

# 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

Wednesday, March 11, 1925.

Senate called to order by the President.

Prayer by Rev. W. P. Bradford of Hallowell.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Communication from Executive committee of the State Grange, opposing daylight saving time (S. P. 422).

In Senate, March 6, referred to committee on commerce.

In the House: read and ordered placed on file in non-concurrence.

In the Senate:

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

The motion was agreed to.

From the House: The committee on Inland Fisheries and Game, on An Act relating to the trapping of fur-bearing animals (H. D. 36) reported the same in a new draft, under the same title (H. D. 268) and that it ought to pass.

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

From the House: The same committee, on An Act relating to the revocation of licenses and certificates issued by the Department of Inland Fisheries and Game (H. P. 407) reported the same in a new draft, under the same title (H. D. 269) and that it ought to pass.

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

From the House: The committee on Interior Waters, on An Act to authorize Harry M. Stanley to construct and maintain a wharf and boat house in Lake Maranacook, in Winthrop, Maine, (H. P. 490) reported the same in a new draft, under the same title (H. D. 270) and that it ought to pass.

The report was accepted in concurrence,

and on motion by Mr. Case of Washington, the rules were suspended and the bill was given its first reading.

From the House: The committee on Legal Affairs, on An Act to amend the charter of the city of Brewer (H. D. 172) reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Powers of Aroostook, the rules were suspended and the bill was given its first reading.

From the House: The same committee, on An Act relating to distribution of personal estate (H. D. 102) reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Powers of Aroostook, the rules were suspended and the bill was given its first reading.

From the House: The committee on Salaries and Fees, on An Act relating to clerk hire in the office of Registry of Deeds of Lincoln County (H. D. 264) reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Foster of Kennebec, the rules were suspended and the bill was given its first reading.

From the House: The same committee on An Act to increase the salary of the Register of Deeds of Lincoln County (H. D. 263) reported that the same ought to pass.

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

From the House: The same committee, on An Act relating to the salary of the clerk of the Lewiston Municipal Court (H. D. 266) reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Hussey of Aroostook, the rules were suspended and the bill was given its first reading.

From the House: The same committee on An Act to amend Section 30

of Chapter 117 of the Revised Statutes relating to compensation of Judges of Probate (H. P. 162) reported the same in a new draft, under the same title (H. D. 271) and that it ought to pass.

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

From the House: The same Committee, on An Act relative to salaries and expenses of county commissioners (H. P. 69), reported the same in a new draft, under the same title (H. D. 272) and that it ought to pass.

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

From the House: The same Committee, on An Act relative to an increase in the salaries of the Judge and Recorder of the Millinocket Municipal Court (H. P. 336), reported the same in a new draft, under the same title (H. D. 273) and that it ought to pass.

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

From the House: The same Committee on An Act relating to the salary of the Judge of the Municipal Court of South Portland (H. P. 335), reported the same in a new draft, under the same title (H. D. 274) and that it ought to pass.

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

From the House: The same Committee, on An Act to amend Section 43 of Chapter 219 of the Public Laws of 1921, increasing the salary of the Register of Deeds of York County (H. P. 363) reported the same in a new draft, under the same title (H. D. 275) and that it ought to pass.

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

From the House: The same Committee, on An Act relating to salary of sheriff of Waldo County (H. P. 637) reported the same in a new draft, under the same title (H. D. 276) and that it ought to pass.

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

From the House: The Committee on Ways and Bridges, on Resolve appropriating money to rebuild one pier of the Gardiner and Randolph Drawbridge, (H. P. 464), reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Wadsworth of Kennebec, the rules were suspended and the resolve was given its first reading.

#### Communication from the Secretary of State

#### STATE OF MAINE OFFICE OF SECRETARY OF STATE

Augusta, March 10, 1925.  
To the President of the Senate and Speaker of the House of Representatives:

Gentlemen:—

In accordance with the requirements of section four, chapter one, of the revised statutes, I have the honor to notify you that the public acts, a list of the titles of which is hereto appended, have been approved by the Governor.

Very Respectfully,  
Your Obedient Servant,  
FRANK W. BALL,  
Secretary of State.

#### Public Laws Title

An Act Relating to Applications for Soldiers' Bonus.  
Approved February 21, 1925

An Act to Regulate Fishing in Bog Brook, so-called, in Oxford and Androscoggin Counties.  
Approved February 26, 1925.

An Act to Authorize the State Highway Commission to Cooperate with the Bureau of Public Roads of the United States Department of Agriculture in Numbering and Marking Roads of Interstate Character.  
Approved March 3, 1925.

An Act to Amend Section Twenty-three of Chapter Nine of the Revised Statutes, Relating to the Preparation and Publishing of an Annual List of Corporations Delinquent in Payment of Their Franchise Taxes.

Approved March 3, 1925.

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. (This act became a law without the Governor's signature)

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.

Approved March 9, 1925.

