

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, February 21, 1929.

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

Prayer by the Rev. Mr. Brown of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills In First Reading

S. P. 127, S. D. 58: Resolve for the giving of the State's assent of the act of Congress of May 22, 1928 (Capper-Ketchum act).

S. P. 129, S. D. 59: Resolve for aid to typhoid carriers to be expended under the State Department of Health.

S. P. 158, S. D. 181: An act to repeal Section 94 of Chapter 98, Public Laws of 1921, relating to transportation of lobsters

S. P. 69, S. D. 39: An act relative to the salary of the Forest Commissioner.

Communication From the State Auditor**STATE OF MAINE**

Department of the State Auditor
Augusta, February 21, 1929.

To the Honorable Senate and House of Representatives:

I herewith transmit in accordance with Joint Order of the Legislature dated February 14, 1929, a detailed statement covering salaries and expenses of the State Highway Police for the two calendar years, January 1, 1927, to December 31, 1927, and January 1, 1928 to December 31, 1928.

Very respectfully,

(Signed) ELBERT D. HAYFORD

On motion by Mr. Holbrook of Vancboro the reading of the accompanying schedule was dispensed with.

On motion by Mr. Farris of Augusta, 500 copies of the communication and accompanying schedules were ordered printed; and on further motion by the same gentleman the communication was ordered placed on file.

The following bills, resolve and petitions 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 Mrs. Gay of Waldoboro: Petition in favor of an act placing a bounty on bear in towns and plantations where damage is being done to valuable domestic animals. (H. P. 1272.)

By Mr. Harrington of Patten: Petition in favor of same. (H. P. 1273.)

By the same gentleman: Petition in favor of same. (H. P. 1274.)

Indian Affairs

By Mr. Robie of Westbrook: An act to place the administration of the affairs of the Indian Tribes under the Department of Forestry. (H. P. 1275.)

(500 copies ordered printed.)

Public Health

By Mr. Sturgis of Auburn: An act to define the powers of public health boards. (H. P. 1276.)

(500 copies ordered printed.)

By Mr. Comins of Eddington: An act requiring teachers to file a health certificate. (H. P. 1277.)

(500 copies ordered printed.)

Public Utilities

By Mr. MacKinnon of Mexico: An act relating to the appropriation for the abolishment of grade crossings. (H. P. 1278.)

(500 copies ordered printed.)

Revision of Statutes

By Mr. Aldrich of Topsham: An act relative to close time on moose. (H. P. 1279.)

(500 copies ordered printed.)

By the same gentleman: An act relating to moose. (H. P. 1280.)

(500 copies ordered printed.)

By the same gentleman: An act relative to Probate Court. (H. P. 1281.)

(500 copies ordered printed.)

By Mr. Burkett of Portland: An act relative to acknowledgment and record of deeds and other instruments. (H. P. 1282.)

(500 copies ordered printed.)

By Mr. Aldrich of Topsham: An act relative to absent voting. (H. P. 1283.)

(500 copies ordered printed.)

By Mr. Holman of Farmington:

An act relative to the time for hearing in equity suits. (H. P. 1284.)

(500 copies ordered printed.)

By the same gentleman: An act relative to guardians and conservators. (H. P. 1285.)

(500 copies ordered printed.)

By the same gentleman: An act relative to the share of posthumous child in decedent's estate. (H. P. 1286.)

(500 copies ordered printed.)

Taxation

By Mr. Allen of Camden: An act to amend Chapter 184 of Public Laws of 1921 as amended to make the provisions of said chapter applicable to freight by motor vehicles and to impose an excise tax on motor vehicles subject to the Public Utilities Commission. (H. P. 1287.)

(500 copies ordered printed.)

Ways and Bridges

By Mr. Ingraham of Bangor: Petition of John Wilson, Mayor of Bangor, and others in favor of Jackman-Greenville highway. (H. P. 1288.)

By Mr. Sterling of Caratunk: Petition of O. R. Fahey of Rockwood and others in favor of same. (H. P. 1289.)

By Mr. Heath of Guilford: Petition of Roy Cole and others of Guilford in favor of same. (H. P. 1290.)

By Mr. Foster of Ellsworth: Petition of A. L. Peavey and others of Ellsworth in favor of same. (H. P. 1291.)

By Mr. Merrill of Dover-Foxcroft: Petition of Frank W. Mason and others of Dover-Foxcroft in favor of same. (H. P. 1292.)

