

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, March 29, 1927.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Dr. Purves of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate:

Resolve to appropriate money for compiling and advertising the Agricultural, Industrial and Recreational Resources of the State (S. P. 2) (S. D. 1)

on which the House voted to accept the report of the Committee on Maine Publicity reporting "Ought not to pass," in non-concurrence.

Comes from the Senate, that body insisting on its former action whereby the bill and report were referred to the Committee on Appropriations and Financial Affairs, and asking for a Committee of Conference, with the following conferees appointed on its part:

Messrs. SPEAR of Cumberland
OAKES of Cumberland
MINER of Washington

In the House on motion by Mr. Eustis of Strong that body voted to adhere.

From the Senate: Bill an act relating to expenditures and returns of candidates for public office, H. P. 92, H. D. 31, on which the House insisted on its former action, whereby the bill was passed to be engrossed as amended by House Amendment A and asked for a committee of conference.

Comes from the Senate that body voting to adhere to its former action whereby the bill and amendment were indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Piper of Jackman that body voted to concur with the action of the Senate.

Reports of Committees

Mr. KING from the Committee on Claims reported "Ought not to pass" on Resolve in favor of the town of Bucksport for refund of an in-

heritance tax (H. P. 164) together with Petition (H. P. 165)

(Tabled by Mr. Patterson of Castine pending acceptance)

Same gentleman from same Committee reported same on Resolve to reimburse the city of Bangor for support of Frederick Bridges, a State pauper (H. P. 812)

Mr. LEATHERS from same Committee reported same on Resolve in favor of the town of Sangerville (H. P. 704) to reimburse it for support of Fred E. White, State pauper and family.

Mr. KING from same Committee reported same on Resolve in favor of Henry Soucie, of Township No. 14, Range 6, Aroostook County, Maine (H. P. 579)

Same gentleman from same Committee reported same on Resolve in favor of the town of Durham (H. P. 105)

Mr. BROWN from the Committee on Pensions on Resolve providing a State Pension for Joseph A. Trueworthy (H. P. 237) reported that same be referred to the next legislature.

Mr. McKNIGHT from the Committee on Salaries and Fees reported "Ought not to pass" on bill an act relating to the County Commissioners of Oxford County (H. P. 744)

Reports read and accepted and sent up for concurrence.

Mr. LEATHERS from the Committee on Claims reported "Ought to pass" on Resolve in favor of George E. Sparrow of Pittston, for reimbursement for damage done his fowl by foxes (H. P. 706)

Mr. WILLIAMS from the Committee on Salaries and Fees reported same on bill an act to increase the salary of the Register of Deeds of Oxford County (H. P. 678)

Mr. McKNIGHT from same Committee reported same on bill an act to increase the salary of Register of Deeds Oxford County, Western District (H. P. 893)

Same gentleman from same Committee reported same on bill an act relative to the salary of the Judge of the Municipal Court of Brunswick (H. P. 395)

Same gentleman from same Committee reported same on bill an act to make the Chairman of the Androscoggin County Commissioners a full time office with the duty of Superintendent of buildings and to

increase his salary to fifteen hundred dollars (H. P. 543)

Mr. WILLIAMS from same Committee reported same on bill an act to increase the salary of the Sheriff of Piscataquis County (H. P. 393)

Reports read and accepted and the Bills and Resolve ordered printed under the Joint Rules.

Mr. BROWN from the Committee on Pensions on bill an act relating to Pensions for the Blind (H. P. 1140) (H. D. 387) reported same in a new draft (H. P. 1226) under same title and that it "Ought to pass."

(Tabled by Mr. Hale of Portland pending acceptance)

Mr. WILLIAMS from the Committee on Salaries and Fees on bill an act to increase the salary of the Register of Deeds in the county of Androscoggin (H. P. 540) reported same in a new draft (H. P. 1228) under same title and that it "Ought to pass."

Same gentleman from same Committee on bill an act to increase the salary of Clerk of Courts for Oxford County (H. P. No. 611) reported same in a new draft (H. P. No. 1227) under same title and that it "Ought to pass".

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Majority report of the Committee on Military Affairs on Resolve appropriating \$5000 for monument in France dedicated to C. Company U. S. 14th Engineers Regiment (H. P. No. 785) reporting that same be referred to the next Legislature.

Report was signed by the following members:

Messrs. SLOCUM of Cumberland
DRAKE of Sagadahoc
PERKIN of Penobscot
—of the Senate
COLE of So. Portland
BUKER of Bath
HALE of Portland
BARTLETT of Bangor
—of the House

Minority report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Messrs. CHASE of Cape Elizabeth
ROBIE of Gorham
MANSFIELD of Jonesport
—of the House

Mr. ROBIE of Gorham: Mr. Speaker, I would like to move the

acceptance of the minority report. I feel in this regard that this Legislature should settle its own affairs. There is nothing to be gained by deferring action. I realize that it is an easy matter to refer in this way but I think in regard to the erection of memorials in France for individual companies we are setting up a dangerous precedent. If we start in to do this with one company from Maine other companies in the future will wish to avail themselves of the same privilege. I think if memorials are to be placed in France, they should be national; and if here, they should be local and should be of some utility. I, therefore, move the acceptance of the minority report.

Thereupon, a viva voce vote being taken, the minority report was accepted.

First Reading of Printed Bills and Resolves

(H. P. No. 1220) (H. D. No. 509)
An act relating to the Kennebec Agricultural Society at Readfield.

(H. P. No. 454) (H. D. No. 501)
Resolve to reimburse Reed Plantation for support of a State pauper.

(H. P. No. 576) (H. D. No. 502)
Resolve to reimburse the town of Kingman for support of Thomas Robichaud, a State pauper.

(H. P. No. 580) (H. D. No. 503)
Resolve to reimburse the town of Vanceboro for support of Otis L. Crocker, a State pauper.

(H. P. No. 698) (H. D. No. 504)
Resolve to reimburse the city of Old Town for support of Joseph Pelkey, a State pauper.