An Act to authorize the filing by the United States in the several counties of this State notices of liens for taxes.

Approved March 9, 1925.

An Act to amend Section 81, of Chapter 82 of the Revised Statutes relating to the terms of the Superior Court for the county of Cumberland.

Approved March 9, 1925

An Act to amend Section 11 of Chapter 204 of the Public Laws of 1856, as amended, relating to the powers of the Recorder of the Portland Municipal Court.

Approved March 9, 1925.

An Act to repeal the bounty on bears.

Approved March 9, 1925.

An Act to authorize the Clerk of Courts of the county of Lincoln to act as clerk of Lincoln Municipal Court.

Approved March 9, 1925.

An Act to authorize the Judge of the Portland Municipal Court to fix the time for holding criminal sessions.

Approved March 9, 1925

Read and on motion by Mr. Hinckley of Cumberland, placed on file 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:

#### **Appropriations and Financial Affairs**

By Mr. Wadsworth of Kennebec, An Act to amend Chapter 264 of the Public Laws of 1919, as amended by Chap-

ter 134 of the Public Laws of 1921 and Chapter 55 of the Public Laws of 1923, entitled "An Act to provide for the payment of a bonus to Maine soldiers and sailors in the war with Germany" (S. P. 480).

(500 copies ordered printed)

By Mr. Wilson of Aroostook, Resolve in favor of Ralph W. Farris for services as clerk of the Senate committee on bills in the second reading (S. P. 522).

#### **Education**

By Mr. Speirs of Cumberland, An Act to provide for a loan fund for State Normal schools and Madawaska Training school (S. P. 481).

(500 copies ordered printed)

By Mr. Barwise of Penobscot, Petition of Ministers' Association of Bangor and vicinity in favor of the Barwise Sectarian Bill (S. P. 482).

#### **Inland Fisheries and Game**

By Mr. Hinckley of Cumberland, An Act relating to license for trapping fur-bearing animals (S. P. 483).

(500 copies ordered printed)

#### **Judiciary**

By Mr. Allen of York, An Act relative to expenditure of public monies (S. P. 484).

(500 copies ordered printed)

By Mr. Foster of Kennebec, An Act relating to the authority of the State Highway Commission within the limits of State highways (S. P. 485).

(500 copies ordered printed)

By the same senator, An Act granting to the State Highway Commission control of pipe and pole lines, conduits, dams and other similar constructions and flowage on the rights of the way of public highways (S. P. 486).

(500 copies ordered printed)

By Mr. Speirs of Cumberland, Remonstrance of Portland Central Labor Union against the passage of Senate Doc. No. 85, An Act to prevent illegal interference with business of another (S. P. 487).

By the same senator, remonstrance of Portland Central Labor Union against the passage of Senate Doc. 123, An Act relative to inciting, inducing or persuading another to commit crime (S. P. 488).

By Mr. Hinckley of Cumberland, remonstrance of E. B. Robson and 26 others (S. P. 489); remonstrance of Carpenters' Union No. 794 (S. P. 490); remonstrance of A. W. Foster and 14 others (S. P. 491); remonstrance of

C. Arthur Smith and 31 others (S. P. 492); remonstrance of Nellie E. Nute and 20 others (S. P. 493); remonstrance of Erland J. Libby and 101 others (S. P. 494); remonstrance of Lester Hill and 32 others (S. P. 495); remonstrance of William J. Ward and 30 others (S. P. 496); remonstrance of Harry Sloan and 39 others (S. P. 497); remonstrance of Ernest E. Pratt and 26 others (S. P. 498); remonstrance of Ellen Devine and 22 others (S. P. 499); remonstrance of Albert C. Anderson and 9 others (S. P. 500) against the passage of Senate Doc. No. 85, An Act to prevent illegal interference with business of another, and Senate Doc. No. 123, An Act relative to inciting, inducing, or persuading another to commit crime.

By Mr. Cram of Cumberland, remonstrance of Rev. Alfred T. Ware and 24 others (S. P. 501); remonstrance of C. P. Butterfield and 56 others (S. P. 502); remonstrance of Hollis C. Kingsbury and 39 others of South Brewer and vicinity (S. P. 503); remonstrance of Etta M. Hurlburt and 75 others of Bangor and vicinity (S. P. 504) against any change in the present direct primary law.

#### Legal Affairs

By Mr. Holley of Somerset, An Act to authorize the formation of municipal district. (S. P. 505.)

(500 copies ordered printed.)

By Mr. Cram of Cumberland, An Act to make uniform the law of transfer of shares of stock in corporations. (S. P. 506.)

(500 copies ordered printed.)

By Mr. Anthoine of Cumberland, An Act to amend Section 1 of Chapter 169, as amended, relating to the support of dependents of soldiers, sailors and marines. (S. P. 507.)

(500 copies ordered printed.)

By the same senator, An Act relating to aircraft. (S. P. 508.)

(500 copies ordered printed.)

