

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY  
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### SENATE

Saturday, April 4, 1925.

Senate called to order by the President.

Prayer by Rev. Andrew T. McWhorter of Augusta.

Journal of previous session read and approved.

Mr. ALLEN of York presented, out of order, under suspension of the rules, the following order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet Monday, April 6, at four-thirty in the afternoon.

The order was passed and sent down for concurrence.

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

From the House:

An Act to authorize the payment of retirement compensation to treasurers and assistant treasurers of savings banks. (S. D. 272.)

In Senate, April 1, passed to be engrossed.

In the House, indefinitely postponed in non-currence.

In the Senate: On motion by Mr. Allan of York, the Senate voted to recede and concur with the House.

Subsequently, on motion by the same Senator, the Senate voted to reconsider its action whereby it concurred with the House in indefinite postponement, and on further motion by the same Senator the matter was tabled.

From the House:

An Act relating to the definition of banking. (S. D. 143.)

In Senate, April 1, passed to be engrossed.

In the House, House Amendment A was adopted and the bill passed to be engrossed as amended by House Amendment A.

In the Senate: The Secretary read House Amendment A.

Mr. ALLEN of York: Mr. President, as this is a bill that perhaps Senator Foster of Kennebec is interested in, I move it lie on the table.

The motion was agreed to.

From the House:

Resolve, providing for the ap-

pointment of one or more persons to represent the State in certain proposed changes in freight rates affecting the people of the State. (H. D. 459.)

In Senate, April 3, Committee of Conference asked.

In the House: That body voted to insist on its former action whereby the resolve was indefinitely postponed.

In the Senate:

Mr. CASE of Washington: Mr. President, I move the matter lie on the table.

Mr. SPEIRS of Cumberland: Mr. President, it looks to me as though we were losing time rather than gaining it by going through and tabling these things. If an adjournment is in order, I would like to move to adjourn. Through the Chair, I would like to ask what is the good to take them off and put them on the table?

The PRESIDENT: We have some things on the calendar that we can make progress on.

Mr. WADSWORTH of Kennebec: Mr. President, was that bill tabled?

The PRESIDENT: The Chair was about to put the vote.

Mr. WADSWORTH: Mr. President, I introduced that resolve and after considerable strenuous effort got a report from the committee "ought to pass." It went through here, and went through the House, but failed on the final enactment. I think this is the situation that we have voted twice to adhere to our former action and asking for a committee of conference—we did that a few days ago once and did it again yesterday, and the House for some reason, I do not know what, still stick to their former action. I do not know Mr. President, as it is worth while to insist any longer. It looks to me as though they had made up their minds for some reason or other. I do not care, as far as I am concerned, the Senate can do what they are a mind to with it. I do not care to insist on the matter any more as it apparently is useless.

Mr. CASE of Washington: Mr. President, I will say that one of the House members came to me and said that got by them yesterday and was not understood and asked if it came up in here to try and table it. At the request of the House member I have made the motion.

Mr. CARTER of Androscoggin: Mr. President, I would like to ask for information—I know nothing about it myself—whether that vote, the last vote of the House to adhere, or insist, was reconsidered in favor of the passage.

Mr. CASE: Replying to the senator from Androscoggin through the Chair, I know nothing about the matter.

Mr. CARTER: If it was it would be dead anyway.

Mr. MAHER of Kennebec: Mr. President, the senator from Androscoggin I think is not correct on the procedure. What is the vote of the House?

The PRESIDENT: It came from the House that body voting to insist on its former action whereby that resolve was indefinitely postponed.

Mr. MAHER: That is not final action.

Mr. WADSWORTH: I will withdraw any apparent objections I may have expressed as to tabling this matter.

The PRESIDENT: The motion before this body is on the motion of the senator from Washington, Senator Case, to table this matter. The Chair will also state that this body can vote to insist as many times as it wants to, and ask for as many committees of conference as it likes.

The motion to table was agreed to.

