

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

Thursday, March 5, 1925.

Senate called to order by the President.

Prayer by Rev. C. E. Young of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act to increase the salaries of County Commissioners for Cumberland County (S. D. 46)

In Senate: Feb. 11, passed to be engrossed.

In the House: indefinitely postponed in non-concurrence.

Mr. CRAM of Cumberland: Mr. President, I move that we recede and concur with the House.

The motion was agreed to.

House Bills in First Reading

Resolve, to appropriate money for cooperative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture (H. D. 33).

An Act additional to and amendatory of Chapter 35 of the Revised Statutes, relating to the prevention of contagious diseases among animals (H. D. 241).

Resolve, making appropriations for the Passamaquoddy Tribe of Indians for the years July 1st, 1925 to June 30th, 1927 (H. D. 238).

An Act relating to the Penobscot Tribe of Indians (H. D. 237).

An Act to amend Chapter 195 of the Public Laws of 1887, as amended, entitled An Act incorporating the City of Waterville (H. D. 239).

An Act to incorporate the Cousins and Littlejohns Island Village Corporation (H. D. 240).

An Act to amend Section 1 of Chapter 147 of the Revised Statutes of Maine, relating to the State Board of Charities and Corrections (H. D. 46).

An Act to regulate the appointment of guardians for adults and the appointment of Conservators when the Judge of Probate is interested and to amend Sections 4 and 10 of Chapter 72 of the Revised Statutes (H. D. 68).

An Act in favor of the Monson Maine Slate Company (H. D. 236).

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. Carlton of Sagadahoc, Resolve, in favor of Alexander Speirs for traveling expense and meals for Committee on School for Feeble minded. (S. P. 391)

Banks and Banking

By Mr. Foster of Kennebec, An Act to amend Section 26 of Chapter 144 of the Public Laws of 1923 entitled An Act to revise and consolidate the banking laws of this State. (S. P. 392)

(1,000 copies ordered printed)

By the same Senator, An Act to amend Section 2 of Chapter 52 of the Revised Statutes, as amended by Chapter 153 of the Public Laws of 1919, relating to the definition of banking (S. P. 393)

(1,000 copies ordered printed)

By the same Senator, An Act to amend Section 7 of Chapter 51 of the Revised Statutes relating to purposes for which corporations may be organized. (S. P. 394)

(1,000 copies ordered printed)

Judiciary

By Mr. Maher of Kennebec, An Act to amend Section 34 of Chapter 211 of the Public Laws of 1921 relating to non-resident motor vehicles. (S. P. 395)

(1,000 copies ordered printed)

By Mr. Cram of Cumberland, An Act relating to the interrogating of adverse parties in actions at law or equity for the discovery of facts and documents admissible in evidence at the trial of the action. (S. P. 396)

(500 copies ordered printed)

By Mr. Hinckley of Cumberland, An Act to provide for Jury Commissioners. (S. P. 397)

(500 copies ordered printed)

By Mr. Cram of Cumberland, An Act to amend Section 23 of Chapter 78 of the Revised Statutes, as reenacted by Chapter 40 of the laws of 1921, relating to recording of instruments of conveyance. (S. P. 398)

(500 copies ordered printed)

By Mr. Smith of Somerset, remonstrance of the 59 members of Local No. 724, the Amalgamated Associ-

ation of Street and Electric Railway Employees of America against S. D. 85, entitled "An Act to prevent illegal interference with the business of another (S. P. 399).

By Mr. Holley of Somerset, remonstrance of F. A. Manter and 41 others of Madison and Anson against the repeal in any manner of the direct primary law (S. P. 400); remonstrance of E. B. Tetley and 14 others of Madison and Anson against the same (S. P. 401).

By Mr. Walker of Knox, remonstrance of Fred H. Wyllie and 32 others of Warren and vicinity against the same (S. P. 402).

By Mr. Lord of York, remonstrance of Rev. Walter W. Lyon and 12 others of Kennebunkport against the same (S. P. 403)

Labor

By Mr. Smith of Somerset, resolution of the 59 members of Local No. 724, the Amalgamated Association of Street and Electric Railway Employees of America in favor of the child Labor Amendment (S. P. 404).

By the same Senator, resolution of Local Union No. 567, of Portland, Maine, International Brotherhood of Electrical Workers, in favor of Senate Doc. No. 38, relating to Old Age Assistance (S. P. 405); petition of Ernest E. Field and 62 others of Portland and vicinity in favor of the same (S. P. 406); petition of E. J. Cook and 18 others of Portland in favor of the same (S. P. 407); resolution of the 59 members of Local No. 724, the Amalgamated Association of Street and Electric Railway Employees of America in favor of the same (S. P. 408).