By Mr. Speirs of Cumberland, petition of Portland Central Labor Union in favor of the passage of Senate Doc No. 38, known as the Old Age Assistance Act. (S. P. 509.)

By the same senator, petition of Portland Central Labor Union in favor of the ratification of the Child Labor Amendment. (S. P. 510.)

#### Public Health

By Mr. Cram of Cumberland, An Act to amend Section 129 of Chapter 301 of the Public Laws of 1917, as amended by Chapter 61 of the Public Laws of 1923, relating to the care

and treatment of certain infectious diseases. (S. P. 511.)

#### Public Utilities

By Mr. Hinckley of Cumberland, An Act conferring jurisdiction on the Public Utilities Commission on appeal in all cases of petitions or applications to the municipal officers of towns or the county commissioners, in the case of unorganized townships or plantations, where a public utility is a party. (S. P. 512.)

(500 copies ordered printed.)

#### State Lands and Forest Preservation

By Mr. Roberts of York, An Act relating to certain State Parks. (S. P. 513.)

(500 copies ordered printed.)

By the same Senator, An Act to authorize the University of Maine to acquire land for reforestation. (S. P. 517.)

(500 copies ordered printed.)

By the same Senator, An Act to ratify transfers of certain real estate to the State of Maine. (S. P. 514.)

(500 copies ordered printed.)

#### Taxation and Ways and Bridges Jointly

By Mr. Walker of Knox, remonstrance of S. T. Jameson and 40 others of Friendship against raise in tax on gasoline without reservations prohibiting tax on gasoline used in marine engines. (S. P. 515.)

By Mr. Case of Washington, An Act to amend Chapter 224 of the Public Laws of 1923 relating to a tax upon gasoline. (S. P. 521.)

(500 copies ordered printed.)

By Mr. Smith of Somerset, An Act to amend Chapter 224 of the Public Laws of 1923, relating to a tax upon gasoline. (S. P. 516.)

(500 copies ordered printed.)

#### Ways and Bridges

By Mr. Case of Washington, Resolve, amending Section 17, Article IX of the Constitution as amended by Article XXXV of the Constitution, increasing the amount of bonds to be issued for the purpose of building state highways, and providing for the building of intrastate, interstate and international bridges. (S. P. 518.)

(500 copies ordered printed.)

By Mr. Smith of Somerset, Resolve, amending Section 17 of Article 9 of the Constitution of the State of Maine (relative to bonds for building state highways and bridges). (S. P. 519.)

(500 copies ordered printed)

By the same Senator, An Act to

provide for an issue of State Highways and Bridge bonds. (S. P. No. 520.)

(500 copies ordered printed.)

#### Reports of Committees

Mr. Wilson, from the Committee on Inland Fisheries and Game, on An Act relating to perch fishing in certain waters in Lincoln County (S. P. 224) reported that the same ought not to pass.

Mr. Crafts, from the same committee, on An Act to protect the fur-bearing animals of the State of Maine (S. D. 75) reported that the same ought not to pass.

Mr. Hinkley, from the Committee on Salaries and Fees, on An Act amending Paragraph 11 of Section 45 of Chapter 219 of the Public Laws of 1921, relating to clerk hire in the office of Register of Probate for Penobscot County (S. P. 284) reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

The same Senator, from the same Committee, on An Act to amend Section 37 of Chapter 117 of the Revised Statutes, as amended, relating to the salary of County Attorney of Somerset County (S. P. 340) reported that the same ought not to pass.

On motion by Mr. Smith of Somerset, tabled pending acceptance of the report of committee.

The same Senator, from the same Committee, on An Act to amend Section 6 of Chapter 117 of the Revised Statutes as amended by Section 1, Chapter 192 of the Public Laws of 1921, relating to salaries of Superior Court Justices (S. P. 83) reported that the same ought not to pass.

The same Senator, from the same Committee, on An Act to amend Section 40 of Chapter 117 of the Revised Statutes as amended relating to the salary of clerks of the Supreme Judicial Court (S. P. 283) reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Mr. Phillips, from the Committee on Public Health, on An Act to amend Chapter 197, Section 8, Laws of 1917, as amended by Chapter 217, Laws of 1919 relating to appropriations of the State Department of Health (S. D. 54) reported the same in a new draft, under the same title (S. P. 523) and that it ought to pass.

The same Senator, from the Committee on Salaries and Fees, on An Act to amend Section 3 of Chapter 114 of the Private and Special Laws of 1913 entitled An Act to increase the salary of the Recorder of the Western Hancock Municipal Court (S. P. 179) reported that the same 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 Fees of Clerks of Cities and Towns. (H. D. 119)

(Tabled by Mr. Powers of Aroostook, pending second reading.)