By Mr. Sterling of Caratunk: Petition of Kenneth Smart and others of Rockwood in favor of same. (H. P. 1293.)

By Mr. Rogers of Greenville: Petition of R. A. Mackenzie of Moosehead and others in favor of same. (H. P. 1294.)

By Mr. Sargent of Brewer: Petition of H. S. Burrill, Mayor of Brewer, and others in favor of same. (H. P. 1295.)

By Mr. Rogers of Greenville: Petition of Frank M. Lynott and others of Kineo in favor of same. (H. P. 1296.)

By Mr. Sterling of Caratunk: Petition of A. L. Gaudit and others of Rockwood in favor of same. (H. P. 1297.)

By the same gentleman: Petition of S. Gaudit and others of Rockwood in favor of same. (H. P. 1928.)

By Mr. Hawkes of Standish: An act relating to the removal of snow from highways and town ways. (H. P. 1299.)

(500 copies ordered printed.)

By Mr. Kitchen of Presque Isle: An act to authorize the Treasurer of State, under the direction of the Governor and Council, to issue bonds for bridge construction, conditional on the adoption by the people of a Constitutional Amendment authorizing such bonds. (H. P. 1300.)

(500 copies ordered printed.)

By the same gentleman: Resolve proposing an amendment to the Constitution to provide for an additional issue of bridge bonds. (H. P. 1301.)

(500 copies ordered printed.)

Orders

On motion by Mr. Williamson of Augusta, it was

Ordered, that 500 additional copies of H. D. 403, an act for the regulation and control of outdoor advertising, be printed.

Reports of Committees

Mr. Merrill from the committee on Ways and Bridges reported ought not to pass on resolve in favor of the town of Knox. (H. P. 568.)

Report read and accepted and sent up for concurrence.

Mr. McCart from the committee on Judiciary reported ought to pass on bill, an act relating to the Eastport Municipal Court. (H. P. 726.)

Report read and accepted and the bill ordered printed under the joint rules.

Mr. Aldrich from same committee reported same on bill, an act relative to examination papers of applicants for admission to the bar. (H. P. 154) (H. D. 368.)

Report read and accepted and the bill having already been printed, was read twice under suspension of the rules and tomorrow assigned.

Mr. Williamson from same committee on bill, an act relating to classifications of stock. (H. P. 410) (H. D. 121) reported same in a new draft. (H. P. 1302) under same title and that it ought to pass.

Mr. Farris from same committee on bill, an act relating to the formation of corporations having stock without par value. (H. P. 318) (H. D. 93) reported same in a new draft.

(H. P. 1303) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the joint rules.

First Reading of Printed Resolve

H. P. 1228: Resolve in favor of Fred A. Budge of Mattawamkeag.

Passed to be Engrossed

(S. P. 74) (S. D. 42) An act authorizing the erection of a bridge or roadway across tidewaters between Harbor Island in the town of Phippsburg in the county of Sagadahoc and the mainland of said town.

(S. P. 239) (S. D. 101) An act relating to Portland Gas Light Company.

An act relating to rules of construction; signatures. (H. P. 1201) (H. D. 394)

(H. P. 1202) (H. D. 395) An act to amend Paragraph XVII of Section 6 of Chapter 1 of the Revised Statutes, relating to rules of construction; corporate seals.

(S. P. 48) (S. D. 28) Resolve in favor of the Bangor State Hospital for maintenance.

(Tabled by Mr. Littlefield of Farmingdale pending passage to be engrossed.)

H. P. 424, H. D. 129: Resolve in favor of Roselthe Shaver of Readfield.

Mr. JACKSON of Bath: Mr. Speaker, I would like the indulgence of the House just a moment, speaking to H. D. 129. It seems to me, Mr. Speaker, that yesterday morning the members of this House, under the spell of the address of the gentleman from Readfield, Mr. Peacock, allowed their better judgment to be swayed by their sympathies and emotions. As I recall that gentleman's remarks, he stated that this poor unfortunate woman, for whom I have the deepest sympathy, had been a faithful worker among the citizens of Readfield for many years. From that it appears to me, Mr. Speaker, that the citizens of the town of Readfield are certainly under some obligations to this unfortunate individual. For the State to assume these obligations that properly belong to a town, it seems to me, Mr. Speaker, we are establishing a very bad precedent and the Legislature will soon be loaded up with similar resolves and orders. For these reasons, Mr. Speaker, thanking you and the members for their in-

dulgence, I move its indefinite postponement.