(H. P. No. 699) (H. D. No. 505)
Resolve to reimburse the city of Old Town for support of George Loring and family, Indians.

(H. P. No. 814) (H. D. No. 506)
Resolve to reimburse the town of Richmond for support of Arthur H. Weeks and family, State paupers.

(H. P. No. 824) (H. D. No. 507)
Resolve reimbursing town of Machiasport for medical expenses of Indians.

(H. P. No. 825) (H. D. No. 508)
Resolve to reimburse the town of Lebanon for support of Mary Mawson and child, State paupers.

(H. P. No. 1225) (H. D. No. 510)
Resolve in favor of Lloyd F. Sewall of Bangor.

Passed to be Engrossed

(S. P. No. 252) (S. D. No. 94)
An act to extend the Charter of the Sandy River and Rangeley Lakes Railway Company.

(S. P. No. 399) (S. D. No. 179)
An act to amend Section 55 of Chapter 2 of the Revised Statutes, relating to the Secretary of State.

(Tabled by Mr. Eustis of Strong pending third reading)

(S. P. No. 437) (S. D. No. 198)
An act to repeal acts incorporating Rangeley Village Corporation.

(S. P. No. 481) (S. D. No. 225)
An act relating to the State Department of Health.

(S. P. No. 520) (S. D. No. 265)
An act to renew the charter of the R. & T. Cement Railroad.

(S. P. No. 521) (S. D. No. 266)
An act to establish a Board of Police of the city of Waterville.

(S. P. No. 355) (S. D. No. 271)
An act to provide for the filling of vacancies in the office of constables in cities.

(S. P. No. 529) (S. D. No. 275)
An act relating to closed time on greater and lesser yellowlegs.

(H. P. No. 112) (H. D. No. 39)
An act relating to salaries of Registers of Probate.

(H. P. No. 670) (H. D. No. 176)
An act relating to increase or decrease of capital stock, or stock, bond or scrip dividend.

(H. P. No. 671) (H. D. No. 177)
An act relating to the increase of capital stock of certain corporations charged with the performance of a public duty, and to duties payable to the state for such increase.

(H. P. No. 672) (H. D. No. 178)
An act relating to capital stock.

(H. P. No. 972) (H. D. No. 307)
An act relating to acknowledgments of bank officials by justices of the peace.

(H. P. No. 399) (H. D. No. 106)
An act to set off a part of the town of Sebec and annex the same to the town of Bowerbank.

(H. P. No. 530) (H. D. No. 139)
An act making the father and mother joint natural guardians of their minor children with equal powers and rights.

(H. P. No. 81) (H. D. No. 479)
An act relative to catching smelts in Salt Pond in the town of Blue Hill.

(H. P. No. 87) (H. D. No. 480)

An act to regulate the taking of pickerel in Union River in the county of Hancock.

(H. P. No. 715) (H. D. No. 483)
An act to regulate fishing in certain brooks in the town of Durham, in the county of Androscoggin, and the towns of Freeport and Pownal, in the county of Cumberland.

(H. P. No. 889) (H. D. No. 490)
An act relative to the salary of the Mayor of the city of Augusta.

(H. P. No. 942) (H. D. No. 491)
An act relating to the use of seines, weirs, nets and artificial flies.

(Tabled by Mr. Boynton of South Portland pending passage to be engrossed and specially assigned for tomorrow morning.)

(H. P. No. 963) (H. D. No. 492)
An act to repeal Special Law of 1917, Chapter 181, establishing a close time on lobsters.

(H. P. No. 1138) (H. D. No. 493)
An act relating to the Military Law.

(H. P. No. 1171) (H. D. No. 494)
An act to name the State Park at Kittery, in the county of York.

(H. P. No. 1201) (H. D. No. 495)
An act relating to the taking of beaver and muskrat.

(H. P. No. 1222) (H. D. No. 496)
An act relating to the salary of the clerk of courts in Lincoln county.

Mr. BISHOP of Boothbay Harbor: Mr. Speaker, I desire to offer an amendment to H. D. 496, the purpose of the amendment being to correct an error made by the clerk of the committee in redrafting the bill.

House Amendment A to bill an act relating to the salary of the Clerk of Courts in Lincoln county, H. P. 1222, H. D. 496.

Said bill is hereby amended by striking out all of same after the enacting clause and inserting in place thereof the following:

The fourteenth line of section forty of chapter one hundred and seventeen of the Revised Statutes, as amended, is hereby amended by striking out the word "twelve" and inserting in place thereof the word "eighteen", so that said line as amended shall read as follows: "Lincoln, eighteen hundred dollars."

Thereupon the amendment was adopted.

(H. P. No. 1223) (H. D. No. 497)
An act relative to salary and expenses of the County Commissioners of Lincoln County.

(H. P. No. 1224) (H. D. No. 498) An

act relating to the Recorder of the Lincoln Municipal Court.

(H. P. No. 1184) (H. D. No. 499) An act to provide for compensation of Justices of the Supreme Judicial Court.

(Tabled by Mr. Sturgis of Auburn pending third reading.)

(H. P. No. 61) (H. D. No. 452) An act relating to Clerk Hire in the Office of County Attorney in Penobscot County.

(Tabled by Mr. Eustis of Strong pending third reading.)

(H. P. No. 708) (H. D. No. 459) An act relating to conveyance of pupils of High School Grade.

(Tabled by Mr. Pike of Lubec pending third reading.)

(H. P. No. 743) (H. D. No. 460) An act relating to Winterport Ferry Company.

(H. P. No. 751) (H. D. No. 461) An act relating to requiring children between certain ages to attend school unless excused or excluded by the committee.

(H. P. No. 853) (H. D. No. 464) An act relating to the taking of white perch in certain waters in Washington and Kennebec Counties.

(H. P. No. 888) (H. D. No. 465) An act relative to the fees of sheriffs and their deputies.

(Tabled by Mr. Eustis of Strong pending third reading.)