An Act to Prohibit Fishing in the Tributaries of Lake Anasagunticook, in Canton and Hartford, in the County of Oxford. (H. D. 247)

An Act to Prohibit Fishing in the Tributaries to St. Croix Lake, in Townships Seven and Eight, Range Four, Aroostook County. (H. D. 248)

An Act to Regulate Ice Fishing in Long Pond, in the Towns of Somerville and Jefferson, in the County of Lincoln, and in the Town of Windsor, in the County of Kennebec. (H. D. 249)

An Act to Establish Daily Limit on Fish in C Pond, in Township C Surplus, Oxford County. (H. D. 250)

An Act Relating to Fishing in Stony Brook, in Newry and Hanover in Oxford County. (H. D. 251)

An Act to Ratify and Make Valid the Incorporation of Hammond Street Congregational Church in Bangor. (H. D. 252)

An Act Relating to the Portland Gas Light Company. (S. D. 43)

An Act to Amend Section 31 of Chapter 7 of the Revised Statutes of 1916, Relating to Elections and Permitting the Use of Ballot Boxes with Devices for Registering and Endorsing Ballots Deposited Therein. (S. D. 48)

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. D. 152)

An Act Relating to Allowance for Clerks in the Register of Deeds of Cumberland County. (S. D. 153).

An Act to Amend Chapter 39 of the Private and Special Laws of 1915, to fix the Salary of the Judge and Recorder of the Sanford Municipal Court. (S. D. 154).

An Act to Change the Salary of the Superintendent of the State School for Boys (S. D. 155).

(Senate Amendment A to S. D. 155, was offered by Mr. Hinckley of Cumberland, as follows:

Amend by striking out the words "two thousand dollars" in the sixth line on the first page, and the same words in the third and fourth lines on the second page, and inserting in both places the words "eighteen hundred dollars."

On motion by Mr. Hinckley, Senate Amendment A was adopted, and on further motion by the same Senator it was voted that the matter be tabled and printed as amended, pending its second reading.)

An Act to Amend Section 18 of Chapter 118 of the Revised Statutes Relating to the Fees Payable to Registers of Deeds. (S. D. 156).

(Tabled on motion by Mr. Hussey of Aroostook, pending second reading.)

Resolve, in Favor of the Maine School for Feeble Minded for Maintenance for the Fiscal Years 1926 and 1927. (S. D. 157).

Resolve, in Favor of Lester D. Eaton, Warden of State Prison. (S. D. 158).

An Act to Change Name of the Maine School for Feeble Minded. (S. D. 159).

Resolve, in Favor of the Bangor State Hospital for Maintenance and other purposes. (S. D. 160).

Resolve, in Favor of the Augusta State Hospital for Maintenance for the Fiscal Years 1926 and 1927. (S. D. 161).

An Act to Amend Section 48 of Chapter 24 of the Revised Statutes Relating to the Powers and Liabilities of Plantations. (S. D. 162).

An Act to Amend Chapter 140 of the Private and Special Laws of 1921, Relating to the Farmington Municipal Court. (S. D. 163).

An Act Relating to Clerk Hire by the Judge of the Municipal Court of Waterville. (S. D. 164).

An Act Providing for and Fixing the Salaries of the Probation Officer and Assistant Probation Officer for the County of Cumberland. (S. D. 165).

An Act to Change the Personnel of the Budget Committee. (S. D. 166).

An Act to Create a Game Sanctuary in Knox County, to be known as the Knox County Game Preserve. (S. D. 167).

An Act Relating to the Salary of

the Librarian of the Maine State Library. (S. D. 168).

An Act Increasing the Salary of the Postmaster of the Senate. (S. D. 169).

(Tabled on motion by Mr. Cram of Cumberland, pending second reading.)

Mr. MAHER of Kennebec: Mr. President, if it is not out of order at this time, I would like to move reconsideration of the Act just passed to be engrossed, having to do with fishing in the town of Windsor.

The motion was agreed to, and on further motion by the same Senator, the bill was tabled, pending its passage to be engrossed.

Mr. MAHER of Kennebec: Mr. President, I move the reconsideration of the vote whereby we passed to be engrossed an Act having to do with the personnel of the budget committee.

The motion was agreed to, and on further motion by the same Senator the bill was tabled pending its passage to be engrossed.

#### Passed to be Enacted

An Act to regulate fishing in the brooks of York in the county of York. (H. D. 124).

#### Orders of the Day

The PRESIDENT: We will now take from the table for consideration the matters that are on the table in their order. The Chair will lay before the Senate S. P. 472, bill, An Act requiring an excise tax to be paid on all cigarettes sold in this state, tabled pending reference to the committee on judiciary, and recognizes the Senator from Aroostook, Senator Powers.

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

Senator Phillips then moved that the bill be withdrawn from consideration.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 260, bill, An Act in relation to standard time, tabled pending its second reading, and recognizes the Senator from Cumberland, Senator Hinckley.

Senator Hinckley then moved that the bill receive its second reading,



and yielded to the Senator from Cumberland, Senator Anthoine.

