

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

Mr. Sturgis from the Committee on Agriculture on bill An Act to regulate the sale of filled milk (H. P. No. 1119) (H. Doc. No. 382) reported same in a new draft (H. P.

No. 1238) under same title and that it ought to pass.

Mr. Jones from Committee on State School for Boys, State School for Girls and State Reformatories, on Resolve in favor of State School for Girls (H. P. No. 388) reported same in a new draft (H. P. No. 1237) under same title and that it ought to pass.

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

Mr. Thompson from the committee on Legal Affairs reported ought not to pass on bill, An Act relating to expectation in public places (H. P. No. 1108 (H. Doc. No. 335)).

Mr. Dwinal from same committee reported same on bill, An Act relating to removal of executors or administrators (H. P. No. 1104) (H. Doc. No. 339).

Reports read and accepted and sent up for concurrence.

Mr. Atwood from the committee on Legal Affairs reported ought to pass on bill, An Act to repeal Chapter 389 of the Private and Special Laws for the year 1905, entitled "An Act to grant certain powers to the town of Eden (H. P. No. 117).

Mr. Sargent from the committee on Sea and Shore Fisheries reported same on bill, An Act amending an act relating to taking of clams in the town of Machiasport (H. P. No. 801).

Same gentleman from same committee reported same on bill, An Act relating to fishing for smelts in Eastern river (H. P. No. 559) together with petition (H. P. No. 560).

Reports read and accepted and the bills ordered printed under the joint rules.

First Reading of Printed Bills and Resolves

H. P. No. 561: An Act for the better protection of smelts in the Passamaquoddy river.

H. P. No. 639: An Act to repeal Chapter 27 of the Public Laws of 1923 relating to smelt fishing.

H. P. No. 1124: An Act in relation to the Passamaquoddy and Penobscot Indian Tribes.

H. P. No. 1236: An Act prohibiting the catching of smelts in Cathance river except by hook and line.

H. P. No. 120: Resolve in favor of Abbie A. Norton of Industry for State pension.

H. P. No. 783: Resolve providing for a State pension for Alice Fuller of Lewiston.

H. P. No. 784: Resolve providing for a State pension for Florence J. Judkins of Lewiston.

H. P. No. 785: Resolve providing for a State pension for Betsey A. Trask of Lewiston.

H. P. No. 786: Resolve providing for a State pension for Nancy J. Brooks of Lewiston.

H. P. No. 1234: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof (H. P. No. 1234) (H. Doc. No. 456).

H. P. No. 1235: Resolve providing for an increase of State pension for Emma Coffin Norton of Palermo.

Passed To Be Engrossed

S. P. No. 164: An Act relating to dogs found chasing moose, caribou or deer.

S. P. No. 221: An Act to amend Section 15 of Chapter 173 of the Public Laws of 1921, and Chapter 175 of the Public Laws of 1923 relating to State School Fund covering unexpended balances.

S. P. No. 464: An Act to amend Section 30 of Chapter 24 of the Revised Statutes, as amended by Chapter 37 of the Public Laws of 1917, relating to location of ways crossing railroad tracks.

S. P. No. 465: An Act relating to traveling peddlers, dealers, salesmen and solicitors of orders for punch boards, seal cards, slot gambling machines or other implements, apparatus or materials of any form of gambling.

S. P. No. 554: An Act prohibiting pollution with mill waste of the lakes and ponds and certain specified rivers, brooks and streams of the State.

H. P. No. 317: Bill, An Act relating to fishing in certain waters in Franklin and Oxford counties (H. P. No. 317) (H. Doc. No. 219).

H. P. No. 1109: Bill, An Act relating to appropriations for advertising by cities and towns (H. P. No. 1109) (H. Doc. No. 341).

H. P. No. 1137: Bill, An Act relative to State of Maine Building at West Springfield, Massachusetts (H. P. No. 1137) (H. Doc. No. 355).

H. P. No. 1139: Bill, An Act relating to State pensions (H. P. No. 1139) (H. Doc. No. 357).

H. P. No. 513: Resolve in favor of Portland Armory.

(Tabled by Mr. Decker of Milo pending second reading).

H. P. No. 518: Resolve in favor of the Gardiner Fish and Game Association to reimburse same for one-half

the cost of the screen installed by said association on Cobbosseecontee Stream at the New Mills, so-called, in the city of Gardiner in the county of Kennebec.

