

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Friday, February 27, 1925.

Senate called to order by the President.

Prayer by the Rev. E. W. Walker, of Hallowell.

Journal of previous session read and approved.

On motion by Mr. Morrison of Franklin, the rules were suspended and that Senator presented the following order, out of order:

ORDERED the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday afternoon, March third, at four-thirty o'clock.

Read and sent down for concurrence.

Subsequently the foregoing order came back from the House, read and passed in concurrence.

Papers from the House disposed of in concurrence.

From the House: Resolve changing the name of Adams Pond in Newfield to Rockhaven Lake. (H. P. 607).

In the House reported ought not to pass, by the committee on interior waters.

In the Senate, on motion by Mr. Lord of York, tabled pending acceptance of the report.

From the House: Resolve changing the name of Turner Pond in Newfield to Mirror Lake. (H. P. 608).

In the House reported ought not to pass, by the committee on interior waters.

In the Senate, on motion by Mr. Lord of York, tabled pending acceptance of the report.

House Bills in First Reading

An Act to regulate fishing in the portion of Moose river above Brasua Lake in the county of Somerset. (H. D. 209).

An Act to amend chapter 110 of the private and special laws of 1909, relating to the Good Will Home Association. (H. D. 207).

(On motion by Mr. Foster of Kennebec, tabled pending acceptance of the report).

Communication from the Office of Secretary of State**STATE OF MAINE****Office of Secretary of State**

Augusta, Maine, February 27, 1925.
To the Senate and House of Representatives in Legislature assembled:

I have the honor to transmit herewith three initiative petitions, filed in the office of the Secretary of State on February 26, 1925, proposing to the Legislature for its consideration, under the provisions of Article XXXI of the Constitution of Maine, the following bill:

An Act to Repeal Sections One to Thirty-Six of Chapter Six of the Revised Statutes Relative to Primary Elections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF MAINE AS FOLLOWS:

Article I. Sections 1 to 36 inclusive, of Chapter 6 of the Revised Statutes and acts amendatory thereof and additional thereto, relating to nominations of candidates for office by primary elections, are hereby repealed.

Article II. All nominations of candidates for any and all state or county offices, including United States Senator, member of Congress, and member of the State legislature shall hereafter be made at and by party caucuses and conventions, in the same manner as nominations were made prior to the passage of Chapter 199 of the Public Laws of 1911 and Chapter 221 of the Public Laws of 1913.

Respectfully,
(Signed) FRANK W. BALL,
Secretary of State.

Which was read and, together with accompanying petitions, was referred to the Committee on Judiciary on motion by Mr. Hinckley of Cumberland and sent down for concurrence.

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

Banks and Banking

By Mr. Foster of Kennebec, An Act imposing certain restrictions on investments and loans of trust companies. (S. P. 352).

(500 copies ordered printed)

Inland Fisheries and Game

By Mr. Smith of Somerset, Re-

monstrance of Theodule J. Pomerleau and 31 others of Skowhegan against any further increase in fees collected for hunting and fishing license. (S. P. 353).

Judiciary

By Mr. Hussey of Aroostook, An Act to amend Section 13 of Chapter 7 of the Revised Statutes of 1916 as amended by Chapter 238 of the Public Laws of 1917, and by Chapter 266 of the Public Laws of 1919, relating to the appointment of election clerks at polling places (S. P. 354).

(500 copies ordered printed)

By Mr. Maher of Kennebec, An Act relating to the liability of owners of automobiles (S. P. 355).

(1000 copies ordered printed)

By Mr. Phillips of Hancock, remonstrance of Mrs. Clarence Emery of Ellsworth and 42 others against the repeal of the present Direct Primary Law (S. P. 356).

By Mr. Foster of Kennebec, remonstrance of Wallace W. Roderick and 39 others of Waterville (S. P. 357); remonstrance of Harry A. Tozier of Waterville and 69 others (S. P. 358); remonstrance of Charles E. Carter of Waterville and 12 others (S. P. 359); remonstrance of Drew T. Hathorn of Waterville and 13 others (S. P. 360), against the repeal of the Direct Primary Law.

Legal Affairs

By Mr. Holley of Somerset, An Act to amend Section 68 of Chapter 11 of the Revised Statutes, relating to the collection of taxes (S. P. 361).

(500 copies ordered printed)

Sea and Shore Fisheries

By Mr. Clarke of Hancock, remonstrance of L. E. Davis and 44 others of Frenchboro against the passage of the so-called Lamson Bill regarding the measurement of lobsters (S. P. 362).