(H. P. No. 1212) (H. D. No. 470) An act to change the salary of the superintendent of the State School for Boys.

(H. P. No. 1213) (H. D. No. 471) An act relating to School Supervisory Unions.

(Tabled by Mr. Crockett of Hollis pending third reading.)

(H. P. No. 1214) (H. D. No. 472) An act to repeal a law to establish a Board of Road Commissioners for the town of Mount Desert, in the county of Hancock.

(H. P. No. 1216) (H. D. No. 473) An act relating to diplomas to be issued by State Normal Schools.

(Tabled by Mr. Eustis of Strong pending third reading.)

(H. P. No. 1217) (H. D. No. 474) An act relating to appeal in non-support cases.

(H. P. No. 1218) (H. D. No. 475) An act to incorporate the Casco Title Guaranty Company.

(H. P. No. 1219) (H. D. No. 476) An act relating to the tenure of office of the chief engineers and members of

the Fire Department in the city of Biddeford.

(Tabled by Mr. Littlefield of Kennebunk pending third reading.)

(H. P. No. 1142) (H. D. No. 478) An act relating to the officers of the Senate and House.

(S. P. No. 274) (S. D. No. 264) Resolve appropriating money to reimburse the town of Orland for support of George Savoy.

(S. P. No. 457) (S. D. No. 274) Resolve to appropriate money for the purpose of operating fish hatcheries and feeding stations for fish, and for the protection of fish, game and birds and for printing the report of the Commissioner of Inland Fisheries and Game, and for maintenance of the Maine State Museum and for other expenses incident to the administration of the Department of Inland Fisheries and Game.

(S. P. No. 531) (S. D. No. 277) Resolve in favor of Mary Louise Wilcox of Caribou, Maine, compensating her for personal injuries.

(S. P. No. 512) (S. D. No. 278) Resolve to reimburse the Committee on State Sanatoriums for expenses.

(H. P. No. 510) (H. D. No. 132) Resolve in favor of Blanche M. Banks.

(H. P. No. 473) (H. D. No. 481) Resolve in favor of the Department of Maine, Grand Army of the Republic.

(H. P. No. 694) (H. D. No. 482) Resolve to reimburse the city of Bangor for support and burial expenses of Maud Ward, a State pauper.

(H. P. No. 811) (H. D. No. 485) Resolve to reimburse the city of Bangor for support of Richard Googins, a State pauper.

(H. P. No. 813) (H. D. No. 486) Resolve to reimburse the town of Danforth for support of Isaac Paul and family, Indians.

(H. P. No. 817) (H. D. No. 487) Resolve in favor of W. S. Polanc of Belfast, for reimbursement for amount paid the State for dog tax, for which no refund was made.

(H. P. No. 820) (H. D. No. 488) Resolve in favor of town of Island Falls.

(H. P. No. 826) (H. D. No. 489) Resolve to reimburse the city of Bangor for support of Thomas Burns a State pauper.

(H. P. No. 39) (H. D. No. 451) Resolve in favor of William H. Hall of Augusta, Maine.

(H. P. No. 451) (H. D. No. 453) Resolve to reimburse the town of Milo for support of a State pauper.

(H. P. No. 475) (H. D. No. 454) Re-

solve to reimburse the town of Unity for support of a State pauper.

(H. P. No. 511) (H. D. No. 455) Resolve to reimburse the town of Smyrna for support of a State pauper.

(H. P. No. 514) (H. D. No. 456) Resolve to reimburse the town of Prentiss for poultry killed by dogs and wild animals in the years 1917 and 1918.

(Tabled by Mr. Flint of Monson pending passage to be engrossed.)

H. P. No. 515, H. D. No. 457. Resolve in favor of the town of Whitefield for reimbursement for sheep killed by dogs.

H. P. No. 695, H. D. No. 458. Resolve to reimburse the city of Bangor for support of Oscar L. Merrill, a State pauper.

H. P. No. 821, H. D. No. 462. Resolve to reimburse the town of Lee for support of Oliver T. Lyons, a State pauper.

H. P. No. 843, H. D. No. 463. Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance, and education thereof.

H. P. No. 1209, H. D. No. 467. Resolve in favor of the Charles H. Cutter Coal Company of Boston, for loss incurred by said Company in the sale and delivery of 4000 tons of bituminous coal to the Augusta State Hospital during the strike in the year 1922, which was settled by Government regulation and interference.

H. P. No. 1210, H. D. No. 468. Resolve to compensate Mary A. Stevens for personal injuries due to defect in a building of the property of the State of Maine.

H. P. No. 1112, H. D. No. 477. Resolve to designate the State bird.

S. P. 137, S. P. 60. An Act to authorize the county of Washington to issue its bonds in an amount not exceeding \$475,000 for the purpose of refunding its bonds now outstanding and maturing in the year 1928.

H. P. No. 1196, H. D. No. 500. An Act to incorporate the Sandy River and Rangeley Lakes Railroad Company and to authorize certain towns to grant assistance thereto.

(At this point, on motion by Mr. Thurston of Appleton, the House recessed for ten minutes.

After Recess

Passed to Be Enacted

An act to enlarge the civil jurisdiction of the municipal court of the city of Biddeford.

An Act relating to the Brownville and Williamsburg Water Company.

An act relating to the disposal of liquors which have been forfeited.

An act to amend the charter of Coburn Classical Institute.

An act relative to enforcement of motor vehicle laws.

An act to incorporate the Maine Casualty Company.

An act to regulate fishing in Bowler Pond in Palermo in the county of Waldo.

An act relating to rate schedules of public utilities.

An act to change the name of the State Board of Charities and Corrections to Department of Public Welfare.

An act in favor of Frank J. Durgin of West Forks Plantation.

An act for the purchase of books for the Kennebec county law library.

An act to incorporate Lemon Stream Log Driving Company.

An act to provide for establishing grades and standards for farm products.

An act relating to the establishing and administration of a public debt amortization fund in the city of Waterville.