Legal Affairs

By Mr. Morrison of Franklin, An Act relative to support of inmates of State Hospitals (S. P. 409).

(1000 copies ordered printed.)

By Mr. Anthoine of Cumberland, An Act relating to boxing contests (S. P. 410).

(500 copies ordered printed.)

By Mr. Cram of Cumberland, An Act to amend Sections 9, 10 and 11 of Chapter 5 of the Revised Statutes, relating to lists of persons to be made by the assessors of cities, and transmitted to Board of Registration (S. P. 411).

(500 copies ordered printed.)

Public Health

By Mr. Speirs of Cumberland, An Act permitting sterilizing operations

in certain cases of mental diseases and feeble-mindedness (S. P. 412).

(500 copies ordered printed.)

State Prison

By Mr. Walker of Knox, remonstrance of Simpson Staples and 10 others of Rockland (S. P. 413); remonstrance of F. L. Emery and 17 others of Rockland and vicinity (S. P. 414); remonstrance of E. Fred Albee and 101 others of Wiscasset and vicinity (S. P. 415) against the passage of Senate Document 32, which proposes a payment of wages to prisoners.

Bills in First Reading

An Act to permit ice fishing in Bauneg Bog Pond, so-called, in Sanford and in North Berwick, in the County of York (S. D. 139).

An Act to amend Sections 3 and 18 of Chapter 113 of the Private and Special Laws of 1921, relating to West Washington Municipal Court (S. D. 140).

Reports of Committees

Mr. Crafts, from the Committee on Interior Waters, on An Act to change the name of Rattlesnake Pond to Crescent Lake (S. P. 227) reported that the same ought not to pass.

Mr. Wilson, from the Committee on Inland Fisheries and Game, on remonstrance of Washington County Pomona Grange, No. 16, against any change in the present laws regarding bear and wild cats (S. P. 331) reported that the same be placed on file as the subject matter has already been reported upon by the committee.

The reports were accepted and sent down for concurrence.

Mr. Phillips, from the Committee on Salaries and Fees, on An Act relating to the salary of the State Superintendent of Public Schools (S. D. 37) reported that the same ought not to pass.

(Tabled on motion by Mr. Allen of York, pending acceptance of the report.)

The same Senator, from the same committee, on An Act to increase the salary of the County Attorney and the Assistant County Attorney of Cumberland County (S. P. 123) reported that the same ought not to pass.

The report was accepted and sent down for concurrence.

Mr. Perkins, from the same com-

mittee, on An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of County Treasurer of Androscoggin County (S. P. 203) reported that the same ought not to pass.

(Tabled on motion by Mr. Carter of Androscoggin, pending acceptance of the report.)

The Committee of Conference, on the disagreeing action of the two branches of the Legislature, on Joint Resolution proposing an amendment to the Constitution of the United States, and Resolve rejecting proposed amendment to the Constitution of the United States granting to Congress power to limit, regulate and prohibit the labor of persons under eighteen years of age (S. P. 125), and Resolve, ratifying proposed amendment to the Constitution of the United States, granting to Congress the power to limit, regulate and prohibit the labor of persons under eighteen years of age and declaring that the power of the several states is unimpaired thereby except that the operation of state laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress (S. P. 121) reported that the House recede and concur with the Senate in the reference of all said matters to the Committee on Labor.

The Committee of Conference, on the disagreeing action of the two branches of the Legislature on An Act requiring owners of certain motor vehicles and trailers to furnish security for their civil liability on account of personal injuries and property damage caused by their motor vehicles and trailers, (S. P. 131) (S. D. 57), reported that the same should be referred to the Committees on Legal Affairs and Mercantile Affairs and Insurance jointly.

The reports were accepted and sent down for concurrence.

Mr. Holley, from the Committee on Appropriations and Financial Affairs, on 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) reported that the same ought to pass.

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

Mr. Foster, from the Committee on Banks and Banking, on An Act requiring more efficient supervision of brokers selling securities on marginal account (S. D. 65) reported that the same ought to pass.

(Tabled on motion by Mr. Maher of Kennebec, pending acceptance of report of the committee).