By Mr. Case of Washington, remonstrance of C. D. Wallace and 16 others of Cutler against any change in the present Sea and Shore Fisheries Commission Law (S. P. 363).

By Mr. Phillips of Hancock, remonstrance of R. Smith and 29 others of Swan's Island (S. P. 364); remonstrance of Philip Moor and 34 others of Bernard (S. P. 365); remonstrance of Jay A. Johnson and 35 others of Long Island (S. P. 368) against any change in the present Sea and Shore Fisheries Commission Law.

By Mr. Walker of Knox, remonstrance of E. F. Southard and 36 others of Cliff Island (S. P. 366), against

any change in the present Sea and Shore Fisheries Commission Law.

By Mr. Clarke of Hancock, remonstrance of A. E. Alley and 10 others of Sealand (S. P. 367), against any change in the present Sea and Shore Fisheries Commission Law.

Ways and Bridges

By Mr. Barwise of Penobscot, Resolve providing for snow removal investigations (S. P. 369).

(1000 copies ordered printed)

By the same senator, An Act amending Chapter 15, Section 25, Revised Statutes, relative to State Highway Commission (S. P. 370).

(1000 copies order printed)

Bills in First Reading

An Act prohibiting ice fishing in Kennebec Pond, in the county of York (S. D. 124).

Reports of Committees

Mr. Roberts from the committee on State Lands and Forest Preservation, on An Act to establish a State Park at Mt. Katahdin (S. D. 60), reported that the same ought not to pass.

The report was read and accepted.

Mr. Wilson from the committee on Agriculture, on An Act to amend Chapter 62 of the Public Laws of 1923, relating to the production and sale of certified seed (S. D. 55) reported that the same ought to pass.

The same senator from the same committee, on An Act to amend Section 5 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. D. 74), reported that the same ought to pass.

The reports were accepted and the bills given their first reading.

The same senator from the same committee, on 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. 127), reported that the same ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

The majority from the committee on Education, on resolve proposing an amendment to the Constitution prohibiting the use of public funds for

sectarian schools (S. D. 9), reported that the same ought to pass.

(Signed) DUDLEY,
ALLEN of Hampden,
EUSTIS,
PIERCE.
CROCKETT,
ALLEN of York,
BARWISE,
SPEIRS,

The minority from the same committee, on the same subject matter reported ought not to pass.

(Signed) HALL.

(On motion by Mr. Barwise, both reports were tabled pending acceptance.)

Mr. Phillips from the committee on Federal Relations on joint resolution favoring the acquiring and maintenance by the United States Government of a suitable vessel, constructed and equipped especially as an ice breaker, to be stationed and operated solely on the Maine Coast (S. D. 66), reported that the same ought to pass.

Mr. Allen, from the Committee on Library, on Resolve for double stacking the State Library (S. P. 58) (S. D. 35), reported that the same ought to pass.

The reports were accepted and the bills given their first reading.

Mr. Phillips, from the Committee on Public Health, on 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 (S. P. 178), reported that the same ought to pass.

Mr. Roberts, from 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 One, Range 7, Penobscot County (S. P. 204) (S. D. 72), reported the same in a new draft, under title of Resolve, authorizing the Forest Commissioner to sell and convey a certain interest of the State in Township One, Range 7, Penobscot County (S. P. 371), and that it ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules.

Passed To Be Engrossed

An Act relating to the penalty under the act relating to Desertion and Non-Support, when the offense is not of a high and aggravated nature (H. D. 69).

An Act to amend Section eleven of Chapter two hundred and four of the Public Laws of eighteen hundred and fifty-six, as amended, relating to the powers of the Recorder of the Portland Municipal Court (H. D. 70).

An Act to amend Section eighty-one of Chapter eighty-two of the Revised Statutes relating to the terms of the Superior Court for the County of Cumberland (H. D. 71).

An Act relating to Hunting in certain specified localities in the State of Maine (H. D. 121).

An Act to repeal the Bounty on Bears (H. P. 109) (H. D. 137).

An Act to extend the Charter of the Quebec Extension Railway Company (H. D. 198).

An Act to authorize the Clerk of Courts of the County of Lincoln to act as Clerk of Lincoln Municipal Court (H. D. 199).

An Act to renew the Charter of the R. & T. Cement Railroad (H. D. 200).

An Act to establish close time on Lobsters West of Petit Manan Point (H. D. 201).

An Act to authorize the Judge of the Portland Municipal Court to fix the time for holding criminal sessions (H. D. 204).