An act to empower the Governor and Council to lease the right to gather and harvest kelp on the submerged lands and reefs within the jurisdiction of the State.

An act relating to the digging of clams in Wells in the county of York.

An act to extend the charter of the Patten Water and Power Company.

An act to provide for an approach to the Kennebec bridge and to acquire the same by purchase or eminent domain.

(Tabled by Mr. Piper of Jackman pending passage to be enacted.)

An act to protect muskrats in the towns of Bucksport and Orland in the county of Hancock.

An Act to incorporate the Union Terminal Company.

An act creating the Bridgton Centre Village Corporation.

An act relating to increases in capital stock of railroad corporations.

An act relating to increases in the capital stock of railroad corporations.

An Act relating to digging out of fox dens.

(Tabled by Mr. Flint of Monson pending passage to be enacted.)

An act to repeal an act entitled "An act to incorporate the East Pittston Village Corporation."

An act relating to the time and place

of holding the county commissioners court in York county.

An act relating to secret indictments.

An Act relating to supplying the city of Bangor with water.

An act relating to the Farm Lands Loan Commissioners and to authorize the sale of lands acquired by the State of Maine through foreclosure of other proceedings instituted by the State auditor, secretary of the commission, and to provide for the expenses of the commissioners.

An act to authorize the city of Lewiston to issue its bonds to the amount of \$100,000 to pay its bonds now outstanding and maturing in the year 1927.

An act relating to the South Portland Sewerage District.

An act to authorize the city of Portland to provide, by ordinance, for the retirement, pension and annuity to dependents of members of the police and fire departments.

An act relative to organization of corporations under general law.

An act relating to exemption from taxation of the estates of war veterans.

An act relating to the registration of milk dealers.

An act defining dealers in motor vehicles.

An act to secure completion of the topographic mapping of Maine, in cooperation with the United States Geological Survey, H. P. 1156, H. D. 401.

Mr. CRAWFORD of Houlton: Mr. Speaker, this is a matter that involves a large expenditure of money, and as it seems that a great many members are not in their seats this morning, I move that this lie on the table and be especially assigned for Thursday, March 31.

Mr. PIPER of Jackman: Mr. Speaker, I ask for a division.

The SPEAKER: As many are in favor of the motion of the gentleman from Houlton, Mr. Crawford, will rise and stand in their places until counted and the monitors will return the count.

A division being had,

Fifty-seven voting in the affirmative and 29 in the negative, the motion to table and be specially assigned for Thursday, March 31, prevailed.

An act relating to the protection of white perch in Pemaquid and Biscay Ponds, and Macurda Pond or Hiltor Lake in Lincoln County.

An act to regulate bass fishing in Virginia Lake, in the county of Oxford.

An act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec.

An act relating to the appointment of trustees for the Kennebec Water District.

An act relating to school house lots acquired by condemnation.

An act legalizing the guaranteed mortgage bond as an investment for the savings banks of Maine.

An act to regulate fishing in the tributaries to Royal's River and Bennett Brook, and the tributaries to Pleasant River in Cumberland county.

An act increasing the salary of the Mayor of Waterville.

An act to prohibit the taking of more than eight pounds of trout, landlocked salmon and togue all in one day in Moose River, in Somerset County, down to the head of Brassua Lake, or in Wood Pond, Little Wood Pond, Little Big Wood Pond, Long Pond, Attean Lake and Holeb Pond, all in the county of Somerset.

An act permitting the town of Southwest Harbor to take land for public park.

An act to incorporate the Northern Finance and Investment Corporation.

An act to provide clerical assistance for the Justices of the Supreme Court and to define further the duties of stenographers.

An act to enlarge the site of Little River Pine Grove cemetery, otherwise known as Hillside cemetery, located at Lisbon Falls.

An act relating to debt against sureties and recognizances in criminal cases.

An act relating to teachers' pensions.

An act to authorize the city of Lewiston to discharge a sewer into the Androscoggin River.

Finally Passed

Resolve in favor of the Bangor State Hospital.

Resolve in favor of the Augusta State hospital.

Resolve providing for a State pension for Grace Griffin of Lewiston

Resolve for State pension in favor of Rena Cooley.

Resolve providing for a State pension for Adelbert B. Baker of Lewiston.

Resolve for aid to typhoid carriers

to be expended under the State Department of Health.

Resolve for the purchase of 250 copies of "Portland by the Sea."

Resolve in favor of the Pownal State School for maintenance for the fiscal years 1928 and 1929.

Resolve providing for the purchase of 100 copies of "Province and Court Records of Maine 1638-1668."

Resolve in favor of B. F. Marley.

Resolve in favor of Hanson A. Barney of Guilford.

Resolve in favor of A. H. Wadleigh, compensating him for damage done his orchard by deer.

Resolve providing for an increase in State pension for Emily F. Grotton of Washington.

Resolve in favor of Joseph H. Underwood for damages caused by beaver.

Resolve providing for a State pension for Charles Rowe of Brownfield.

Resolve providing for a State pension for Adaline F. Washburn.

Resolve providing for a State pension for Eliza F. Withee of Vassalboro.

Resolve providing for a State pension for Lottie M. Marsh of Gorham.

Resolve in favor of Lydia Jackson of Hollis providing a State pension.

Resolve providing for a State pension for Augusta M. Dolloff of Mount Vernon.

Resolve providing for a State pension for Sarah Perkins of Harmony.

Resolve in favor of Abbie A. Norton of Industry for State pension.

Resolve providing for a State pension for Lydia A. Bodfish of Elliotts-ville Plantation.

Resolve providing for an increase in State pension for Arthur H. Murch of Paris.

Resolve providing for a State pension for Esther C. Jones of Manchester.

Resolve providing for a State pension for Oscar H. Moor of Portland.

Resolve providing for a State pension for Louis Nason of West Gardiner.

Resolve in favor of the Aroostook Test Laboratory.

Resolve providing Teacher's pension for Emma J. Whittemore.

(Emergency Measure)

Resolve in favor of the Augusta State Hospital.