From the House:

An Act to prohibit pollution with mill waste of the lakes and ponds and certain specified rivers, brooks and streams of the State. (S. D. 234.)

In Senate, March 23, passed to be engrossed.

In the House: House Amendment A was adopted, and the bill passed to be grossed as amended by House Amendment A.

In the Senate: The Clerk read House Amendment A.

On motion by Mr. Allen of York, the Senate reconsidered its action whereby it passed this bill to be engrossed.

On further motions by the same senator, House Amendment A was adopted, and the bill was passed to be engrossed as amended by House Amendment A.

From the House:

Report A of the committee on judiciary, on An Act to prohibit boating and fishing from boats on Lake Auburn (H. D. 90) reported the same in a new draft, under the title of An Act

to prohibit boating and fishing from boats on Lake Auburn in the city of Auburn in the county of Androscoggin (H. D. 498) and that it ought to pass.

(Signed)

WING,  
HOLMES,  
MAHER,  
MARTIN,  
HUSSEY.

Report B from the same committee on the same subject matter, reported that the same ought not to pass.

(Signed)

HINCKLEY,  
HALE  
HAMILTON,  
NICHOLS,  
OAKES.

In the House, Report A was accepted and the bill passed to be engrossed. In the Senate:

Mr. CARTER of Androscoggin: Mr. President, I move we accept Report A, ought to pass.

Tabled on motion by Mr. Wadsworth of Kennebec, pending acceptance of either report.

#### Report of Committee

The committee of conference, on the disagreeing action of the two branches of the Legislature, on Resolve, in favor of double stacking the State Library (S. D. 35), reported that they are unable to agree.

The report was accepted and sent down for concurrence.

Papers from the House disposed of in concurrence.

From the House: The committee on judiciary, on An Act to change the jurisdiction of the supreme judicial and superior courts (H. D. 378) reported that the same ought not to pass, and further reported that the joint order herewith presented, entitled An order relative to the judiciary be passed, which order reads as follows:

ORDERED, the Senate concurring, that a recess committee to consist of the chief justice of the supreme judicial court, one member appointed by the governor, two members appointed by the President of the Senate and three members appointed by the Speaker of the House, be named whose duties shall be to consider the advisability of any additional courts or a combination of the existing courts having in view the expedition of court procedure and to consider in connec-

tion with the above the advisability of an appellate court of law, a combination of the various superior courts of the State and the unifying of jurisdiction and procedure in the various inferior courts.

It is further ordered, that said committee shall report with its recommendations to the 83rd Legislature.

It is further ordered, that any vacancies in said committee shall be filled by the governor.

Which order came from the House, read and passed.

In the Senate: The report of the committee was accepted, and the order passed as read.

### Reports of Committees

Mr. ALLEN from the Committee on Education, on An Act to Repeal Chapter 217 of the Public Laws of 1919, relative to appropriations for the several normal schools and the Madawaska Training School (S. P. 372) reported that the same ought to pass.

The same Senator from the same Committee on the following resolves:

Resolve, in favor of Anson Academy, S. P. 52.

Resolve, in favor of Aroostook Central Institute at Mars Hill, Aroostook County, Maine. H. P. 253.

Resolve, in favor of Berwick Academy. H. P. 288.

Resolve in favor of Bluehill-George Stevens Academy for General Maintenance. H. P. 255.

Resolve in favor of Bridgton Academy for deficit in maintenance. H. P. 256.

Resolve in favor of Bridgewater Classical Academy at Bridgewater, Aroostook County, Maine, H. P. 254.

Resolve in favor of Cherryfield Academy. H. P. 106.

Resolve in favor of Eastern Maine Institute for maintenance. H. P. 102.

Resolve in favor of Freedom Academy for maintenance and repair. H. P. 241.

Resolve in favor of Fryeburg Academy, Oxford County. S. P. 89.

Resolve in favor of Gould Academy. H. P. 155.

Resolve in favor of Hampden Academy. H. P. 239.

