

# 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**

Monday, March 18, 1929.

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

Prayer by the Rev. Mr. Jennings of Gardiner.

Journal of the previous session read and approved.

From the Senate: Ordered, the House concurring, that there be added to the Joint Rules of the Senate and House, to be numbered as number twenty, the following:

"No act or resolve involving an appropriation can be engrossed unless it bears the following endorsement: 'Examined and recorded by the committee on Appropriations and Financial Affairs.'"

Comes from the Senate, read and passed.

In the House:

Mr. KITCHEN of Presque Isle: Mr. Speaker, I move that the House concur with the Senate in the passage of the order.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, before voting on this order I think the members ought to study with some care the application of the word "involving". There are a great many measures in this Legislature which do not involve a direct appropriation but which require somebody to do something in the process of which he must spend some money. Now that word could, and it would seem to me would, cover any bill requiring any State officer to do any specific act. The intent of the order seems to me to be clear and entirely in accord with principles of good legislation, but it could be a great deal broader in its application than it would seem at first reading. I have just looked up in the dictionary, which the House bought for one of the Clerks, the word "involve" and it covers a pretty wide field. I have nothing against the intent of the order, but I will move that it be tabled and assigned for tomorrow.

Thereupon the order was tabled pending passage in concurrence and specially assigned for tomorrow morning.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

S. P. 672, S. D. 336: Resolve in favor of Augusta State Hospital.

S. P. 676, S. D. 338: An act to set off certain land from the town of Glenburn, to be annexed to city of Old Town.

S. P. 533, S. D. 209: An act relating to the qualification of public officers.

S. P. 71, S. D. 41: Resolve in favor of the Pownal State School for maintenance.

**Reports of Committees**

Mr. King from the Committee on Indian Affairs on petition of Governor, the Council and the residents of the Pleasant Point Indian Reservation (H. P. 801) reported that legislation thereon is deemed inexpedient as subject matter is included in general resolve.

Mr. McCart from the Committee on Judiciary reported ought not to pass on bill an act relating to redemption proceedings when land is sold for taxes. (H. P. 317) (H. D. 92)

Mr. Bachelder from the Committee on Ways and Bridges reported same on bill an act relating to aid in the construction of highway bridges. (H. P. 64) (H. D. 31)

Same gentleman from same Committee reported same on resolve in favor of the towns of Orono and Bradley. (H. P. 11)

Same gentleman from same Committee reported same on bill an act to incorporate the Penobscot Bridge Company for the purpose of building, maintaining and operating a toll bridge across the Penobscot River between the counties of Waldo and Hancock. (S. P. 75) (S. D. 46)

Mr. Jones from same Committee reported same on bill an act relating to Mill Tax Highway Fund. (H. P. 1095) (H. D. 353)

(Tabled by Mr. Wing of Kingfield pending acceptance of report and specially assigned for Thursday, March 21)

Same gentleman from same Committee reported same on bill an act relative to temporary plates for motor vehicles. (H. P. 920) (H. D. 301)

Reports read and accepted and sent up for concurrence.

Mr. Anderson from the Committee on Indian Affairs on resolve in

favor of the Penobscot Tribe of Indians for the general care, maintenance, and education thereof (H. P. 132) reported same in a new draft (H. P. 1653) under same title and that it ought to pass.

Mr. Wight for the Committee on Agriculture and Inland Fisheries and Game jointly on bill an act to provide for the payment of a bounty on bears in towns where damage is being caused to valuable domestic animals reported same in a new draft (H. P. 1650) under same title and that it ought to pass.

Mr. PERHAM of West Paris: Mr. Speaker, I would like to take just a minute of the time of the Legislature to thank the members of the Fish and Game Committee and the members of the Agricultural Committee in the cooperation shown by return to the House a unanimous report in favor of the Bear Bounty bill. I move the acceptance of the report.

Mr. Bailey from the Committee on Pensions on resolve in favor of Annie L. Gagan providing a State pension (H. P. 876) together with new draft of the same, under same title (H. P. 1401) (H. D. 490) reported same in a second new draft (H. P. 1651) under same title and that it ought to pass.

Same gentleman from same Committee on resolve to provide a State pension for Mary W. Chamberlin of Portland (H. P. 875) (H. D. 483) reported same in a new draft (H. P. 1652) under same title and that it ought to pass.

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

Mr. Jones from the Committee on Ways and Bridges reported ought to pass on resolve in favor of the town of Medway. (H. P. 915)

Same gentleman from same Committee reported same on resolve in favor of the town of Dover-Foxcroft. (H. P. 709)

Mr. Lowell from same Committee reported same on resolve in favor of the town of Kingman. (H. P. 479)

Mr. Jones from same Committee reported same on resolve in favor of the Trustees of the bridge between East Machias and Machiasport (H. P. 192)

Same gentleman from same Com-

mittee reported same on resolve in favor of the town of Fort Fairfield (H. P. 481)

Same gentleman from same Committee reported same on resolve in favor of the towns of Gardiner and Randolph (H. P. 533)

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

Mr. Clark from the Committee on Inland Fisheries and Game reported same on bill an act relating to the protection of fur-bearing animals. (H. P. 1536) (H. D. 557)