Mr. ANTHOINE: Mr. President, I am perfectly willing that this bill should receive its second reading, but after it has been given its second reading I will move that the matter be laid upon the table pending its passage to be engrossed. I will say that this motion is made not for the purpose of delay, but because of the fact that there are a number of petitions coming in to both Senator Cram and myself from Portland merchants and from employes in Portland concerns which both Senator Cram and myself desire to present on the floor of the Senate, and pending the receipt of all these petitions we desire that the matter be laid upon the table.

The PRESIDENT: The Chair will state that the question before the Senate is on the motion of the Senator from Cumberland, Senator Hinckley, that the bill be given its second reading.

The motion was agreed to and the bill received its second reading.

On motion by Senator Anthoine the bill was then tabled pending its passage to be engrossed.

The PRESIDENT: The chair lays before the Senate H. D. 80, bill, An Act relating to the salary of the judge of the Municipal Court of Portland, tabled pending its passage to be enacted, and recognizes the Senator from Cumberland, Senator Hinckley. Senator Hinckley then yielded to the Senator from Cumberland, Senator Speirs.

On motion by Senator Speirs the vote was reconsidered whereby this bill was passed to be engrossed.

Senator Speirs then offered Senate amendment A, to amend section 3 by striking out the words "twenty five" and inserting in place thereof the words "twenty two," and moved its adoption.

The amendment was adopted, and on further motion by the same Senator the bill, as amended by Senate amendment A was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate, H. D. 189, House report from the committee on agriculture, reporting "ought to pass" on resolve making appropriation for the Maine Agricultural Experiment Station for the purchase of additional

land at Highmoor Farm, tabled pending the acceptance of the report in concurrence, and recognizes the Senator from Aroostook, Senator Wilson.

Senator Wilson then yielded to the Senator from Kennebec, Senator Wadsworth.

On motion by Senator Wadsworth the report was recommitted to the committee on agriculture.

The PRESIDENT: At this point the Chair notices that Judge Spear is present in the Senate Chamber, and will insist that Judge Spear take a seat at the right of the Chair.

Judge Spear then occupied a seat at the right of the Chair. (Applause)

The PRESIDENT: The Chair lays before the Senate H. D. 127, bill, An Act providing for protection of beehives, tabled pending its passage to be enacted, and recognizes the Senator from Franklin, Senator Morrison.

Senator Morrison then yielded to the Senator from Piscataquis, Senator Crafts.

Senator Crafts then moved that the bill be passed to be enacted.

On motion by Senator Powers of Aroostook, the bill was tabled pending its passage to be enacted.

The PRESIDENT: The Chair lays before the Senate S. D. 9, House report 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, tabled pending the acceptance of either report, and recognizes the Senator from York, Senator Allen.

Senator Allen then moved the adoption of the majority report.

Mr. MAHER of Kennebec: Mr. President, I first would inquire through the Chair if I am correctly informed in my interpretation of the Senate rules that in speaking upon a motion upon the main question a Senator is allowed to speak three times.

The PRESIDENT: The Chair would rule that he is allowed to speak once, and in the meantime we will try and inform ourselves.

Mr. MAHER: I appreciate the kindness of the Chair, but I simply wanted to be fairly certain.

The PRESIDENT: The Chair will

at this time declare a short recess for a few moments.

#### After Recess

The PRESIDENT: The Chair will answer the inquiry of the Senator from Kennebec, Senator Maher, and in answer will read Rule 10, on page 10 of the Senate Rules: "No Senator shall address the Senate until recognized by the President, nor more than once to the exclusion of any other Senator, without leave of the Senate, if objection is made, unless he be the mover of the matter under debate, and not then more than three times without leave." The Chair will rule that the Senator may speak twice, and the third time by unanimous consent. The Chair will recognize the Senator from Kennebec Senator Maher.

Mr. MAHER: Mr. President, availing myself of the opportunity of speaking just once and simply for myself, and in order that I may be entirely consistent in addressing myself to the motion now before this august body, I will compass all that I have to say in a quotation from the famous Greek slave of Samos who lived five hundred years before the Christian era, and at least that same length of period before there was any controversy over the proposition of the separation of Church and State. His name was Aesop.

"A dog had stolen a piece of meat out of a butcher's shop, and was crossing a river on his way home, when he saw his own shadow reflected in the stream below. Thinking that it was another dog with another piece of meat, he resolved to make himself master of that also; but in snapping at the supposed treasure, he dropped the bit he was carrying and so lost all.

"So it is when you grasp at the shadow and lose the substance; so it is when you hazard a real blessing for a visionary good."

I do not expect or wish any other Senator in this body to vote with me upon this regard. I trust no matter how other Senators may feel with reference to the subject matter, I sincerely hope that they will vote against me. For one, in order that there may be no possible time or chance now or later for any possible intimation of insincerity or inconsistency, I shall vote not to accept the majority report I hope, however, that I will have the unique and the distinguished pleasure of voting alone in that regard.