Resolve in favor of Hartland Academy. H. P. 406.

Resolve in favor of Higgins Classical Institute. H. P. 60.

Resolve in favor of Lee Academy for maintenance. H. P. 105.

Resolve in favor of Limington Academy for General Maintenance. H. P. 438.

Resolve in favor of Lincoln Academy. H. P. 527.

Resolve in favor of Leavitt Institute for maintenance. H. P. 46.

Resolve in favor of Litchfield Academy. S. P. 126.

Resolve in favor of Maine Central Institute of Pittsfield, Maine, for maintaining courses of instruction. H. P. 45.

Resolve in favor of Monmouth Academy. S. P. 88.

Resolve in favor of Monson Academy to meet the increased cost of maintenance of Monson Academy. H. P. 441.

Resolve in favor of Nasson Institute for maintenance. H. P. 103.

Resolve in favor of Trustees of North Yarmouth Academy. S. P. 51.

Resolve in favor of Oak Grove Seminary. H. P. 528.

Resolve in favor of Parsonsfield Seminary for General Maintenance. H. P. 440.

Resolve in favor of Ricker Classical Institute, Houlton. H. P. 107.

Resolve in favor of Somerset Academy. S. P. 214.

Resolve in favor of St. Joseph's Academy and College for Women, Deering, Maine. H. P. 191.

Resolve in favor of Traip Academy in the Town of Kittery. H. P. 242

Resolve in favor of Washington Academy for maintenance, repairs and addition to its building. H. P. 695.

Resolve in favor of Westbrook Seminary. S. P. 32.

Resolve in favor of Wilton Academy for Maintenance, Repairs and Upkeep. H. P. 693.

Resolve in favor of Van Buren College for enlargement, replacement, repairs, equipment, laboratory and maintenance. H. P. 59.

Reported the same in a new draft under the title of Resolve, in Favor of Several Academies, Institutes, Seminaries and Colleges for Maintenance, Repairs and Improvements (S. P. 646) and that it ought to pass.

Mr. HINCKLEY from the Committee on Judiciary and Mr. SMITH from the Committee on Labor on An Act to Amend Chapter Two Hundred and Thirty-eight of the Public Laws of Nineteen Hundred and Nineteen, as amended by Chapter

222 of the Public Laws of 1921, Relating to Workmen's Compensation (S. D. 195) reported the same in a new draft under the title of An Act to Amend Chapter 238 of the Public Laws of 1919 as amended, Relating to Workmen's Compensation (S. P. 649), and that it ought to pass.

Mr. SMITH from the Committee on Ways and Bridges on Resolve, amending Section 17 of Article 9 of the Constitution of the State of Maine (S. P. 519) reported the same in a new draft under the same title (S. P. 650) and that it ought to pass.

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

#### Final Reports

Mr. WADSWORTH from the Committee on Insane Hospitals, submitted its final report, having acted on all matters referred to them.

Mr. WILSON from the Committee on State Sanatoriums, submitted its final report, having acted on all matters referred to them.

The reports were accepted.

Mr. WADSWORTH of Kennebec: Mr. President, I move, out of order, that we take from the table H. D. 110. House report from the committee on judiciary "ought to pass" on an Act relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations.

Pending question being the acceptance of the report.

The motion was agreed to, and on further motion by the same Senator, the report was accepted and the bill given its first reading.

On further motions by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed.

On motion by Mr. Speirs of Cumberland, H. P. 1284, Resolve in favor of Earl R. Hayes, was taken from the table, and the same Senator then offered Senate Amendment A.

Mr. CARTER of Androscoggin: Mr. President, may we have the amendment read.

The Clerk read the amendment.

"Amend by striking out the words 'one hundred' in the second line so that the resolve will read that there be, and hereby is appropriated the sum of twenty-five dollars"—

On motion by Mr. Speirs, further reading was dispensed with, and on further motions by the same Senator, Senate amendment A was adopted and the Resolve was referred to the committee on appropriations and financial affairs.