Mr. PATTERSON of Freeport: Mr. Speaker, I am deeply concerned with the gentleman who just spoke, and I am also in sympathy with the woman herself. I voted on that resolve yesterday yes. I have been figuring this over ever since yesterday. Some have said let it pass and go to the Senate and they will kill it over there. I do not believe in any man sitting in these chairs and shirking his responsibilities just for the sake of not getting up and stating what he believes. That is not doing one's duty by his State, his county, or the people he represents. Now you have heard about this case. I know of two right in the town of Freeport, one is 94. At 88 he went to the town farm on account of rheumatism. He could not work any more. I have a chair up there for the old gentleman. You are going to open the door from Kittery to Eastport and from the Atlantic Ocean to the border line. We have two there in Freeport. Portland has 25 or 30 in the same situation. You are going to load up, and the Legislature will have these matters before it every session. It looks to me as though the towns in which these people live should take care of them. If there is any question about the raising of this amount, I will guarantee five dollars a year and get 15 others besides myself to take care of that lady down here at the Home where she is. I think that the report, ought not to pass, should stand in this case although my sympathy is with that poor woman. I am paying for one down in my town about ten dollars a month for the same thing myself personally; so you see my sympathy is with the lady so far as that goes. I thank you.

On motion by Mr. Bissett of Portland a viva voce vote being taken the resolve was tabled pending passage to be engrossed, and specially assigned for Wednesday, February 27.

H. P. 1203, H. D. 396: Resolve in favor of the town of Orono to assist in the support of pauper.

Passed to be Enacted

An act relating to clerk hire in the office of Register of Probate in Androscoggin county.

Orders of The Day

The SPEAKER: Under tabled and today assigned, the Chair presents to the House bill an act relating to a tax on gasoline, H. P. 1224, H. D. 412, tabled on February 19th by the gentleman from Van Buren, Mr. Hammond, the pending question being reference to a committee; and the Chair recognizes the gentleman.

On motion by Mr. Hammond a viva voce vote being taken the bill was referred to the committees on Ways and Bridges and Taxation jointly.

The SPEAKER: The Chair presents the second matter today assigned an act to empower the treasurer of Kennebec county to pay an additional compensation to the Recorder of the Gardiner Municipal Court, H. P. 125, H. D. 53, tabled on February 20th by the gentleman from Presque Isle, Mr. Kitchen, the pending question being passage to be enacted; and the Chair recognizes the gentleman.

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

The SPEAKER: The Chair presents the third matter today assigned, an act to extend the open time for smelt fishing in the tide-waters of the towns of Stonington and Deer Isle in the county of Hancock, H. P. 107, H. D. 316, tabled on February 20th by the gentleman from Mexico, Mr. MacKinnon, the pending question being its passage to be enacted.

Mr. MacKINNON: Mr. Speaker, I yield to the gentleman from Brooklin, Mr. Ford.

On motion by Mr. Ford the rules were suspended and the House reconsidered its action whereby this bill was passed to be engrossed.

Mr. FORD: Mr. Speaker, I now offer House Amendment A and move its adoption.

House Amendment A to H. D. 316.

Amend said bill by striking out the emergency preamble thereto, and section 2 thereof.

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

The SPEAKER: The Chair presents the fourth matter today as-

signed, joint order with reference to the printing of copies of the Report of the Agricultural Survey Committee of the Maine Development Commission on Progress in Maine Agriculture, 1850 to 1920, tabled yesterday by the gentleman from Portland, Mr. Rounds, the pending question being passage of the order in concurrence; and the Chair recognizes the gentleman.

Mr. ROUNDS: This order is a very small matter, probably, but it establishes something that has been turned down in different Legislatures for some time at different sessions. This order I want to say here takes quite a lot of printing. It is only a matter of four hundred and fifty dollars I will admit, but do you know we are running wild on printing this session? At the present time the Senate has spent, up to yesterday morning, five thousand seventy-three dollars and twenty-five cents for printing—that is the Senate. The House has not got its bill yet, but it is more than double because the Senate has only had one hundred eighty-nine bills printed and the House three hundred ninety-eight. Now it costs six dollars and twelve cents for the first page, the second page eight dollars and forty-nine cents, the third thirteen dollars and eighty cents, the fourth fourteen dollars and ninety-eight cents, the fifth twenty-one dollars and ninety-one cents, and the sixth twenty-five dollars and forty-one cents for five hundred copies. Anything over that is extra. We shall have a bigger printing bill than any other Legislature since we have become a State.

