

# 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

**SENATE**

Friday, February 13, 1925.

Senate called to order by the President.

Prayer by the Rev. R. W. D. Smith of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Resolve in favor of Earl G. Holbrook for damages sustained in accident on state aid highway.

In the Senate referred to the committee on judiciary.

In the House referred to committee on Claims in non-concurrence.

In the Senate, on motion by Mr. Hinckley of Cumberland, tabled.

From the House: An Act to establish a finance commission in the city of Lewiston.

In the House referred to the committee on legal affairs.

In the Senate, on motion by Mr. Lane of Androscoggin, tabled pending reference.

From the House:

The majority of the Committee on Judiciary on bill "An Act relating to the protection of children" (H. P. 62) (H. D. 17) reporting that the same ought not to pass.

(Signed) HINCKLEY  
HUSSEY  
HAMILTON  
NICHOLS  
HALE  
HOLMES  
WING  
MARTIN  
OAKES

The minority from the same Committee on the same subject matter reporting that the same ought to pass.

(Signed) MAHER

In the House the majority report was accepted.

In the Senate, on motion by Mr. Maher of Kennebec, both reports were tabled pending acceptance of either.

Communication from the Office of Secretary of State

**STATE OF MAINE**

Office of the Secretary of State

Augusta, February 10, 1925.

To the President of the Senate, and Speaker of the House of Representatives:

Under the provisions of the Revised Statutes, Chapter 10, Section 71, I have the honor to herewith transmit the county estimates for the years 1925 and 1926 of the several counties of the State of Maine, which have been filed with the Secretary of State.

Respectfully,

(Signed) FRANK W. BALL  
Secretary of State.

Which was read and referred to the Committee on Counties in concurrence.

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

**Appropriations and Financial Affairs**

By Mr. Anthoine of Cumberland, Resolve, in Favor for the Maine School for the Deaf. (S. P. 185).

By Mr. Wadsworth of Kennebec, Resolve, Providing for the Purchase of the book to be issued by the Maine State Bar Association in commemoration of the adoption of the constitutions of the United States and of Maine. (S. P. 186).

(On motion by Mr. Smith of Somerset, out of order it was

Ordered, the House concurring, that when the House and Senate adjourn they adjourn to meet Tuesday, February 17, at 4.30 o'clock.

Sent down for concurrence.)

By Mr. Cram of Cumberland, Resolve, for Maine General Hospital for medical or surgical treatment of certain persons. (S. P. 187).

**Agriculture**

By Mr. Lord of York, An Act to amend section five of Chapter 37 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1919, relating to the registration of milk dealers. (S. P. 188).

By the same Senator, An Act to define certain grades of milk offered for sale within the State. (S. P. 189). (500 copies of each ordered printed)

**Claims**

By Mr. PERKINS of Penobscot, Resolve, in favor of Raymond Smith. (S. P. 190).

### Education

By Mr. Holley of Somerset, Resolve, in favor of Somerset Academy. (S. P. 214).

### Inland Fisheries and Game

By Mr. Buzzell of Oxford, Remonstrance of C. D. Merrill and 110 others against any change in the law as regards fishing in Lovewell's Pond in the town of Fryeburg. (S. P. 191).

By Mr. Hussey of Aroostook, An Act to Protect the Fur Bearing Animals of the State of Maine. (S. P. 192).

(500 copies ordered printed)

### Interior Waters

By Mr. Buzzell of Oxford, An Act to amend Chapter one hundred and eighty of the Private and Special Laws of Nineteen Hundred and Seven, entitled An Act to incorporate the Cupsuptic Stream Improvement Company. (S. P. 193).

(500 copies ordered printed)

### Judiciary

By Mr. Phillips of Hancock, An Act to amend Section Ten of Chapter 64 of the Revised Statutes, relating to Marriage. (S. P. 194).

By Mr. Hinckley of Cumberland, An Act to amend Section 5 of Chapter 122 of the Revised Statutes, relating to common thieves. (S. P. 195).

By Mr. Crafts of Piscataquis, An Act to prevent illegal interference with the business of another. (S. P. 196).

By Mr. Foster of Kennebec, An Act to amend Chapter 211 of the Public Laws of 1921, relating to motor vehicles. (S. P. 197).

By the same Senator, An Act to amend Chapter 211 of the Public Laws for the year 1921, relating to motor vehicles (S. P. 198).

(500 copies of each ordered printed.)

### Labor

By Mr. Wadsworth of Kennebec, Petition of Ministers Association of Waterville and vicinity in favor of proposed amendment to the constitution of the United States relating to child labor (S. P. 199).

### Legal Affairs

By Mr. Cram of Cumberland, An Act relating to absentee voting, and providing method of voting by a person who is physically infirm or disabled (S. P. 200).

By the same Senator, An Act relating to the registration of voters and providing method of registration

by a person who is physically infirm or disabled (S. P. 201).

(500 copies ordered printed.)

