

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 12, 1925.

Senate called to order by the President.

Prayer by Rev. Langdon Quimby of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act giving additional powers to the Public Utilities Commission. (H. D. 316)

In the House: Referred to the Committee on interior waters.

In the Senate: On motion by Mr. Carter of Androscoggin, tabled pending reference to a committee.

From the House: The committee on salaries and fees, on an Act increasing the salary of the postmaster of the House (H. P. 791) reported that the same ought to pass.

In the House: Indefinitely postponed.

In the Senate: On motion by Mr. Hinckley of Cumberland, the Senate non-concurred with the house on indefinite postponement, accepted the report of the committee "ought to pass" and asked for a committee of conference.

The Chair appointed as such committee of conference on the part of the Senate, the Senator from Cumberland, Senator Hinckley, the Senator from Somerset, Senator Holley, and the Senator from York, Senator Roberts.

From the House: The same committee, on an Act relating to the salary of the county attorney for York county (H. D. 299) reported that the same ought not to pass.

In the House: the report of the committee was accepted.

In the Senate: The report of the committee was accepted in concurrence.

Mr. ALLEN of York: Mr. President, I move that we reconsider the vote whereby we adopted the report of the committee, just read.

The motion was agreed to, and on further motion by the same Senator, the matter was tabled, pending acceptance of the report of the committee.

From the House: The majority from the Committee on Sea and Shore Fisheries, on An Act to amend Section 35, Chapter 45 of the Revised Statutes, relating to legal size of lobsters and method of measurement (H. D. 120) reported that the same ought not to pass.

(Signed)

CASE
MOORE
SARGENT
WALKER
MILLS
BOMAN
FLORHAN
CLARKE

The minority from the same Committee, on the same subject matter, reported ought to pass.

(Signed)

LAMSON
LITTLEFIELD

In the House: The majority report was accepted.

In the Senate: On motion by Mr. Lord of York, tabled pending acceptance of either report.

From the House: The Committee on Education, on An Act Relating to Teachers' Pensions (H. D. 135) reported that the same ought to pass.

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

From the House: The Committee on Judiciary, on An Act to Amend Sections 11, 12 and 13 of Chapter 6 of the Revised Statutes relating to Primary Elections (H. D. 48) reported the same in a new draft, under the title of An Act to Amend an Act: To Amend Sections 11, 12, 13 and 38 of Chapter 6 of the Revised Statutes, Relating to Primary Elections (H. D. 296) and that it 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 Incorporate the Aroostook Real Estate Title Company (H. D. 169) reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Wilson 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 the charter of the city of Hallowell to provide that the municipal year begin on the second Monday of January biennially (H. D. 182), reported that the same ought to pass.

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

From the House: The committee on Legal Affairs, on An Act to incorporate Houston Brook Driving Company (H. D. 299), reported that the same 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 Public Utilities, on An Act to authorize the Caribou Water, Light and Power Company to lease and assign to the Great Northern Paper Company for a period of 30 years, its right to maintain piers and booms and to hold and sort logs and other lumber granted by Chapter 178 of the Private and Special Laws of Maine of 1907 (S. D. 61), reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Crafts of Piscataquis, 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 Clerk of Courts, Knox county (H. D. 79), reported that the same ought to pass.

The report was accepted in concurrence, and on motion by Mr. Walker of Knox, 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 County Attorney for Knox County, reported the same in a new draft, under the same title (H. D. 292) and that it ought to pass.

The report was accepted in concurrence, and on motion by Mr. Walker of Knox, 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 for clerk hire in the office of Register of Probate, Knox county, from \$572.00 to \$720.00 (H. D. 265) reported that the same ought to pass.

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

From the House: The same committee, on An Act relating to the County Commissioners of Waldo county (H. P. 335) reported the same in a new draft, under the same title (H. D. 290) and that it ought to pass.

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

From the House: The same committee, on An Act relating to clerk hire in the Registry of Probate of York county (H. P. 634), reported the same in a new draft, under the same title (H. D. 295) and that it ought to pass.

The report was accepted in concurrence and on motion by Mr. Allen of York, 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 Probate of Waldo county (H. P. 638) reported the same in a new draft, under the same title (H. D. 291) and that it ought to pass.

The report was accepted in concurrence and on motion by Mr. Buzzell of Oxford, 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 Courts in Washington county (H. D. 297), reported that the same 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 same committee, on An Act to amend Section 15 of Chapter 15 of the Private and Special Laws of 1923, relating to the salary of the Recorder of Kennebunk Municipal Court (H. D. 298), reported that the same ought to pass.

The report was accepted in concurrence and on motion by Mr. Allen of York, 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 clerks in the office of the register of probate for Oxford county (H. P. 796), reported the same in a new draft, under the same title (H. D. 294) and that it ought to pass.

The report was accepted in concurrence, and on motion by Mr. Buzzell of Oxford, 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 sheriff of Sagadahoc county (H. P. 797), reported the same in a new draft, under the same title (H. D. 293), 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 sea and shore fisheries on An Act to extend the open time for smelt fishing in the tide waters of the Penobscot River and its tributaries (H. D. 88), reported that the same ought to pass.