The SPEAKER: This being an emergency measure, and requiring a two-thirds vote of the entire mem-

bership on its final passage, all of those who are in favor of the final passage of the resolve will rise and stand in their places until counted and the monitors will return the count.

A division being had,

One hundred and eight voted, and all in the affirmative, so the resolve was finally passed.

Orders of the Day

The SPEAKER: Under tabled and today assigned, the Chair lays before the House ought not to pass report of the committee on Inland Fisheries and Game on an act relating to Sunday hunting, H. P. 270, H. D. 63, tabled by Mr. Lait of Old Town, March 22, pending acceptance of the report, and the Chair notices that the gentleman from Old Town, Mr. Lait, is not in his seat.

On motion by Mr. Cyr of Waterville the matter was retabled, and specially assigned for Thursday, March 31.

The SPEAKER: The Chair lays before the House majority report of the committee on Judiciary, ought not to pass, on bill an act conferring jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the Probate Courts, (S. P. 89, S. D. 31) and minority report, same committee on same bill in a new draft, S. P. 519, S. D. 260 under title of an act conferring concurrent jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the Probate Courts, tabled by Mr. Aldrich of Topsham, March 28, pending the motion of Mr. Patterson of Castine to accept the minority report; and the chair recognizes the gentleman from Topsham, Mr. Aldrich.

Mr. ALDRICH: Mr. Speaker, unless it is desired by someone to discuss this matter further I would move the previous question.

Mr. MacART of Eastport: Mr. Speaker, I feel that I would like to discuss the question, since there are several members of the committee who signed the majority report who were not present at the previous discussion.

The SPEAKER: Does the gentleman from Topsham, Mr. Aldrich, withdraw his motion?

Mr. ALDRICH: I do, Mr. Speaker.

Mr. McCART: The motion now is to accept the minority report. Am I not correct, Mr. Speaker?

The SPEAKER: The gentleman is correct.

Mr. McCART: Mr. Speaker, I wish to oppose that motion, and, although I was not present at the hearing, I have several reasons to state in opposition to it.

We have a bill going through to increase the salaries of the Chief Justice and the Justices of the Supreme Judicial Court. Now if their salaries are increased, I think they will be quite agreeable to hearing divorce cases which appears to be the apparent object of this bill. If we grant this jurisdiction to Probate Courts, we are going to have every Judge of Probate and every Register of Probate in here at the next session asking for an increase in salary. Although I make that statement as a fact, I feel quite confident it is true in view of the fact that when this bill was first introduced, before it was even assigned for a hearing, I received a letter from a Register of Probate asking if it contained any provision for an increase in salary, and if so, how much. If not, would I not please use my efforts to have such provision inserted. I immediately wrote back that I was not in favor of the measure and did not think it would be treated seriously enough to bother with it; but I find a divided report.

There were not many of us present last Friday when Mr. Patterson discussed this matter. He brought up the fact that there were many divorces tried now which have certain unsavory details which might be concealed from the public if tried in the Probate Courts in view of the fact that the attendance at the Probate Court is not very large. Well, I think that these unsavory details generally come out in contested cases, and under the bill as drawn the most of our contested cases will still be tried in the upper courts, as most of them contain questions of fact to be decided by a jury, and all jury trials will still be held in the upper courts.

There is one more feature of the case to which I wish to call your attention, and that is the ability of some of the Judges of Probate to hear contested cases. I think many of you know that some of the Judges of Pro-

bate are men who are beyond the prime of life and who take this position because the active men do not want it; and I seriously question the ability of some of them to try a contested case. If they have not the ability to try it, they certainly have not the ability to hear it.

One more feature is that this bill is intended to relieve the Judges of the upper courts. I believe that the divorces that would be heard in the Probate Courts would be all uncontested cases, and at the present time those are all heard in the spare time of the Judges in the upper courts; and I cannot see how it is going to relieve them from the press of business to take away things that are heard in their spare time.

I have no more reasons that I can think of for opposing it. I trust the minority report will not be accepted.

Mr. PATTERSON of Castine: Mr. Speaker, I did not intend to say anything more about this bill, having spoken Friday upon it, and the legislative record shows that I took more space than I had supposed I was doing. My good friend from Eastport (Mr. McCart, has raised one or two questions which, as I did not cover them in my remarks Friday, I feel I should attempt to answer here. He says that undoubtedly if this bill becomes a law, the Judges and Registers of Probate will come in at the next legislative session and ask for an increase of salary. That may be so. But in considering these court bills—and there are some other court bills coming in in a few days—I do not think that we should consider the matters of salaries too much in improving our judiciary. I do not blame these gentlemen, if their work is increased, for asking for an increase in salaries. I even understand that there is a bill before the House asking for an increase in salaries for members of the Legislature; and as I hope to be here next session—and perhaps this is as good a time to announce my candidacy to my constituency as any—(laughter) I will say that I am heartily in favor of that bill! I will be perfectly frank about it! But, coming back from the ridiculous to the sublime, I do not feel that we should pay too much attention to that argument about salaries when we are considering these court bills.

The gentleman from Eastport (Mr. McCart) raised the question. He said that the Judges of the Probate Court (if I heard him correctly) were old men beyond the prime of life, and took this position, as I understood him—that it is a sort of easy position in which to pass their declining years. I do not think that is altogether so. I am not questioning, of course, the word of my good friend, because very likely he knows some Judge who has passed the prime of life. The Judges that I know are lawyers, men active in their profession. But even if they were old men, there used to be an adage something like this—"Old Men for Wisdom", and I believe that an elderly man would perhaps be very much better fitted to pass on questions of divorce than would some younger men. Along that line I would also call your attention to the fact that it is seldom that Judges of the Supreme and Superior Courts are appointed to that position when they are young men. They are generally men after the prime of life. That is one reason why they are appointed to the bench. I do not know whether, in the opinion of the House, these answers are sufficient reply to my friend's argument or not.