An Act to amend the Charter of the City of South Portland (H. P. 410) (H. D. 205).

An Act relating to the Bangor Public Library (H. P. 159) (H. D. 206).

An Act relating to the Jurisdiction of the Municipal Court of the City of Westbrook (S. P. 344) (S. D. 121).

Orders of the Day

On motion by Mr. Powers of Aroostook, H. D. 224, An Act to amend section 127 of chapter 87 of the revised statutes, relating to affidavits of plaintiffs being received as prima facie evidence, was taken from the table, and on further motion by the same Senator it was referred to the committee on judiciary in concurrence.

On motion by Mr. Hinckley of Cumberland, H. D. 127, An Act providing for protection of moose, was taken from the table, and the same Senator then moved that it pass to be enacted.

On motion by Mr. Powers of Aroostook, the bill was re-tabled.

On motion by Mr. Maher of Ken-

nebec, S. D. 110, An Act to incorporate Dexter P. Cooper to develop and utilize the power of the tides in the Bay of Fundy, and waters adjacent thereto, was taken from the table. The same Senator then moved that the bill be referred to the committee on public utilities.

On motion by Mr. Speirs of Cumberland, the bill was retabled.

Mr. MORRISON of Franklin: Mr. President, at the request of Mr. Clarke, who is unable to be present this morning, and who tabled the matter yesterday morning, I move that we take from the table H. P. 117, House report from the committee on legal affairs, Ought not to pass, on an Act to grant certain powers to the town of Eden.

The motion was agreed to.

Mr. MORRISON: Mr. President, in the House, it was voted to recommit this matter to the committee on legal affairs, and I move that the Senate concur with the House and recommit the bill to the committee on legal affairs.

The motion was agreed to and the bill was recommitted.

On motion by Mr. Smith of Somerset, H. D. 123, An Act to regulate fishing in certain ponds in Somerset county, was taken from the table, and on further motion by the same Senator, the bill was given its first reading.

Mr. POWERS of Arrostook: Mr. President, I would like to inquire, through the Chair, of the Senator from Kennebec, Senator Maher, when he considers taking from the table H. D. 91? I make this request simply because of the congested condition of the docket of the committee on legal affairs, and the fact that at the request of many citizens of Lewiston, some of whom are in favor of this bill and some who are opposed to it, we are endeavoring to hold from week to week a date open for three other bills pertaining to Lewiston, and this bill should it come to us.

If the Senator from Kennebec intends to make another reference to some other committee, or something of that sort, then of course it is of no particular interest to us, but if this is merely held on the table for study, I might say that the hearing

cannot be assigned now under three weeks, and it would be a great convenience not only to the committee but to many people who favor and oppose the bill if we could assign a definite date.

The PRESIDENT: Does the Senator desire to reply through the Chair?

Mr. MAHER of Kennebec: Mr. President, I understand it is H. D. 91 the Senator is inquiring about?

Mr. POWERS: It is.

Mr. MAHER: Mr. President, I will state that I started to take the same from the table yesterday. The pending question is not reference to the committee on legal affairs, as I understood it. The Senator from Androscoggin, Senator Lane, as I understood, made a motion for the Senate to insist upon its reference, which was to the committee on judiciary. The House non-concurred with this body, and made a reference in non-concurrence, as I understand, to the committee on legal affairs. And there having developed a certain appearance of internecine party warfare, which is of no concern to me or, I think, to other members of the judiciary committee,—when the Senator from Androscoggin moved to insist, and thus put this august body on record as either standing to its original reference or going back on it and concurring with the House in the committee on reference, I, feeling that some of the judiciary committee at least do not care anything about the matter, tabled it, and started to take it off the table yesterday, and at his request did not do so. And then in conference with either the attorney, or sponsor, or author, he asked the question which the Senator asks, and I told him that it would be taken off when it suited these two gentlemen, which would be Tuesday next. And entering into that, I assume there was the collateral and not wholly irrelevant, but to us unimportant question, that upon Monday in Lewiston there would be an election.

The PRESIDENT: Are there any other matters we may take from the table to expedite the work of this Legislature?

Mr. MAHER of Kennebec: Mr. President, I move we take from the table H. P. 731, An Act in relation to State funds for charity patients in public and private hospitals.

The motion was agreed to and the Senator then yielded to the Senator from Kennebec, Senator Wadsworth.

On motion by Mr. Wadsworth, the bill was referred to the committee on judiciary.

On motion by Mr. Powers of Aroostook,

Adjourned until Tuesday, March 3rd, at 4.30 P. M.