

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 15, 1929.

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

Prayer by the Rev. Mr. Garland of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to provide better government for the town of Mt. Desert and correct an error, S. P. 439.

Comes from the Senate, introduced by unanimous consent, and referred to the committee on Legal Affairs.

In the House:

Mr. KITCHEN: Mr. Speaker, may I inquire whether that is a private and special matter?

The SPEAKER: The gentleman is advised that it is a private and special act introduced in the Senate by unanimous consent, notwithstanding the Joint Order.

Mr. KITCHEN: Mr. Speaker, am I correct in my understanding that the Senate and House are both operating under the Joint Order?

The SPEAKER: The gentleman is correct.

Mr. KITCHEN: Mr. Speaker, my understanding of that order is that after February 5th all private and special matters be referred to the 85th Legislature; and I move that this matter be so referred.

Thereupon, a viva voce vote being taken, the bill was referred to the 85th Legislature in non-concurrence.

From the Senate: Ordered, the House concurring that when the Senate and House adjourn, they adjourn to meet Tuesday, February 19th, at 4 o'clock in the afternoon.

In the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: ORDERED, The House concurring, that:

WHEREAS there are two measures before this Legislature relating to export of surplus power known as the Carlton Bill S. P. 81 and the Oakes Compact bill S. P. 177.

WHEREAS the economic phas-

es of the question of export of power are being investigated by engineers at great expense and a report is being awaited by this Legislature.

WHEREAS all economic data and elaborate limitations are useless without a valid legal basis for enforcement

WHEREAS George W. Wickersham and John W. Davis are both recognized men of integrity and as authorities on law involving Federal and State control of interstate commerce.

NOW THEREFORE The Attorney General of this State is hereby instructed to procure from the above named George W. Wickersham or the above named John W. Davis legal opinions in answer to the following questions:

Would the terms of the Carlton bill be legally enforceable so that, upon the export of electricity thereunder, the State of Maine would not, by reason of the Federal law, relinquish any portion of its control, jurisdiction and regulation over the hydro-electric resources within our borders?

Would the terms of a compact according to the provisions of the Oakes Compact bill be legally enforceable so that, upon the export of electricity thereunder, the State of Maine would not, by reason of the Federal law, relinquish any portion of its control, jurisdiction and regulation over the hydro-electric resources within our borders?

Such opinions shall be reported to the Legislature on or before February 26, 1929 and if the services of neither of the above authorities is available the Attorney General shall so report to the Legislature immediately.

And it is further ordered that a sum not over ten thousand dollars is hereby made available for the purpose of carrying out this order:

Comes from the Senate indefinitely postponed.

In the House indefinitely postponed in concurrence.

From the Senate: Bill an act to amend Section 20 of Chapter 34 of the Revised Statutes relative to State stipends for agricultural societies, S. P. 412, S. D. 171.

Comes from the Senate referred to the committee on Revision of the Statutes.

In the House, referred to the

committee on Revision of the Statutes in concurrence.

Senate Bill in First Reading

S. P. 374, S. D. 156: An act relating to clerk hire in the office of the Register of Probate in Androscoggin county.

The following bills, petitions and remonstrances were received and, upon recommendation of the committee on reference of bills were referred to the following committees:

Agriculture and Inland Fisheries and Game

By Mr. Burr of Mattawamkeag: Petition in favor of act placing a bounty on bear in towns and plantations where damage is being done to valuable domestic animals. (H. P. 1173)

By Mr. Adams of Linneus: Petition in favor of same. (H. P. 1174)

By the same gentleman: Petition in favor of same. (H. P. 1175)

By Mr. Holbrook of Vanceboro: Petition in favor of same. (H. P. 1176)

By the same gentleman: Petition in favor of same. (H. P. 1177)

By the same gentleman: Petition in favor of same. (H. P. 1178)

By Mr. Wight of Newry: Petition in favor of same. (H. P. 1179)

By Mr. Blanchard of Phillips: Petition in favor of same. (H. P. 1180)

Education

By Mr. Powers of Caribou: An act to amend Section 4 of Chapter 173 of the Public Laws of 1921 relating to deductions from State School Fund. (H. P. 1181)

(500 copies ordered printed)

Judiciary

By Mr. Palmer of Bangor: Petition in favor of S. P. No. 1, an act to register and license barbers and create a Board of Barber Examiners. (H. P. 1183)

By Mr. Kitchen of Presque Isle: An act relating to County Jails. (H. P. 1199)

(500 copies ordered printed)

By the same gentleman: An act to consolidate the general superintendence, management and control of the State Prison, the

Reformatory for Men and Reformatory for Women under one Board of Trustees, and to provide for the temporary transfer for inmates. (H. P. 1200)

(500 copies ordered printed)

By Mr. Sargent of Brewer: An act to permit the closing of public offices in county buildings on legal holidays. (H. P. 1182)

(500 copies ordered printed)

Legal Affairs

By Mr. Powers of Caribou: An act relating to the sale of real estate for taxes. (H. P. 1188)

(500 copies ordered printed)

Sea and Shore Fisheries

By Mr. St. Clair of Rockland: Remonstrance of Chris. Swenson of Cranberry Isle and 80 others against the Sunday closed time on lobster bill. (H. P. 1189)

By the same gentleman: Remonstrance of C. E. Richardson of Cranberry Isle and 79 others against same. (H. P. 1190)

Taxation

By Mr. Vose of Cushing: An act to provide revenue to support the Sea and Shore Fisheries Department. (H. P. 1191)

On motion by Mr. Vose of Cushing, a viva voce vote being taken, this bill was referred to the committees on Taxation and Sea and Shore Fisheries jointly, and 500 copies ordered printed.