In closing, I will simply say this, that the Chief Justice of the Supreme Court of Maine, and practically all the Judges of the Supreme and the Superior Courts came before the Judiciary Committee and recommended, among other bills, this one which is before us today. They recommended the original bill, giving jurisdiction to the Probate Court alone in these matters. Now this is a bill in a new draft, giving concurrent jurisdiction. If any lawyer does not wish to try his case in the Probate Court, he has a perfect right to go into the Superior or Supreme Courts with his case. I believe we should pay some attention to the recommendation of these Judges who know more about these matters than the rest of us possibly can; and for that reason I hope my motion to accept the minority report will prevail.

The SPEAKER: The question before the House is on motion of the gentleman from Castine, Mr. Patterson, that the minority report ought to pass be accepted.

A viva voce vote being doubted,

A division of the House was had,

Forty having voted in the affirmative and 62 in the negative, the motion to accept the minority report ought to pass was lost.

Thereupon, on motion by Mr. Wing of Kingfield, the majority report ought not to pass was accepted.

Mr. HALE of Portland: Mr. Speaker, I ask leave to present an order out of order, and move its passage.

Permission being given, the order was presented as follows:

Ordered, that when the House rises this morning, it be to recess until 4:30 o'clock in the afternoon.

Thereupon, the order received passage.

On motion by Mr. Piper of Jackman, it was voted to take from the table S. D. 253, an act to provide for an approach to the Kennebec Bridge and to acquire the same by purchase or eminent domain; and on further motion by the same gentleman it was voted to reconsider the vote whereby the bill was passed to be engrossed.

Thereupon, Mr. Piper offered House Amendment A to this act and moved its adoption.

The amendment was read as follows:

House Amendment A to Senate Document 253, an act to provide for an approach to the Kennebec Bridge and to acquire the same by purchase or eminent domain.

Amend by striking out all of said section after the word "paid", in the twelfth line, and insert in place thereof the following: "out of any funds remaining from the sale of the bonds issued by the State of Maine in accordance with section nine of said chapter eighty-nine of the Private and Special Laws of 1925, after the completion of the bridge and approaches, as contemplated by said act, same to be subject to the approval of the governor and council."

Thereupon, the motion to adopt the amendment prevailed, and the act as amended by House Amendment A was passed to be engrossed.

Mr. WHEELER of South Paris: Mr. Speaker, I move to take from the table the resolve providing for the purchase of "Music and Musicians of Maine", H. P. 788, H. D. 169, tabled

by myself March 23rd pending final passage.

The motion prevailed.

Mr. WHEELER: Mr. Speaker, I now yield to the gentleman from Lewiston, Mr. Roy.

Thereupon, on motion by Mr. Roy, the resolve was finally passed.

On motion by Mr. Flint of Monson, it was voted to take from the table House Document 456, tabled by that gentleman earlier in the session, resolve to reimburse the town of Prentiss for poultry killed by dogs and wild animals in the years 1917 and 1918.

Mr. FLINT: Mr. Speaker, I would like to inquire if the bill has had its third reading?

The SPEAKER: The Chair will state that it has had its third reading and the pending question is passage to be engrossed.

Thereupon, on motion by Mr. Flint, it was passed to be engrossed.

On motion by Mr. Clifford of Bath, it was voted to take from the table H. P. 357, H. D. 89, House Report ought not to pass of committee on Inland Fisheries and Game on resolve for the purchase and propagation of pheasants and Hungarian partridges, tabled by that gentleman March 25, pending acceptance of report.

Mr. CLIFFORD: Mr. Speaker, I move that it be recommitted to the committee on Inland Fisheries and Game for further consideration; and this is perfectly satisfactory to the committee.

Thereupon, the motion to recommit prevailed.

On motion by Mr. Clifford of Bath it was voted to take from the table House Report ought to pass in new draft, of committee on Inland Fisheries and Game, on bill an act relating to regulating hunting wild birds in the waters of Merrymeeting Bay, H. P. 616, H. D. 162, (new draft H. P. 1215) under title of an act to regulate the hunting of wild birds on the waters of Merrymeeting Bay, tabled by that gentleman March 25 pending acceptance of the report; and on further motion by that gentleman the report was recommitted to the committee on Inland Fisheries and Game.

On motion by Mr. Littlefield of

Kennebunk, it was voted to take from the table House Report—referred to the next Legislature—of the committee on Legal Affairs, on bill an act to make certain the legal boundaries of the town of Old Orchard and set off to the town of Old Orchard from the city of Saco, any right, title or interest which the city of Saco may have within said boundaries, H. P. 873, H. D. 230, tabled by that gentleman on March 28, pending acceptance of the report.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I now yield the floor to the gentleman from Franklin, Mr. Blaisdell.

Mr. BLAISDELL of Franklin: Mr. Speaker, I was assigned by the Chairman of the committee on Legal Affairs to report this matter to the House; but it seems that before the report should come to the House, the committee was to have the opportunity to examine certain maps and plans relative to the town lines of Old Orchard and Saco; but the report got into the House before they had the opportunity to do that. Therefore I move that this matter be recommitted to the committee on Legal Affairs.

Thereupon, the motion to recommit to the committee on Legal Affairs prevailed.

On motion by Mr. Hale of Portland, it was voted to take from the table bill an act relating to pensions for the blind, H. P. 1140, H. D. 387, reported in a new draft, H. P. 1226, under the same title, report being ought to pass, the same having been tabled by that gentleman earlier in the session, pending acceptance of the report; and on further motion by the same gentleman the report was accepted and the new draft was ordered printed under the joint rules.

The SPEAKER: Is there any other matter which any member can take from the table? If not, the Clerk will read the notices.

Thereupon, the notices were read, and on motion by Mr. Hale of Portland, the House recessed until 4:30 this afternoon.

AFTER RECESS

The Speaker in the Chair.

On motion by Mr. McKnight of Poland the House voted to reconsider its action whereby ought to pass report of the committee on Salaries

and Fees was accepted on House Paper 893, an act to increase the salary of Register of Deeds, Oxford County, Western District; and on further motion by the same gentleman this bill was re-committed to the Committee on Salaries and Fees.