Mr. Morrison, from the Committee on Legal Affairs, on An Act to amend Chapter 140 of the Private and Special Laws of 1921, relating to Farmington Municipal Court (S. D. 13) reported the same in a new draft, under the same title (S. P. 416) and that it ought to pass.

The report was accepted, and the bill was given its first reading.

The same Senator, from the same Committee, on bill An Act to amend Section 48 of Chapter 24 of the Revised Statutes relating to the powers and liabilities of plantations (S. P. 21) (S. D. 15) reported the same in a new draft, under the same title (S. P. 417) and that it ought to pass.

The report was accepted and the bill was given its first reading.

Mr. Perkins, from the Committee on Salaries and Fees, on An Act relating to allowance for clerks in the Register of Deeds of Cumberland County (S. P. 157) reported that the same ought to pass.

The same Senator, from the same Committee, on An Act relating to allowance for clerks in the Register of Deeds of Cumberland County (S. P. 157) reported that the same ought to pass.

The same Senator, from the same Committee, on An Act to amend Chapter 39 of the Public Laws of 1915 to fix the salary of the Judge and Recorder of the Sanford Municipal Court (S. P. 54) reported the same in a new draft, under the same title (S. P. 418) and that it ought to pass.

Mr. Hinckley, from the same Committee, on An Act to change the salary of the Superintendent of the State School for Boys (S. P. 97) reported that the same ought to pass.

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

The same Senator, from the same Committee, on An Act to amend Section 18 of Chapter 118 of the Revised Statutes relating to the fees

payable to Registers of Deeds (S. D. 22) reported that the same ought to pass.

The report was accepted and the bill was given its first reading.

Mr. Speirs, from the Committee on School for Feeble Minded, on Resolve, in favor of the Maine School for Feeble Minded for maintenance for the fiscal years 1926 and 1927 (S. P. 57) reported that the same ought to pass.

The same Senator, from the same Committee, on An Act to change name of the Maine School for Feeble Minded, (S. P. 55) reported that the same ought to pass.

Mr. Walker, from the Committee on State Prison, on Resolve in favor of Lester D. Eaton, Warden of the State Prison (S. P. 142) reported the same in a new draft, under the same title (S. P. 419) and that it ought to pass.

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

Passed to be Engrossed

An Act to provide for the better protection of clams within the limits of the town of Perry. (H. D. 232).

Resolve, in favor of Newell Gabriel, Representative of the Penobscot Tribe of Indians. (H. D. 234).

Resolve, in favor of Frank Socoby, Representative of the Passamaquoddy Indians, Eighty-second Legislature. (H. D. 235).

Passed to be Enacted

An Act to Extend the Charter of the Eastern Maine Railroad. (S. D. 16.)

An Act to amend Section Four of Chapter One Hundred Thirty-four of the Public Laws of Nineteen Hundred and twenty-three, relating to the control and suppression of the European Corn Borer. (S. D. 23.)

An Act to Disorganize Criehaven Plantation, in the County of Knox. (H. D. 73.)

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

An Act to repeal the Bounty on Bears. (H. D. 197.)

An Act relating to Hunting in Certain Specified Localities in the State of Maine. (H. D. 121.)

(Tabled on motion by Mr. Powers of Aroostook.)

An Act to Amend the Charter of the Dover and Foxcroft Water District. (H. D. 178.)

An Act Relating to the Bangor Public Library. (H. D. 206.)

An Act to Authorize the Filing by the United States in the Several Counties of this State Notices of Liens for Taxes. (H. D. 34.)

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.)

(Tabled on motion by Mr. Smith of Somerset.)

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 to amend the charter of the city of South Portland (H. D. 205).

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 renew the charter of the R. and 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 incorporate the Bay Point Village Corporation (H. D. 177).

An Act to amend Chapter 174 of the Public Laws of 1923, known as the Military Law (H. D. 188).

(Tabled on motion by Mr. Allen of York).

Finally Passed

Resolve in favor of Scientific investigation in agriculture in Aroostook county (H. D. 23).

Resolve memorializing Congress in the interest of National Defense (S. D. 100).

(Tabled on motion by Mr. Maher of Kennebec).

Resolve appropriating money for the control and suppression of the European corn borer (H. D. 190).

Resolve to appropriate money for the Maine Seed Improvement Association (H. D. 191).

Resolve transferring the income from the Carleton Orchard Fund to

the College of Agriculture of the University of Maine (H. D. 192).