Ways and Bridges

By Mr. Potter of Bangor: Petition of H. F. Cole and others of Bangor in favor of Jackman-Greenville Highway. (H. P. 1184)

By Mr. Rackliff of Old Town: Petition of Eugene Savage and others of Bangor in favor of same. (H. P. 1185)

By Mr. Rogers of Greenville: Petition of H. W. Libby of Bangor and others in favor of same. (H. P. 1186)

By Mr. Palmer of Bangor: Petition of Geo. W. Wescott of Bangor and others in favor of same. (H. P. 1187)

By Mr. Rea of LaGrange: Petition of Thurston & Kingsbury C., and others in favor of same. (H. P. 1192)

By Mr. Thatcher of Bangor: Petition of Merton W. French and others of Bangor in favor of same. (H. P. 1193)

By Mr. Sterling of Caratunk: Petition of Alexander McIntire and others of Long Pond in favor of same. (H. P. 1194)

By Mr. Holman of Farmington: An act requiring State Highway Commissioners to file with County Commissioners a record of location and change of location of State highways, State aid highways and third class highways (H. P. 1195)

(500 copies ordered printed)

By the same gentleman: An act to amend the Bridge Act, so called, providing for State and county aid in the construction of highway bridges (H. P. 1196)

(500 copies ordered printed)

Orders

Mr. Rounds of Portland presented the following order and moved its passage:

Ordered, the Senate concurring, that the committee on Legal Affairs be authorized and instructed to hold a hearing in Portland February 22nd, 1929 on H. P. 851, H. D. 354, bill an act to grant a new charter for the city of Portland.

A viva voce vote being taken, the order received passage.

Mr. ROUNDS: Mr. Speaker, I would like to have it immediately sent to the Senate so that it can be advertised in the papers.

The SPEAKER: The order will be sent to the Senate forthwith.

Reports of Committees

Mr. Hurd from the committee on Pensions reported ought not to pass on resolve in favor of Roselthe Shaver of Readfield (H. P. 424) (H. D. 129)

(On motion by Mr. Peacock of Readfield, tabled pending acceptance of report, and specially assigned for Wednesday, February 20.)

Mr. Bailey from the committee on Pensions reported ought to pass on resolve providing for a State pension for Eliza F. Withee of Vassalboro (H. P. 423) (H. D. 128)

Mr. Comins from the committee on Public Utilities reported same on bill an act relating to the taking of additional land by railroad corporations; proceedings before Public Utilities Commission (H. P. 428) (H. D. 138)

Mr. Boston from same commit-

tee reported same on bill an act to extend the charter granted to the Union Terminal Company (H. P. 617) (H. D. 183)

Mr. Chase from same committee reported same on bill an act relating to increases in capital stock of railroad corporations (H. P. 429) (H. D. 139)

Mr. Kane from the committee on Sea and Shore Fisheries reported same on bill an act relating to taking of clams in Trenton (H. P. 24) (H. D. 8)

Reports read and accepted, and the bills and resolve having already been printed, the bills were read twice, the resolve read once, and tomorrow assigned.

Mr. Littlefield from the committee on Appropriations and Financial Affairs on Resolve in favor of John S. Nelson, Representative of the Penobscot Tribe of Indians (H. P. 111) reported same in a new draft (H. P. 1197) under same title and that it ought to pass.

Mr. Morse from the committee on Pensions on resolve in favor of Abbie A. Norton for State pension (H. P. 673) reported same in a new draft (H. P. 1198) under same title and that it ought to pass.

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

Mr. Burkett from the committee on Pensions reported ought to pass on resolve providing for an increase in State pension for Frank A. Choate of Montville (H. P. 612)

Mr. Morse from same committee reported same on resolve providing for an increase in State pension for Mrs. Alfred Polk of Lewiston (H. P. 330)

Mr. Hawkes from same committee reported same on resolve providing for a State pension for Angie N. Willard of West Gardiner (H. P. 329)

Same gentleman from same committee reported same on resolve to repeal a resolve providing for a State pension for Ivanilla Nute, of Lewiston (H. P. 611)

Mr. Tucker from the committee on Public Utilities reported same on bill an act to amend the charter of Farmington Falls Electric Company (H. P. 613)

Mr. Chase from same committee reported same on bill an act to ex-

tend the charter granted to the Sandy River and Rangeley Lakes Railway Company (H. P. 615)

Mr. Hughes from same committee reported same on bill an act to extend the charter of the Patten Water and Power Company (H. P. 333)

Mr. Butler from the committee on Sea and Shore Fisheries reported same on bill an act relating to taking of smelts in Saco River (H. P. 339)

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

Mr. Tucker from the committee on State Lands and Forest Preservation on bill an act to authorize the Forest Commissioner to sell a part of the Public Lot in Lakeville Plantation in Penobscot county, H. P. 681, reporting that the same ought to pass.