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

On motion by Mr. Wadsworth of Kennebec, the rules were suspended and that Senator introduced out of order the report of the committee on appropriations and financial affairs, reporting "ought to pass" on resolve appropriating moneys for the payment of certain claims and department overdrafts for which no legislative appropriation has been made and to provide for the carrying on of the activities and departmental expenses for the remaining months of the fiscal year ending June 30th, 1925, and for other purposes.

On further motion by the same Senator the report was accepted.

The resolve was then tabled for printing under the joint rules.

Bills in First Reading

Resolve, in favor of the Augusta State Hospital for renovation of

steam plant for fiscal years 1926 and 1927 (S. D. 179).

Resolve, in favor of the Maine School for Feeble Minded for additions and improvements (S. D. 180).

(Tabled by Mr. Holley of Somerset, pending second reading.)

(At this point Senator Hinckley of Cumberland assumed the Chair.)

Reports of Committees

Mr. Cram, from the committee on Public Utilities, on An Act to grant certain powers to the Northeast Harbor Water Company (S. D. 96) reported that the same ought not to pass.

Mr. Allen from the committee on Taxation, on An Act to amend Section 1 of Chapter 10 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1921, relating to poll tax (S. D. 99) reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

Mr. Crafts, from the committee on Inland Fisheries and Game, on An Act to regulate fishing in the brooks and streams of the State (H. D. 143), reported the same in a new draft, under the title of An Act to regulate fishing for trout and landlocked salmon in the brooks and streams of the State (S. P. 524) and that it ought to pass.

The same Senator, from the same committee, on An Act to fix a uniform date for the filing of annual reports of hunters and trappers, camp proprietors and other licensees of the Department of Inland Fisheries and Game and to amend Section 3 of Chapter 173 of the Public Laws of 1919, as amended by Chapter 121 of the Public Laws of 1923 (S. P. 223) reported the same in a new draft, under the same title (S. P. 525) and that it ought to pass.

The same Senator, from the same committee, on An Act to prohibit the taking of firearms into unorganized townships during closed season on partridge or ruffed grouse, so-called (H. D. 140) reported the same in a new draft, under the title of An Act to prohibit the taking of fire arms into unorganized townships between September 10th and December 10th of each year (S. P. 526) 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 distribution of personal estate. (H. D. 102).

An Act to Amend the Charter of the City of Brewer. (H. D. 172).

An Act to Increase the Salary of the Register of Deeds of Lincoln County (H. D. 263).

An Act relating to clerk hire in the office of Registry of Deeds of Lincoln County. (H. D. 264).

An Act Relating to the Salary of the Clerk of the Lewiston Municipal Court. (H. D. 266).

Resolve, Appropriating money to Rebuild One Pier of the Gardiner and Randolph Drawbridge. (H. D. 267).

An Act Relating to the Trapping of Fur-Bearing Animals. (H. D. 268).

(On motion by Mr. Holley of Somerset, tabled pending passage to be engrossed.)

An Act Relating to the Revocation of Licenses and Certificates Issued by the Department of Inland Fisheries and Game. (H. D. 269).

An Act to Authorize Harry M. Stanley to Construct and Maintain a Wharf and Boathouse in Lake Maranacook in Winthrop. (H. D. 270).

An Act to Amend Section 38 of Chapter 117 of the Revised Statutes Relating to Compensation of Judges of Probate. (H. D. 271).

An Act Relative to Salaries and Expenses of County Commissioners. (H. D. 272).

An Act Relating to the Salary of the Judge of the Municipal Court of South Portland. (H. D. 274).

An Act to Amend Section 43 of Chapter 117 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1921, Increasing the Salary of the Register of Deeds of York County. (H. D. 275).

An Act Relating to Salary of Sheriff of Waldo County. (H. D. 276).

Passed to Be Enacted

An Act Relating to Close Time on Lobsters in the Towns of Cutler, Trescott and Lubec, in Washington County. (S. D. 118).

An Act to Prohibit Ice Fishing in Kennebunk Pond, in the County of York. (S. D. 124).

An Act to Extend the Charter of the Patten Water and Power Company. (S. D. 117)

An Act to Amend Chapter Sixty-two of the Public Laws of 1923, Relating to the Production and Sale of Certified Seed. (S. D. 55).

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).

An Act relating to the jurisdiction of the Municipal Court of the city of Westbrook (S. D. 121).

An Act to regulate fishing in Miller Brook, a tributary to Moose Pond, in the town of Bridgeton, in the county of Cumberland (H. D. 218).

An Act relating to the Portland Public Library (H. D. 221).

An Act relating to fishing in brook emptying into Thompson Lake at Oxford, known in Oxford and Otisfield as Greeley Brook and in the town of Norway as Lombard Brook (H. D. 220).