ORDERS OF THE DAY

On motion by Senator Wadsworth of Kennebec, S. P. 387, report from the committee on insane hospitals, reporting "ought to pass" on resolve in favor of the Bangor State Hospital for maintenance and other purposes, was taken from the table.

The pending question being the acceptance of the report of the committee.

On further motion by the same Senator, the report of the committee was accepted.

On motion by Senator Wadsworth of Kennebec, S. P. 388, report from the committee on insane hospitals, reporting "ought to pass" on resolve in favor of the Augusta State Hospital for maintenance for the fiscal years 1926 and 1927, was taken from the table.

The pending question being the acceptance of the report of the committee.

On further motion by the same Senator, the report of the committee was accepted.

On motion by Senator Powers of Aroostook, H. D. 127, bill, An Act providing for protection of moose, was taken from the table.

Senator Powers then yielded to the Senator from Hancock, Senator Clark.

Senator Clark then moved that the bill be retabled and specially assigned for tomorrow morning.

The motion was agreed to and the bill was retabled.

On motion by Senator Hussey of Aroostook, H. P. 788, bill, An Act to incorporate the Fort Fairfield Water District, was taken from the table.

The pending question being reference of the bill to the committee on public utilities in concurrence.

On further motion by the same Senator, the bill was referred to the committee on public utilities in concurrence.

On motion by Senator Hinckley of Cumberland, S. P. 199, petition of Ministers' Association of Waterville and vicinity in favor of proposed amendment to the constitution of the United States relating to child labor, was taken from the table.

On further motion by the same Senator the petition was referred to the committee on Labor.

On motion by Senator Hinckley of Cumberland, S. P. 293, resolution passed by Kennebec Pomona Grange protesting against adoption of 20th Amendment to the Constitution of the United States, known as "The Child Labor Law," was taken from the table.

On further motion by the same senator the resolution was referred to the committee on Labor.

On motion by Senator Hinckley of Cumberland, H. P. 887, reconstrance of W. H. Eastman and 116 others against the Child Labor amendment, was taken from the table.

On further motion by the same senator the remonstrance was referred to the committee on Labor, in concurrence.

On motion by Senator Allen of York, S. D. 9, House reports from the committee on Education, majority reporting ought to pass and minority reporting ought not to pass, on resolve proposing an amendment to the constitution prohibiting the use of public funds for sectarian schools, were taken from the table.

The pending question being the acceptance of either report,

Mr. ALLEN. Mr. President these reports have been specially assigned for consideration this morning, but by request of several members of the Senate I have been asked to retable this matter, and as I understand the rules the matter will come off the table automatically next Wednesday. I therefore move that the reports be retabled, pending the acceptance of either report.

The motion was agreed to.

On motion by Senator Lord of York, H. P. 607, House report from the committee on Interior Waters, reporting ought not to pass on resolve changing the name of Adams Pond in Newfield "Rockhaven Lake," was taken from the table.

The pending question being the acceptance of the report in concurrence, Senator Lord then yielded to the senator from Aroostook, Senator Powers.

On motion by Senator Powers the report was retabled, pending its acceptance.

On motion by Senator Lord of York, H. P. 608, House report from the committee on Interior Waters reporting ought not to pass on resolve changing the name of Turner Pond in Newfield to "Mirror Lake," was taken from the table.

The pending question being the acceptance of the report in concurrence, Senator Lord then yielded to the senator from Aroostook, Senator Powers.

On motion by Senator Powers the report was retabled, pending its acceptance.

On motion by Senator Cram of Cumberland, H. Doc. 145, House report from the committee on Judiciary reporting ought not to pass on bill, An Act to regulate loans the payment of which are secured by mortgages or pledge of household furniture, was taken from the table.

The pending question being the acceptance of the report of the committee,

On further motion by the same senator the report of the committee was accepted.

The PRESIDENT: At this point the Senate will take a short recess, as the Chair understands there is an important matter that may be taken care of this morning. The senators will please remain within call.

After Recess

The PRESIDENT: The Chair will state that he expected a little more business for this morning's session, and perhaps Senator Wadsworth can tell us something about it.

Mr. WADSWORTH of Kennebec: Mr. President, there was to have been introduced here at this time a deficiency emergency appropriation bill to take care of matters referred to in the Governor's special message here a short time ago, and I had understood it was practically completed; but it is not quite done, and it will be brought in tomorrow morning and introduced under a suspension of the rules if the Senate sees fit to do so at that time.

On motion by Senator Morrison of Franklin,
Adjourned until tomorrow morning at 10 o'clock..