Mr. Melcher from the same committee reported same on resolve authorizing the Forest Commissioner to convey to the Gould Electric Company a certain piece of land on the Public Lot on Township 10, Range 14, West of the East Line of the State, Aroostook county, H. P. 735.

Mr. Hammond of Van Buren from the same committee reported same on resolve to modify the conditions of the gift from B. C. Jordan to the State of Maine for the purpose of encouraging cultivation of forests, H. P. 734.

Reports read and accepted and the bill and resolves ordered printed under the Joint Rules.

First Reading of Bills and Resolves

(H. P. 174) An act relating to the expenses of the State Historian.

(H. P. 644) An act relating to the Presque Isle Sewer District.

(H. P. 646) An act relating to the Presque Isle Sewer District.

(H. P. 1168) An act relating to the regulation of the practice of the system, method or science of healing known as Osteopathy.

(H. P. 1169) An act to empower and direct the Governor and Council to convey certain property in Bath to the City of Bath.

(H. P. 1170) An act authorizing the city of Portland to provide by ordinance for the retirement,

pension and annuity to dependents of members of the Police and Fire Departments.

(H. P. 1171) An act to amend the charter of the Mutual Fire Insurance Company of Saco, Maine.

(H. P. 175) Resolve for the purchase of "A History of Pemaquid".

(H. P. 245) Resolve for the purchase of 100 copies of the History of the town of Lincoln.

Passed to be Engrossed

(S. P. 8) (S. D. 153) An act to increase the salary of the Register of Deeds in the county of Androscoggin.

S. P. 112) (S. D. 51) An act to amend Section 2 of Chapter 208 of the Public Laws of 1925, permitting sterilizing operations.

(H. P. 37) (H. D. 17) An act relating to the inspection of buildings and the authority and duty to remedy fire hazards.

(H. P. 247) (H. D. 328) An act to incorporate the Union River Railway Company.

(H. P. 1057) (H. D. 329) An act to increase the salary of the County Treasurer of Franklin County.

(H. P. 1058) (H. D. 330) An act to increase the salary of the Sheriff of Franklin County.

(H. P. 1059) (H. D. 331) An act increasing the amount allowed for clerk hire in the office of the Clerk of Courts of Androscoggin County.

(H. P. 1060) (H. D. 332) An act increasing the salary of the Clerk of Courts of Androscoggin County.

(S. P. 45) (H. D. 71) Resolve in favor of the Waldo and Penobscot Agricultural Society for the State stipend for 1928.

(S. P. 59) (S. D. 150) Resolve providing for a State pension for Kate D. Talbot of Machias.

(S. P. 60) (S. D. 151) Resolve providing for a State pension for Alberta Wadsworth of Belfast.

(H. P. 1096) (H. D. 341) Resolve in favor of Silas L. Barrows of Waterville to compensate him for personal injuries and property damage, occasioned by his being shot by Hollis Spear, a State ward.

Orders of the Day

On motion by Mr. Crawford of Houlton, the House voted to re-

consider its action whereby Senate Paper 412, Senate Document 171, an act to amend Section 20 of Chapter 34 of the Revised Statutes, relative to State stipends to agricultural societies was referred to the committee on Revision of Statutes in concurrence; and on further motion by the same gentleman, the bill was tabled pending reference in concurrence and specially assigned for Tuesday next,

The SPEAKER: Is there any further business under orders of the day?

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I move to take from the table H. P. 410, H. D. 121, bill an act relating to the classification of stock, tabled by me yesterday.

The motion prevailed.

Mr. CHASE: By agreement with the gentleman who represents the committee on Judiciary in this matter, I move that the bill be recommitted to the committee on Judiciary.

The motion prevailed, and the bill was recommitted to the committee on Judiciary.

The SPEAKER: Is there any further business under orders of the day? If not, the Chair will make a statement relative to the present status of legislative business.

From this point in the session on the relative figures as to the number of House and Senate papers lose their significance. The reports of the several committees show that there were 918 bills pending committees on Tuesday last, and one committee failed to report. The Chair will urge the secretaries of committees to file these reports promptly and forms will be furnished by the Assistant Clerk of the House for that purpose. The volume of bills in committee is large and should probably represent the peak load of the session. The reports from committees at the present day's session number 73 as against 66 at the same period of the session of the 83rd Legislature, showing that the reports are not coming in as fast relatively as the bills have been coming in. Hitherto the work of the Legislature has largely depended on the introduction of measures. From this point on the work of the Legislature will depend for its expedition entirely on the members themselves.

There being no further business under orders of the day the clerk will read the notices.

On motion by Mr. Kitchen of Presque Isle,

Adjourned until Tuesday afternoon, February 19, at 4 o'clock.