On motion by Mr. Chalmers of Penobscot, H. D. 497, Resolve in favor of prohibiting the employment of women and children in industry more than 48 hours a week, was taken from the table.

Mr. CHALMERS: Mr. President, I move to have this retabled in accordance with the request of Senator Smith who is interested in this matter.

The motion was agreed to.

Mr. CARTER of Androscoggin: Mr. President, as I understand all matters must be moved this morning, I move to take from the table S. D. 259, An Act to incorporate Dexter P. Cooper, Inc., for the purpose of developing and utilizing the power of the tide in the bay of Fundy and waters adjacent thereto.

The motion was agreed to.

Mr. CARTER: Mr. President, I move to retable this in accordance with the oral agreement of yesterday.

The motion was agreed to.

Mr. ALLEN of York: Mr. President, do I understand we are going to take all these matters off the table?

The PRESIDENT: That is in keeping with the order.

Mr. CARTER of Androscoggin: Mr. President, I move to take from the table H. D. 317, An Act authorizing the recording of marketing agreements of Co-operative Agricultural Associations, and requiring that liens hereby attached to crops before delivery to the Association, and to the member's interest in the Association after such delivery be collected through the Association.

The motion was agreed to, and on further motion by the same Senator the matter was retabled.

Mr. BARWISE of Penobscot: Mr. President, is there anything to interfere with our taking the whole business off the calendar and putting it

on under the same names with one motion?

The PRESIDENT: The Chair will have to lay these individually before the Senate in keeping with the order.

Mr. BARWISE: I thought it would save time.

Mr. ALLEN: Mr. President, can that rule be suspended?

The PRESIDENT: It is not a rule; it is an order.

Mr. ALLEN: Well, suspend the order then—if you make an order you can suspend it.

The PRESIDENT: It might be done.

Mr. ALLEN: Mr. President, I move we suspend the order, for today only.

The PRESIDENT: The Senator from York, Senator Allen, moves that we suspend the order providing for the taking off the table automatically each day all matters on the table, for today only. Is this the pleasure of the Senate.

The motion was agreed to.

On further motion by the same Senator, all matters on the calendar were taken from the table, and on further motion by the same Senator all matters were retabled.

#### Bills in First Reading

Resolve, in favor of the National Conference of Commissioners on Uniform State Laws and of the Commissioners from Maine for the Promotion of Uniformity of Legislation in the United States. (S. D. 303).

An Act Relating to Aircraft. (S. D. 304).

Resolve, in favor of the Maine School for the Deaf. (S. D. 305).

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. D. 306).

Resolve, in Favor of the State Park Commission. (S. D. 307).

Resolve, in Favor of the University of Maine. (S. D. 308).

The above bills and resolves, under suspension of the rules, were given their second reading and passed to be engrossed.

From the House: An Act giving certain powers to the Governor and Council with respect to state highway, interstate and international bridges (H. D. 244).

In the House: House Amendment A was indefinitely postponed, House Amendment B was adopted, and the bill passed to be engrossed as amended by House Amendment B.

In the Senate: On motions by Mr. Allen of York, House Amendment B was adopted, and the bill was passed to be engrossed as amended by House Amendment B.

#### House Bill in First Reading

The Committee on Mercantile Affairs and Insurance, on An Act relating to annual statements of conditions of insurance companies, and providing a penalty for neglect to file such statements. (H. D. 39).

(On motions by Mr. Lane of Androscoggin, under suspension of the rules, the bill was given its second reading and passed to be engrossed.)

Under suspension of the rules, the following resolve was presented out of order by Mr. Maher of Kennebec and referred to the committee on appropriations and financial affairs.

Resolve in favor of Clarence Hunt, Clerk to the committee on federal relations.

#### Final Report

Mr. MAHER, from the committee on federal relations submitted its final report, having acted on all matters referred to them.

On motion by Mr. Lane of Androscoggin,

Adjourned until Monday afternoon, April 6, at 4.30 o'clock.