Passed to Be Enacted

An Act to amend Section 5 of Chapter 122 of the Revised Statutes, relating to common thieves.

(Tabled by Mr. Nichols of Portland, pending enactment, and especially assigned for tomorrow.)

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 Egge-moggin Reach in said county.

An Act to restrict hunting on Dry Pond in Cumberland County.

An Act relating to the protection of fur-bearing animals.

An Act to close hunting in certain territory in Sagadahoc County, to be known as the West Bath Game Preserve.

An Act relating to abolishment of grade crossings.

An Act relating to the taking of smelts in Casco Bay.

Mr. HAMILTON of Caribou: I move that the act relating to taking of smelts in Casco Bay be tabled.

Mr. LAMSON of South Portland: Mr. Speaker, I ask for a division.

The SPEAKER: The question is on the motion of the gentleman from Caribou, Mr. Hamilton, that An Act relating to the taking of smelts in Casco Bay lie on the table. As many as are in favor will rise and stand in their places until counted and the monitors will return the count.

A division of the House being had, Thirty-two voted in the affirmative and 44 in the negative, and the motion to table failed of passage, so the bill was passed to be enacted.

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.

(Tabled by Mr. Hale of Portland, pending enactment and especially assigned for tomorrow.)

An Act to amend Section 5 of Chapter 118 of the Revised Statutes, as amended by Chapter 222 of the Public Laws of 1919, and by Chapter 244 of the Public Laws of 1919, and by Chapter 112 of the Public Laws of 1923, relating to the salaries

of Deputy Sheriffs of Cumberland County.

An Act to amend Chapter 174 of the Public Laws of 1923, known as the Military Law.

An Act relating to the taking of smelts, suckers, bait fish, white fish, and cusk.

Orders of the Day

The SPEAKER: Under orders of the day there is especially assigned for today, bill an act relating to the better protection of smelts. (H. P. 127) H. D. 448, tabled by Mr. Hamilton of Caribou, March 25, pending third reading.

On motion by Mr. Hamilton of Caribou, the bill had its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents, assigned for today, bill an act relating to old, diseased or disabled animals, H. P. 512, H. D. 114, tabled by Mr. Goodrich of Farmingdale, March 25, pending third reading.

On motion by Mr. Goodrich of Farmingdale the bill had its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents, especially assigned for today, bill an act amending the Constitution referring to education, H. P. 381, H. D. 78, tabled by Mr. Stitham of Pittsfield, March 25, pending first reading.

Mr. STITHAM of Pittsfield: Mr. Speaker, I move to substitute a bill in new draft.

The SPEAKER: The gentleman from Pittsfield, Mr. Stitham, offers a new draft and moves to substitute the same for this bill. Does the gentleman wish to speak to that motion?

Mr. STITHAM: No.

The SPEAKER: Is it the pleasure of the House that this motion have passage?

Mr. HALE of Portland: Mr. Speaker, is this a new draft?

The SPEAKER: Apparently.

Mr. HALE: May we have it read, sir?

The SPEAKER: Yes:

(The Chair reads new draft of bill)

On motion by Mr. Hale of Portland, 1000 copies of this new draft were ordered printed; and on further motion by the same gentleman, the matter was tabled.

The SPEAKER: The House is proceeding under orders of the day.

On motion by Mr. Decker of Milo, it was voted to take from the table a resolve in favor of the Portland Armory, tabled by that gentleman earlier in the day.

Mr. DECKER of Milo: Mr. Speaker, arrangements having been made whereby this matter is to be taken care of under the general appropriation bill, I now move that this resolve be indefinitely postponed.

The motion prevailed, and the resolve was indefinitely postponed.

The SPEAKER: Is there further business under orders of the day?
(No response).

The SPEAKER: The House may be at ease while the Clerk ascertains whether any business can be accomplished by waiting for Senate papers.

The SPEAKER: The Chair appoints as conferees on the part of the House on bill an act to regulate fishing in the Aroostook River and tributaries, in Aroostook county. Representatives Hamilton of Caribou, Palmer of Island Falls and Bragdon of Perham.

On motion by Mr. Pillsbury of Benton,

Adjourned until 9.30 o'clock tomorrow morning.