Permission being granted by the House Mr. Piper of Jackman presented the following order, out of order, and moved its passage:

Ordered that all matters tabled from this date now on in this session shall be taken from the table on the second day after tabling unless special assignment is made at the time of tabling.

The order received passage.

Papers from the Senate out of order.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 287, S. D. 280: An Act establishing Mount Bigelow Game Preserve in the counties of Franklin and Somerset.

S. P. 397, S. D. 174: An act regulating speed at intersecting ways.

S. P. 539, S. D. 283: An act relating to the government of the town of Camden.

S. P. 485, S. D. 285: An act relating to certain State parks.

S. P. 258, S. D. 284: An act to increase the salary of the Judge of the Western Somerset Municipal Court.

From the Senate: Bill an act relating to eastern standard time, S. P. 125, S. D. 49, which was in the House passed to be engrossed in concurrence March 17, and passed to be enacted, March 25.

Comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

Mr. HALE of Portland: Will the Clerk read Senate Amendment A?

(Senate Amendment A read by the Clerk.)

On motion by Mr. Hale of Portland the House voted to reconsider its action whereby this bill was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed; on further motion by the same gentleman the House adopted

Senate Amendment A in concurrence; and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Bill an act validating acts and deeds valid except for certain irregularities and omissions, S. P. 377, S. D. 160, which was recalled to the Senate by joint order from the Engrossing Department

Comes from the Senate recommended to the committee on Legal Affairs.

In the House, it was voted to recede and concur with the Senate in the recommitment to the committee on Legal Affairs.

Reports of Committees—Out of Order

The following reports were taken up out of order by unanimous consent:

Mr. Wood from the Committee on Inland Fisheries and Game on petition for changing date protecting fur bearing animals (H. P. 846) reported that same be placed on file as the subject matter has been incorporated in a bill to be reported by the committee.

Mr. Flint from same Committee on bill an act relating to the protection of fur-bearing animals (S. D. 84) (H. P. 129) reported that same be placed on file as the subject matter has been incorporated in another bill.

Mr. Buker from same Committee reported same on bill an act relating to the protection of fur bearing animals (S. P. 146) (H. D. 165).

Mr. Kinsman from same Committee reported same on bill an act relating to the protection of fur-bearing animals (H. P. 711) (H. D. 192).

Mr. Storm from same Committee reported same on bill an act relating to the setting of traps in organized or incorporated places (H. P. 966) together with petition (H. P. 967).

Reports read and accepted and sent up for concurrence.

Mr. McKnight from the Committee on Salaries and Fees reported "Ought to pass" on bill an act relative to clerk hire in the office of Clerk of Courts, Penobscot (H. P. 60).

Mr. Wyman from same Committee reported same on bill an act to in-

crease the salary of County Attorney for Oxford County (H. P. 610).

Same gentleman from same committee reported same on bill an act relating to clerk hire in the office of Register of Deeds for Oxford County (H. P. 677).

Reports read and accepted and the bills ordered printed under the Joint Rules.

Mr. Allen from the Committee on Claims on Resolve in favor of Frank Tozier for reimbursement for money expended while working as constable in smallpox quarantine (H. P. 697) reported same in a new draft (H. P. 1231) under same title and that it "Ought to pass".

Mr. Stone from the Committee on Inland Fisheries and Game on bill an act relating to smelts (H. P. 928) (H. D. 272) reported same in a new draft (H. P. 1232) under same title and that it "Ought to pass".

(Tabled by Mr. Hawkes of Standish pending acceptance.)

Mr. Wyman from the Committee on Salaries and Fees on bill an act relating to the salaries of the Judge and Recorder of the Bangor Municipal Court (H. P. 34) reported same in a new draft (H. P. 1230) under same title and that it "Ought to pass".

Same gentleman from same Committee on bill an act to increase the salary of the County Treasurer for Oxford County (H. P. 676) reported same in a new draft (H. P. 1229) under same title and that it "Ought to pass".

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Deakin from the Committee on Labor reporting "Ought to pass" on bill an act to establish and maintain free employment offices (H. P. 371) (H. D. 91).

(Tabled by Mr. Piper of Jackman pending acceptance.)

Report "A" of the Committee on Education reporting "Ought not to pass" on bill an act permitting children to be excused from the public schools to receive religious instruction (H. P. 516) (H. D. 133)

Report was signed by the following members:

Mrs. ALLEN of Penobscot
Mrs. PINKHAM of Aroostook
—of the Senate

Mrs. FOLSOM of Norridgewock
Messrs. EUSTIS of Strong
BOOKER of Rumford

—of the House
Report "B" of the same Committee reporting "Ought to pass" on same bill.

Report was signed by the following members:

Messrs. SPEIRS of Cumberland
—of the Senate

HOLMAN of Bangor
CROCKETT of Hollis
BREWSTER of Dexter
Mrs. GAY of Waldoboro

—of the House
Mr. HOLMAN of Bangor: Mr. Speaker, I move the acceptance of Report B, ought to pass, and as one or two members who have signed the adverse report are not present and have notified me that they desire to speak on the measure, I will ask that the matter be retabled and specially assigned for tomorrow morning.

Thereupon both reports were tabled pending the motion of Mr. Holman of Bangor to accept Report B, and specially assigned for tomorrow morning.

On motion by Mr. Boynton of South Portland, the House voted to reconsider its action whereby House Document 231, an act relating to the South Portland Sewerage District, was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed.

On motion by Mr. Anderson of South Portland, the bill was tabled pending passage to be engrossed.

Order out of Order

On motion by Mr. Hale of Portland, it was

Ordered that the hour of convening be at nine o'clock in the forenoon unless otherwise specified at the time of adjournment.

On motion by Mr. Flint of Monson it was voted to take from the table H. D. 153 an act relating to digging out of fox dens, tabled by that gentleman this morning.