An Act to amend Chapter 195 of the Private and Special Laws of 1887, entitled An Act to amend An Act incorporating the city of Waterville as amended by Chapter 16 of the Private and Special Laws of 1917 (H. D. 239).

An Act to regulate fishing in certain ponds in Somerset County (H. D. 123).

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

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

An Act to amend Chapter 110 of the Private and Special Laws of 1909, relating to the Good Will Home Association (H. D. 207).

An Act relating to the Female Orphan Asylum of Portland (H. D. 223).

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

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

Finally Passed

Resolve, appropriating money for the study and control of the Fruit or Blueberry Fly in Maine (S. D. 24).

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).

Resolve, appropriating money for the support and maintenance of the Maine Agricultural Experiment Station (H. D. 24).

Resolve, appropriating money for the Passamaquoddy Tribe of Indians for the years July 1, 1925 to June 30, 1927 (H. D. 238).

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).

ORDERS OF THE DAY

Mr. CARTER of Androscoggin: Mr. President, yesterday I laid upon the table Senate Document 486, bill, An Act granting to the highway commission control of pipes, pole lines, etc., which was rather a long bill, and 500 copies were ordered printed; I would now like to make a motion that these be printed while the bill is still upon the table, in order that they may be in the hands of the Senate.

On motion by Mr. Carter this bill was taken from the table, and on further motion by the same Senator 500 copies were ordered printed, while the bill is tabled, pending its reference to a committee.

(At this point the President resumed the Chair).

On motion by Mr. Chalmers of Penobscot, House Document 273, bill, An Act to increase the salaries of the judge and recorder of the Millicocket Municipal Court, was taken from the table.

The pending question being the first reading of the bill.

On further motion by the same Senator the bill received its first reading and was assigned for tomorrow for its second reading.

On motion by Mr. Powers of Aroostook, the vote was reconsidered whereby H. D. 497, bill, An Act relating to the distribution of personal estate was passed to be engrossed this morning.

On further motion by the same Senator the bill was tabled pending its passage to be engrossed.

On motion by Mr. Holley of Somerset, the rules were suspended and that gentleman introduced out of order the following order:

Ordered, That a message be sent to the House proposing a joint convention to be held forthwith in the Hall of the House for the purpose of listening to an address by Brigadier General Herbert M. Lord, Director of the Budget of the United States.

The order received a passage.

The Secretary was then instructed to convey the message to the House.

Subsequently the Secretary reported that he had delivered the message with which he was charged.

Message From The House

The Clerk of the House: Mr. President, I am charged with a message from the House addressed to your Honorable body announcing that the House concurs in the proposition of the Senate for a joint convention of the two branches of the legislature to be held forthwith in the Hall of the House.

The PRESIDENT: The Senate hears the message.

Thereupon the Senate proceeded to the Hall of the House for a joint convention.

(The proceedings of the joint convention will be found in the House record).

IN THE SENATE

The PRESIDENT: We now come to the matters upon the Senate calendar, and are there any matters on the calendar which can be disposed of today, if nothing more than to take them off of the table and put them on again? It is now getting on towards the last part of the session.

Mr. WALKER of Knox: Mr. President, I would like to introduce, under a suspension of the rules, an order out of order. I would suggest that the first part of the address to which we have just listened, that part relating to the State of Maine, be printed, and that at least a thousand copies be printed in order that they may be distributed among the people of the State of Maine.

The PRESIDENT: The Chair will state that he thinks the suggestion of the Senator from Knox, Senator Walker, is a very good one. However, the Chair does not understand why only the first part of the address should be printed, and neither does the Chair think that one thousand copies will be enough.

Mr. SMITH of Somerset: Mr.

President, I would like to make an amendment to the order by suggesting that the complete address be printed and that 2500 copies be printed.

The PRESIDENT: The Chair will suggest that we should have a written order.

Mr. HINCKLEY: Mr. President, if I might make a suggestion it would be that 5000 copies be printed, and I do not think that will be too many.

The PRESIDENT: The Chair hears the suggestion of the Senator from Cumberland, Senator Hinckley.

Mr. MAHER of Kennebec: Mr. President, in the meantime, while the order is being prepared, I think it would not be inappropriate for the Senate by a rising vote to express its appreciation of perhaps as masterly an address as has ever been heard within the walls of this State House; and I would move that a rising vote of appreciation be extended in recognition of the wonderful address of Brigadier General Lord.

The PRESIDENT: The Senate has heard the motion of the Senator from Kennebec, Senator Maher. All those in favor of the motion will rise.

A rising vote was taken, and the motion was declared carried un-animously.

On motion by Senator Walker of Knox, the rules were then suspended and that Senator introduced out of order the following order:

Ordered, That the full address of Brigadier General Lord, Director of the United States Budget, be printed and the number of copies be five thousand.

The order received a passage.

The PRESIDENT: Are there any other matters that we can take up today? If not a motion to adjourn will be in order.

On motion by Mr. Holley of Somerset,

Adjourned until tomorrow morning at ten o'clock.