I wish to offer House amendment A.

The SPEAKER: The gentleman from Portland, Mr. Rounds, offers amendment A to the joint order under consideration and moves its adoption. The Clerk will read House Amendment A.

House Amendment A to the joint order relative to the purchase of five thousand copies of the Report of the Agricultural Survey Committee of the Maine Development Commission on Progress in Maine Agriculture, 1850 to 1920, by striking out at the end thereof the words "made a part of the contingent expenses of the Eighty-fourth Legislature", and insert in

place thereof the words, "taken from any other funds in the Treasury not otherwise appropriated," so that the order as so amended shall read:

"ORDERED, The House concurring, that five thousand copies of the Report of the Agricultural Survey Committee of the Maine Development Commission on Progress in Maine Agriculture, 1850 to 1920, be purchased under the direction of the State Superintendent of Public Printing and the cost thereof taken from any other funds in the Treasury not otherwise appropriated."

The SPEAKER: The gentleman from Portland, Mr. Rounds, has the floor.

Mr. ROUNDS: Mr. Speaker, I present this amendment so that we will not be lumbered up with such a printing bill. There are two others to follow before the session is over, one from 1920 up to 1929. The other is a power bill that will come in here. I don't know how much that will cost, and I don't want to take it from the legislative expense. I think we have nothing to do with the purchasing of this and it should come out of the Executive Department. I hope they will have it printed because some members of the House want to see it. We have nothing to do with the contracting of this bill or the other two to follow. I think it should not be taken out of legislative expense. Mr. Speaker I move the adoption of House Amendment A.

A *vivi voce* vote being taken House amendment A was adopted; and on further motion by the same gentleman the joint order as amended by House amendment A received passage.

The SPEAKER: The House now has before it, H. P. 929, resolve in favor of the town of Howland, recalled yesterday from the committee on Ways and Bridges by the gentleman from LaGrange, Mr. Rea.

On motion by Mr. Rea the resolve was referred to the committee on Claims.

The SPEAKER: Is there any

further business under orders of the day?

Mr. FARRIS of Augusta: Mr. Speaker. I wish to call attention to the second unassigned matter. There is an error there in regard to the tabling of this measure yesterday. My name being on H. P. 59 instead of H. P. 1168.

The SPEAKER: The gentleman calls attention to an error on the part of the printer which will be corrected in the calendar tomorrow, the second unassigned matter having been tabled by the gentleman from Augusta, Mr. Farris, and the third unassigned matter having been tabled by the gentleman from Augusta, Mr. Williamson.

On motion by Mr. Farris, it was voted to take from the table the second unassigned matter, bill an act relating to the regulation of the practice of the system, method or science of healing known as osteopathy, (H. P. 1168) (H. D. 358) tabled by that gentleman February 20th, the pending question being passage to be engrossed as amended by House Amendment A.

The SPEAKER: The House will notice that the pending question is printed under the third unassigned matter instead of under the second.

Mr. FARRIS: Mr. Speaker, I now offer amendment A to House Amendment A to H. D. 358 and move its adoption.

Thereupon the House voted to reconsider its action of yesterday whereby it voted to adopt House Amendment A.

The SPEAKER: The same gentleman now offers Amendment A to House Amendment A, and the Clerk will read the amendment.

Amendment A to House Amendment A.

Amend House Amendment A to H. P. 1168 by inserting after the word "same" in such amendment, the words "or equivalent," so that said amendment A as amended shall read as follows:

"Having the same or equivalent education standards as this State."

Thereupon the House voted to adopt Amendment A to House Amendment A; and on further motion by the gentleman from Augusta, Mr. Farris, the bill as amended by House Amendment A

and amendment A to House Amendment A was passed to be engrossed.

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

Mr. WILLIAMSON of Augusta: Mr. Speaker, I believe that H. P. 59, H. D. 28, bill an act providing for court stenographers and their compensation was specially assigned for this morning. In accordance with an understanding with the gentleman from Auburn, Mr. Sturgis, I move that this matter lie upon the table and be

specially assigned for the first morning session next week.

Thereupon, on motion by Mr. Williamson of Augusta it was voted to take from the table the third unassigned matter, bill an act providing for court stenographers and their compensation, tabled by that gentleman yesterday; and on further motion by the same gentleman, the bill was re-tabled and specially assigned for Wednesday, February 27.

On motion by Mr. Crawford of Houlton

Adjourned until 10 o'clock tomorrow morning.