### Public Health

By Mr. Maher of Kennebec, An Act to amend certain sections of Chapter 18 of the Revised Statutes of Maine and amendments thereto relating to the registration of nurses (S. P. 202).

(500 copies ordered printed.)

### Salaries and Fees

By Mr. Lane of Androscoggin, An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 213 of the Public Laws of 1921, increasing the salary of the County Treasurer of Androscoggin County (S. P. 203).

### State Lands and Forest Preservation

By Mr. Barwise of Penobscot, Resolve, authorizing the land agent to sell and convey a certain interest of the State in Township 1, Range 7, Penobscot County (S. P. 204).

(500 copies ordered printed.)

### Ways and Bridges

By Mr. Roberts of York, Resolve, appropriating money for the purpose of reconstructing Atlantic Highway within the counties of Cumberland and York (S. P. 205).

On motion by Mr. Allen of York, tabled pending reference.

By Mr. Case of Washington, Resolve, for a road in the town of Crawford (S. P. 206).

By Mr. Bond of Lincoln, Resolve, in favor of the town of Somerville (S. P. 207).

By the same Senator, Resolve, in favor of the town of Whitefield (S. P. 208).

By the same Senator, Resolve, in favor of the towns of Newcastle and Jefferson (S. P. 209).

By Mr. Cram of Cumberland, Resolve, for appropriation for construction of highway from Durham town line to home of John Beers in Freeport (S. P. 210).

By the same Senator, Petition of Andrew P. Ward and 18 others of Freeport for appropriation for construction of highways from Durham town line to home of John Beers in Freeport (S. P. 211); petition of William W. Titcomb and 26 others of Freeport in favor of the same (S. P. 212); petition of Willis H. Soule and 12 others of Freeport in favor of the same (S. P. 213).

Mr. HINCKLEY of Cumberland: Mr. President, may I ask through the

Chair whether or not the child labor amendment has been referred to a committee, or whether it is on the table?

The PRESIDENT: It has been referred.

### Reports of Committees

Mr. Carlton, from the Committee on Interior Waters, on bill "An Act to change the name of Long Pond to Crescent Lake" (S. P. 66), reported that the same ought not to pass.

Report was read and accepted and sent town for concurrence.

Mr. Buzzell, from the Committee on Agriculture, on bill "An Act to amend Section 4 of Chapter 134 of the Public Laws of 1923 relating to the control and suppression of the European Corn Borer" (S. P. 26) (S. D. 23) reported that the same ought to pass.

The report was accepted, and on motion by Mr. Wadsworth of Kennebec, the bill was tabled pending first reading.

Mr. Lord, from the same committee, on "Resolve, making appropriation for the study and control of the fruit or blueberry fly in Maine" (S. P. 27) (S. D. 24) reported that the same ought to pass.

The report was read and accepted, and on motion by Mr. Hinckley of Cumberland, the rules were suspended, and the resolve given its first reading.

On motion by Mr. Wadsworth of Kennebec, the resolve was then tabled pending second reading.

Mr. Carlton, from the Committee on Interior Waters, on bill "An Act to change the name of Pleasant Pond in the towns of Whitefield and Jefferson, to Clary Lake" (S. P. 16) reported that the same 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 to change the name of the Trustees of Gould's Academy in Bethel (H. P. 26) (H. D. 83).

An Act to amend Sections 3, 4 and 5 of Chapter 413 of the Private and Special Laws of 1893, relating to the East Maine Conference Seminary (H. P. 27) (H. D. 82).

An Act increasing the amount to be paid for clerk hire in the office of the Recorder of the Municipal

Court of the City of Portland (H. P. 70) (H. D. 81).

An Act relating to the salary of the Judge of the Municipal Court of Portland (H. P. 71) (H. D. 80).

An Act to amend Section 23 of Chapter 9 of the Revised Statutes, relating to the preparation and publishing of an annual list of corporations delinquent in payment of their franchise taxes (S. P. 18) (S. D. 12).

The PRESIDENT: The Chair lays before the Senate Resolve in favor of Lester D. Eaton, warden of the State prison, returned to the Senate pursuant to the order presented by the Senator from Somerset, Senator Helley. The Chair recognizes the Senator from Franklin, Senator Morrison:

Mr. MORRISON: Mr. President, I see that the Senator from Somerset, who introduced the order yesterday morning is not present, but I understand he had a talk with the chairman of the committee on state prison and that it was perfectly satisfactory to him that this matter go along. I may say that this is an important matter, that is, important to one person at least, and that is the warden of the State prison, Mr. Eaton.

The resolve is to reimburse him for money paid to the prisoners during the months of October, November and December of last year. And as you all know, the Attorney General has ruled that such payment was illegal. This payment was made by the warden of the State prison under explicit orders from the Governor and Council, so that he is entirely blameless in the matter. In order to have his accounts allowed he must make this up out of his own pocket, and therefore it seems to me the matter should go along as speedily as possible.

I move you, Mr. President, that the bill be recommitted to the committee on State prison.

The motion was agreed to.