Mr. HINCKLEY of Cumberland:

Mr. President, this is a most important matter before the Senate as well as before the people of the entire State. At a later time an extended debate will undoubtedly take place on this question. I hope, however, in order to facilitate the business, that all the preliminary stages of this bill will be passed and that the debate will come on the question of the final enactment of the measure so that the members may record themselves at that time, and I trust that the motion of the Senator from Penobscot, Senator Barwise, will prevail.

The PRESIDENT: The Chair will inform the Senator from Cumberland, Senator Hinckley, that the question before the Senate is on the motion of the Senator from York, Senator Allen, that the majority report be accepted.

Mr. BARWISE of Penobscot: Mr. President, I entirely agree with the Senator from Cumberland, Senator Hinckley, and I hope that the matter may be carried through its preliminary stages without any discussion, and that we may have full discussion of the measure on its final enactment, and at that time I am in hopes that I may have an opportunity to make some few observations as to why this constitutional amendment should be submitted to the people.

Mr. ALLEN of York: Mr. President, I do not at this time wish to take up any of the time of the Senate, but in reply to the Senator from Kennebec, Senator Maher, I would like to say this—he has seen fit to go back in his quotation to a time some five hundred years before the Dead Sea was taken sick, or something to that effect. I simply want to relate something that happened right here in the State of Maine within twenty-five years. A man went into a grocery store in a small town and asked the proprietor what he asked for crackers. The proprietor replied "Ten cents a dozen." The man said "I'll take a dozen." He then looked on a shelf and saw a bottle with something in it, and he asked the proprietor, "What's that?" The proprietor replied "That's New England rum." The man says "What do you ask for it?" The proprietor replied "Ten cents a glass." May I swap the crackers for the rum?" "Certainly." He drank the rum and started to walk away, and the proprietor says "You haven't paid me

for the rum." The man replied "I gave you the crackers for the rum;" but the proprietor said you haven't paid for the crackers," and the man replied "I haven't got the crackers; you have the crackers." The proprietor then said "Your logic is all right, but your trade I don't want." (Laughter.)

Mr. MAHER: Mr. President, availing myself of the right which is mine, as I understand it, to speak twice upon this matter, and in the splendid spirit of harmony which prevails here this morning, in answer to the remarks of the Senator from York, Senator Allen, when he brings in the anecdotal argument from the five hundred years before the Christian era down to a period within twenty-five years, I will tell him at the proper time and at the proper place I will relate another anecdote which has occurred even more recently, to wit, upon the eighth day of March, 1925; place, the city of Portland; stage setting, the Columbia Hotel.

Mr. Allen moved for the previous question.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Allen, to accept the majority report in connection with Senate Document 9. Is it the pleasure of the Senate that the majority report be accepted.

Mr. Maher announced that he voted no.

The PRESIDENT: All those in favor of accepting the majority report will rise and stand until counted.

A rising vote being had, 28 voted in favor and two opposed.

So the motion was agreed to and the majority report was accepted.

The PRESIDENT: The Chair lays before the Senate H. D. 222, bill, An Act relating to payment of bounty on bob cats, loup cervier or Canada lynx killed in the State of Maine, tabled pending its second, and recognizes the Senator from Somerset, Senator Holley.

On motion by Senator Holley the bill was then recommitted to the committee on inland fisheries and game.

The PRESIDENT: The Chair lays before the Senate S. D. 37, Senate

report from the committee on salaries and fee, reporting "ought not to pass" on bill, An Act relating to the salary of the State superintendent of public schools, tabled pending the acceptance of the report, and recognizes the Senator from York, Senator Allen.

On motion by Senator Allen the report of the committee was accepted.

The PRESIDENT: The Chair lays before the Senate S. D. 65, Senate report from the committee on banks and banking, reporting "ought not to pass" on bill, An Act requiring more efficient supervision of brokers selling securities on marginal account, tabled pending the acceptance of the report, and recognizes the Senator from Kennebec, Senator Maher.

Mr. MAHER: Mr. President, after a conference with the author and sponsor of the bill we have agreed upon substantially the amendment which we have not yet prepared, but which will be presented tomorrow, and for that reason we ask to have the matter lie upon the table.

The motion was agreed to and the report was retabled, pending its acceptance.

The PRESIDENT: The Chair lays before the Senate H. D. 69, bill, 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, tabled pending its passage to be enacted, and recognizes the Senator from Somerset, Senator Smith.

On motion by Mr. Smith the bill was then passed to be enacted.

The PRESIDENT: The Chair lays before the Senate H. D. 121, bill, An Act relating to hunting in certain specified localities in the State of Maine, tabled pending its passage to be enacted, and recognizes the Senator from Aroostook, Senator Powers.

On motion of Mr. Powers the bill was then passed to be enacted.

The PRESIDENT: The Chair lays before the Senate H. D. 188, bill, An Act to amend chapter 174 of the Public Laws of 1923, known as the

Military Law, tabled pending its passage to be enacted, and recognizes the Senator from York, Senator Allen.