Mr. FLINT: Mr. Speaker, I yield to the gentleman from Detroit, Mr. Brackett.

Mr. BRACKETT of Detroit: Mr. Speaker, as I understand it the law already provides how foxes

shall be dug out in close season, and I would move the indefinite postponement of this bill.

Mr. HAWKES of Standish: Mr. Speaker, there have been a number of bills introduced this winter for the protection of fur-bearing animals, and especially for the protection of foxes.

Now, in several of the counties foxes are becoming scarce. The trappers get what they can by that method. Then they go after him with a gun and dog, and if the fox goes into a den, they proceed to dig him out. Now by this method we are gradually exterminating the foxes and more than that it does not seem to me like a good sporting proposition, and I hope the bill will receive a passage.

The SPEAKER: The question before the House is the motion of the gentleman from Detroit, Mr. Brackett, that this bill be indefinitely postponed. As many as are in favor of this motion will say aye; those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone failed of passage.

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

On motion by Mr. Lait of Old Town it was voted to take from the table S. P. 365, S. D. 142, an act relating to the schools at Pleasant Point and Peter Dana's Point, tabled by that gentleman, March 23, pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted.

On motion by Mr. Lait of Old Town it was voted to take from the table House Report, ought not to pass, of Committee on Legal Affairs on bill an act in relation to employment agencies, H. P. 603, tabled by that gentleman, March 24, pending acceptance of the report.

Mr. PIPER of Jackman: Mr. Speaker, is that a printed bill?

The SPEAKER: The Chair will state that it is not.

Mr. PIPER: Will the Clerk read it?

The SPEAKER: The Clerk will read the bill.

An act in relation to Employment Agencies

Be it enacted by the people of the State of Maine as follows:

Section 1. Section 10 of Chapter 87 of the Laws of 1911 is hereby amended by striking out in the last line of said Section 10, the words "Teachers' Agencies or"; so that said section as amended shall read as follows:

"Section 10. This act shall not apply to the employment of seamen nor shall the provisions of any section of this act apply to charitable institutions."

The SPEAKER: The report of the committee is ought not to pass.

Thereupon the report of the committee was accepted:

Mr. WING of Kingfield: Mr. Speaker, I wish to take from the table several bills, tabled this morning by the gentleman from Strong, Mr. Eustis, and offer amendments which consist of additions and changes made by the committee on bills in the third reading. The first one is Senate Document 179.

Thereupon, on motion by Mr. Wing, it was voted to take from the table Senate Document 179, an act to amend Section 55 of Chapter 2 of the Revised Statutes relating to the Secretary of State, Mr. Wing offered House Amendment A and moved its adoption as follows:

House amendment A to S. P. 399, S. D. 179, an act to amend Section 55 of Chapter 2 of the Revised Statutes, relating to the Secretary of State.

Amend by adding in the fifth line thereof after the word "statutes" the words "and by inserting in the fourth line of said section after word "tables" the words "and index."

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

On motion by Mr. Wing of Kingfield, it was voted to take from the table House Document 452, an act relating to clerk hire in the office of county attorney of Penobscot county, and that gentleman offered House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 61, H. D. 452, an act relating to clerk hire in the office of County Attorney of Penobscot county.

Amend by adding at the end thereof the following, so that said paragraph as amended shall read as follows:

For Clerk in the office of Registry of Deeds thirty-one hundred and eighty dollars, beginning as of January first nineteen hundred and twenty-three.

For clerks in the office of Register of Probate fifteen hundred dollars.

For clerks in the office of Clerk of Courts twenty-two hundred and fifty dollars.

For clerks in the office of County Attorney one thousand dollars.

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

On motion by Mr. Wing of Kingfield it was voted to take from the table H. D. 471, an act relating to school supervisory unions, and that gentleman presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 1213, H. D. 471, an act relating to school supervisory unions.

Amend by adding at the end thereof the following:

"The State Superintendent of Public Schools annually shall cause an investigation to be made—"

On motion by Mr. Crockett of Hollis further reading of this amendment was dispensed with and it was tabled for printing.

On motion by Mr. Wing of Kingfield it was voted to take from the table H. D. 473, an act to amend Section 142 of Chapter 16 of the Revised Statutes relating to diplomas to be issued by State Normal schools.

Mr. WING: Mr. Speaker, I have a similar House Amendment to offer.

House Amendment A to House Paper 1216, House Document 473, an act to amend Section 142 of Chapter 16 of the Revised statutes relating to diplomas to be issued by State Normal Schools.

Amend by striking out after the enacting clause and inserting in place thereof the following:

Section 142, Chapter 16 of the Revised Statutes is hereby amended by adding at the end of the paragraph:

"Provided further that the State Board of Trustees for Normal Schools may confer appropriate educational degrees based upon four years of academic and professional instruction with such equipment and faculties as will safeguard the integrity and standardization of the degrees conferred," so that said section as amended shall read as follows:

On motion by Mr. Page of Skowhegan, the bill and amendment were tabled pending printing of the amendment.

On motion by Mr. Wing of Kingfield it was voted to take from the table H. D. 465, an act relating to the fees of sheriffs and their deputies, and that gentleman presented House Amendment A and moved its adoption.

On motion by Mr. Kinsman of Augusta, the bill and amendment were tabled, pending printing of the latter.

Mr. ROUNDS of Portland: Mr. Speaker, I would like unanimous consent to take from the table H. D. 135, an act relating to Active Retired Justices of the Supreme Judicial Court, tabled by me March 28 and specially assigned for March 30, as I thought it was another matter.

Unanimous consent was given and on motion by Mr. Rounds the bill was passed to be enacted.

House Report—Out of Order

Mr. Aldrich from the committee on Judiciary on bill an act relating to proceedings to bar actions on undischarged mortgages, H. P. 973, H. D. 308, reports that the same ought not to pass.

Report read and accepted.

On motion by Mr. Hale of Portland,

Adjourned until nine o'clock tomorrow morning.