### Orders of the Day

Mr. SPEIRS of Cumberland: Mr. President, I move to reconsider the vote whereby we referred to the committee on taxation H. D. 44, 89 and 74 and S. D. 58.

The PRESIDENT: The Chair would ask the Senator from Cumberland, Senator Speirs, if he will not make one motion at a time?

Mr. SPEIRS: I thought I would

save time, Mr. President, by bringing them all in at once.

I move we reconsider the vote whereby we referred to the committee on taxation, H. D. 44.

Mr. ALLEN of York: Mr. President, do I understand that I have permission to speak on this question?

The PRESIDENT: I do not know any reason why not.

Mr. ALLEN: Mr. President, in the interest of harmony, and that there may be no misunderstanding between the committee on taxation and the committee on ways and bridges, I wish at this time to withdraw any objections that I may have made to the reference of this bill to the committee on taxation and the committee on ways and bridges in conjunction, as I understand that is the motion to be.

The motion to reconsider the vote whereby H. D. 44 was referred to the committee on taxation was agreed to, and on further motion by the same Senator the bill was referred to a joint committee on taxation and ways and bridges.

Mr. SPEIRS of Cumberland: Mr. President, I now move that we reconsider the vote whereby we referred to the committee on taxation H. D. 89.

The motion was agreed to, and on further motion by the same Senator the bill was referred to a joint committee on taxation and ways and bridges.

Mr. SPEIRS of Cumberland: Mr. President, I now move that we reconsider the vote whereby H. D. 74 was referred to the committee on taxation.

The motion was agreed to, and on further motion by the same Senator the bill was referred to a joint committee on taxation and ways and bridges.

Mr. SPEIRS of Cumberland: Mr. President, I now move that we reconsider the vote whereby S. D. 58 was referred to the committee on taxation.

The motion was agreed to, and on further motion by the same Senator the bill was referred to a joint committee on taxation and ways and bridges.

Mr. HINCKLEY of Cumberland: Mr. President I move to take from the table S. D. 132, Resolve pertaining to Earl Holbrook, tabled by me this morning.

The motion was agreed to, and, on further motion by the same Senator, the Senate voted to recede and concur with the House in referring the resolve to the committee on claims.

Mr. HINCKLEY of Cumberland: Mr. President, I move we reconsider our vote whereby the petition referring to the child labor amendment was referred to the committee on labor. (S. D. 199). You will recall I asked if this had been referred to a committee and I received an affirmative reply. I found on the House calendar, according to my recollection of the matter, that both these matters are on the table in the House. For that reason, I move we reconsider our vote whereby we referred this matter to the committee on labor.

The motion was agreed to.

Mr. WADSWORTH of Kennebec: Mr. President, may I have that read? (Petition read by the Secretary.)

Mr. HINCKLEY: Mr. President, I now move that this matter be tabled, and I will explain that my only reason for it is this: This was referred to the committee on labor;—these amendments have not yet been referred to any committee and this resolution or petition should go to the committee to which these bills or resolves are referred, and I simply want it on the table pending, so that it will go to the proper committee.

Mr. WADSWORTH of Kennebec: Mr. President, I thought that these two resolutions had been referred to the committee on labor. I may be in error.

Mr. SMITH of Somerset: Mr. President, I would say to the Senator from Kennebec, Senator Wadsworth, that the matters were referred to the committee on labor in the Senate, but are held up on the table in the House.

The PRESIDENT: The pending question in the Senate is on the motion of the Senator from Cumberland, Senator Hinckley, that this petition be laid on the table.

The motion was agreed to.

Mr. CLARKE of Hancock: Mr. President, I move to take from the table S. P. 173.

The motion was agreed to, and on further motion by the same Senator, the bill was referred to the committee on Judiciary.

Mr. CARTER of Androscoggin: Mr. President, I move that we take from the table H. D. 76.

The motion was agreed to, and on further motion by the same Senator, H. D. 76, 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, was referred to the committee on Public Utilities in concurrence with the House.

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Mr. CARTER of Androscoggin: Mr. President, I now move that H. D. 90, An Act to prohibit boating and fishing from boats on Lake Auburn, be taken from the table.

The motion was agreed to, and on further motion by the same Senator the bill was referred to the committee on Judiciary in concurrence with the committee on Reference.

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The PRESIDENT: The Chair will state that the Senate will recess subject to call.

(After Recess)

Additional papers from the House disposed of in concurrence.

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From the House: Ordered, the Senate concurring, that the time for presenting special and private legislation be extended to include February 17, 1925, and that no bill, act or resolve pertaining to private legislation be received after four o'clock February 17, 1925.

In the House read and passed.

In the Senate, on motion by Mr. Hinckley of Cumberland, the Senate voted to concur with the House in the passage of the order.

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The PRESIDENT: Is there any other business that we may do at this time? I will say that the House has concurred with the adjournment order, and that when the Senate and House adjourn they adjourn to meet next Tuesday afternoon, at 4.30 o'clock.

On motion by Mr. Phillips of Hancock,

Adjourned until next Tuesday afternoon, at 4.30 o'clock.