Senator Allen then yielded to the Senator from Cumberland, Senator Anthoine.

Mr. ANTHOINE: Mr. President, There will be some changes to be made in this bill, and it may be necessary to move re-consideration of our former action and recommit the measure to the committee on military affairs, but owing to the absence of the Adjutant General from the State I will now move that it be retabled.

The motion was agreed to, and the bill was retabled pending its passage to be enacted.

The PRESIDENT: The Chair lays before the Senate S. P. 429, bill, An Act to amend chapter 238 of the Public Laws of 1919, as amended by chapter 222 of the Public Laws of 1921, relating to workmen's compensation, tabled pending reference to the committee on judiciary, and recognizes the Senator from Somerset, Senator Smith.

Mr. Smith then moved that the bill be referred to the joint committee of judiciary and labor.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 253, an order for an investigation of the condition of labor in the textile industry by the committee on labor, tabled pending its adoption, and recognizes the Senator from Cumberland, Senator Hinckley.

On motion by Mr. Hinckley the order was referred to the joint committee on legal affairs and labor.

The PRESIDENT: The Chair lays before the Senate H. D. 33, resolve to appropriate money for co-operative work between the college of agriculture of the University of Maine and the United States Department of Agriculture, tabled pending its second reading, and recognizes the Senator from Kennebec, Senator Wadsworth.

On motion by Senator Wadsworth the resolve then received its second reading and was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. P. 164, Senate report from the committee on inland fisheries and game, reporting "ought to pass" on bill, An Act relating to

dogs found chasing moose, caribou or deer, tabled pending the acceptance of the report, and recognizes the Senator from Cumberland, Senator Hinckley.

Senator Hinckley then yielded to the Senator from Piscataquis, Senator Crafts.

On motion by Mr. Crafts the report of the committee was accepted, and the bill was then tabled for printing under the joint rules.

The PRESIDENT: The Chair lays before the Senate S. D. 139, bill, An Act to permit ice fishing in Bauneg Beg pond, so-called, in Sanford and in North Berwick, in the county of York, tabled pending its second reading, and recognizes the Senator from York, Senator Allen.

On motion by Mr. Allen the bill then received its second reading and was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 56, Senate reports from the committee on public health, majority reporting "ought to pass" and minority reporting "ought not to pass," on bill, An Act to accept the provisions of the Act of the Congress of the United States, approved November 23rd, 1921, entitled "An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," tabled pending the acceptance of either report, and recognizes the Senator from Aroostook, Senator Powers.

On motion by Mr. Powers the reports were retabled, pending the acceptance of either report.

The PRESIDENT: The Chair lays before the Senate H. D. 230, House report A, "ought not to pass," and House report B, "ought to pass," on resolve authorizing Michael Burns to bring suit at law against the State of Maine, tabled pending the acceptance of either report, and recognizes the Senator from Cumberland, Senator Hinckley.

Mr. Hinckley moved that House report A be accepted in concurrence with the House.

The motion was agreed to.

Mr. CARTER of Androscoggin: Mr. President, there was a bill introduced by the Senator from Kennebec, Senator Foster, this morning, in relation to pipes, poles and wires in highways, referred to the committee

on highways. I now move that the Senate reconsider the vote whereby they referred such a bill to the committee on highways.

The motion was agreed to.

Mr. FOSTER of Kennebec: Mr. President, if it is in order I wish to say that this bill was referred to the committee on highways after very careful consideration, and if it is in order I would insist on the bill going to that committee. The bill has to do particularly with the taking up and reconstructing of State highways. It is an administration measure. The State Highway Commission are very much in favor of the substance of the bill. For that reason it seems to me that it has been designated to the proper committee.

The PRESIDENT: Just a moment, if the Senator from Androscoggin will permit the Chair to say that these papers are not here in the possession of this body. The Chair was a little previous in putting that question, and the Chair hopes that the Senate will vote to reconsider the vote whereby we reconsidered our action today. They have been sent to the House for concurrent action.

Mr. CARTER: Mr. President, I would now move that the matter as it stands lie on the table.

Mr. HINCKLEY: Mr. President, I rise to a point of order. Do I understand from the President that the papers are not in the possession of the Senate?

The PRESIDENT: Yes.

Mr. HINCKLEY: I rise to the point of order that there is nothing properly before the Senate.

The PRESIDENT: I think the point is well taken.

Mr. CARTER: Mr. President, without pressing too strongly, I was under the apprehension that this body, on a matter that was before it this morning, which is the first time that I have had an opportunity, or any member, to speak upon it, that the papers have gone from the possession of the Senate—

The PRESIDENT: Gone to the House for concurrent action. We have exchanged papers, and the papers from the House are now here for our consideration.

Mr. HOLLEY of Somerset: Mr. President, I move that the Senate pass an order, which will be prepared, recalling from the House the papers in question.

The PRESIDENT: The Chair will

say that he is ready to entertain an order.

Mr. CASE of Washington: Mr. President: As matter of inquiry I understand that these papers were referred to the judiciary committee this morning instead of to ways and bridges.

The PRESIDENT: The Chair will say he is not certain because we are not in possession of the papers.

Mr. BARWISE of Penobscot: Mr. President, I would like to inquire of the Chair if business could be facilitated by having the first reading of the Constitutional amendment at this time. We have accepted the majority report.

The PRESIDENT: The Chair will state he sees no reason why the first reading cannot be given.

Mr. BARWISE: Then, Mr. President, I move that the rules be suspended and that the matter be given its first reading now. (S. D. 9)

The motion was agreed to and the resolve was given its first reading.

Mr. HINCKLEY of Cumberland: Mr. President, in order to facilitate matters, I move the rules be suspended and that it be given its second reading at this time.

The motion was agreed to.

The bill then received its second reading and was passed to be engrossed.

On motion by Mr. Hinckley of Cumberland S. D. 155, An Act to change the salary of the Superintendent of the State School for Boys, was taken from the table, and on further motion by the same Senator was given its second reading and passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Chalmers of Penobscot, the Senate reconsidered its vote, whereby an Act regarding the salary of the judge and recorder of the Millinocket Municipal court was given its first reading, and on further motion by the same Senator, the matter was tabled pending first reading.

The PRESIDENT: The Chair will state now that he is in possession of an Order, introduced by the Senator from Androscoggin, Senator Carter:

ORDERED, that the House of Representatives return to the Senate the paper referred to the committee on highways, referring to the juris-

diction of the highway commission in regard to poles, wires, etc., located or to be located in the highways.

Mr. CARTER: Mr. President, may I correct the order? The words "be requested" I left out of the order—that the House of Representatives be requested to return.

The PRESIDENT: We will amend it.

The Chair would like to ask the Senator from Androscoggin, Senator Carter, if this is the same bill presented by Senator Foster, granting to the State highway commission control of pipe and pole lines, conduits, dams and other similar constructions, and flowage on the rights of the way of public highways, and that was referred to the committee on judiciary and 500 copies ordered printed?

Mr. CARTER: I think that is the same bill. Will the Secretary please correct the order to comply with the bill, I not having the paper before me and doing it from recollection.

The Secretary read the order as amended.

ORDERED, that the House of Representatives be requested to return to the Senate the paper referred to the committee on judiciary referring to the jurisdiction of poles, wires, etc., located or to be located in the highways.

On motion by Mr. Carter, the order as read was given a passage, and sent down for concurrence.

Mr. ROGERS of York: Mr. President, I move that we reconsider our vote of yesterday whereby we referred to the committee on judiciary an Act to amend section 30 of chapter 24 of the Revised Statutes, as amended by chapter 37 of the public laws of 1917.

The motion was agreed to.

Mr. ROBERTS: Mr. President, I now move that we refer this to the committee on public utilities.

Mr. HINCKLEY of Cumberland: Mr. President, I would like to have the bill read so that we may know the subject matter of it.

(Bill read by Clerk.)

Mr. HINCKLEY: Mr. President, it seems to me it is clearly a public utility and should go to the committee on public utilities.

The motion of Mr. Roberts was agreed to and the matter was re-

ferred to the committee on public utilities.

Mr. CARTER of Androscoggin: Mr. President, I understand that the Senate now has in its possession the papers in the matter formerly referred to by me, and I now move that we reconsider the vote whereby we referred the bill relating to poles, wires and conduits in public highways to the judiciary committee.

The motion was agreed to, and on further motion by the same Senator the matter was tabled, pending a reference to a committee.

Further matters from the House disposed of in concurrence.

The PRESIDENT: Are there any other matters that can be taken up at this time?

Mr. CARLETON of Sagadahoc: Mr. President, I laid on the table yesterday a report on the Kennebec bridge matter for the committee to investigate, and I would like to take it from the table.

The PRESIDENT: The Chair is informed that the matter has gone to the printer and is not here.

Mr. CARLETON: I have a report here that I would like to have added to the papers.

Mr. MAHER of Kennebec: Mr. President, I would like to move for reconsideration of the vote whereby the Senate just referred to the committee on agriculture, if I heard correctly, an Act having to do with soft drinks, and I should like at this time to have the bill read.

(The bill was then read by the Secretary.)

The vote was reconsidered whereby this bill was referred to the committee on agriculture, and on further motion by Senator Maher the bill was tabled pending reference to a committee.

Mr. HINCKLEY: Mr. President, may I inquire whether or not the bill pertaining to the licensing of soft drink places has been printed or ordered printed?

The PRESIDENT: The Chair will state that the bill is now laid upon the table, pending its reference to a committee.

On motion by Senator Wilson of Aroostook,

Adjourned until tomorrow morning at ten o'clock.