Mr. Wing from the Committee on Judiciary reported same on bill an act for the purchase of books and to provide for cataloging the Androscoggin County Law Library (H. P. 1469) ((H. D. 512)

Mr. Blaisdell from the Committee on Legal Affairs reported same on bill an act providing for the fencing and care of burying grounds in unincorporated places. (H. P. 1564) (H. D. 572)

Mr. Sargent from same Committee reported same on bill an act to increase the time for filing appeals in municipal police or trial justice courts. (H. P. 1562) (H. D. 571)

Mr. Jones from the Committee on Ways and Bridges reported same on bill an act to amend the fees for registration of motor vehicles. (H. P. 341) (H. D. 102)

Reports read and accepted, and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Mr. Lowell from same Committee reported same on bill an act to provide for the building of a highway bridge across the Kennebec River between the towns of Richmond and Dresden. (H. P. 716) (H. D. 208)

(Tabled by Mr. Patterson of Freeport pending acceptance of the report and specially assigned for Thursday, March 21).

#### First Reading of Printed Bills and Resolves

(H. P. 1639) (H. D. 664) An act to regulate the quality of sardines packed in this State.

(H. P. 1640) (H. D. 665) An act relating to designation of through ways.

(H. P. 1641) (H. D. 666) An act to incorporate the South Orington Cemeteries Association.

(H. F. 1642) (H. D. 667) An act relating to the investment in permanent securities of school funds and other trust funds held by city, town, quasi-municipal corporations and state officers.

(H. P. 1643) (H. D. 668) An act to incorporate Madawaska Water Co.

(Tabled by Mr. Daigle of Madawaska pending second reading and specially assigned for Thursday, March 21).

(H. P. 185) (H. D. 663) Resolve in favor of the State Reformatory for Women for the erection of a house for mothers and babies.

(H. P. 1646) (H. D. 669) Resolve in favor of the town of New Sharon.

(H. P. 1647) (H. D. 670) Resolve in favor of Lloyd W. Hickey to reimburse him for injury and expense incurred while in the employ of the State of Maine.

(H. P. 1648) (H. D. 671) Resolve in favor of the town of Salem, for a new bridge.

Mr. CARLETON of Portland: Mr. Speaker, I move that House Paper 1639, House Document 664, an act to regulate the quality of sardines packed in this State be recommitted to the committee on Sea and Shore Fisheries.

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

#### Passed to be Engrossed

(S. P. 156) (S. D. 334) An act relating to the salary of the Sheriff of Washington County.

(S. P. 459) (S. D. 186) An act relating to rules and regulations governing the issuance of teachers' pensions.

(H. P. 1166) (H. D. 373) An act relating to the collection of a fee from persons visiting the State Prison.

(H. P. 1181) (H. D. 387) An act relating to deductions from State School Fund.

(H. P. 1255) (H. D. 427) An act relating to vacancies in town offices.

(H. P. 1275) (H. D. 432) An act to place the administration of the affairs of the Indian Tribes under the Department of Forestry.

(H. P. 1281) (H. D. 438) An act relative to Probate Courts.

(H. P. 1383) (H. D. 463) An act relating to equal school privileges for all pupils.

(Tabled by Mr. McKnight of Poland pending third reading.)

(H. P. 1404) (H. D. 466) An act relating to the funds of the Maine Forestry District.

(H. P. 1443) (H. D. 498) An act relative to snow removal from State and State Aid highways in unincorporated townships and plantations, and declaring Chapter 227 of the Public Laws of 1927 to be a part of Chapter 25 of the Revised Statutes entitled "State Highways."

(H. P. 1445) (H. D. 500) An act to revise, arrange and simplify the Mill Tax Highway Fund Laws.

(H. P. 1534) (H. D. 555) An act relating to fishing in Kewayden Lake in the town of Stoneham.

(H. P. 1568) (H. D. 603) An act relative to the hours of employment of women.

(H. P. 1574) (H. D. 580) An act relating to taking of land of railroad corporations for streets or ways.

(H. P. 1638) (H. D. 662) An act relative to the extermination of mosquitoes.

(S. P. 33) (S. D. 323) Resolve in favor of Philip T. Carroll.

(S. P. 17) (S. D. 27) Resolve in favor of Bangor State Hospital, additional equipment.

(S. P. 190) (S. D. 326) Resolve in favor of the Department of Maine Grand Army of the Republic.

(Tabled by Mr. Rounds of Portland pending second reading and specially assigned for Tuesday, March 19)

(S. P. 527) (S. D. 335) Resolve in favor of the Augusta State Hospital.

(H. P. 736) (H. D. 212) Resolve in favor of John M. Eastman.

(H. P. 1584) (H. D. 537) Resolve in favor of the Maine State Prison for maintenance and current expenses.

Paper from the Senate, taken up out of order, under suspension of the rules.

The following Communication:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
Augusta

March 18, 1929.

To the Honorable Senate and House of Representatives:

I transmit letter received from the Honorable Secretary of the Department of Agriculture of the United States.

It will be noted that an apparent

typographical error in the previous letter from his Department has been corrected, and the third project referred to is No. 103-A, and not 103-B.

I have consulted the Attorney General regarding this matter and he is today in Washington in the interest of the State.

Respectfully submitted,  
(Signed)

Wm. TUDOR GARDINER  
DEPARTMENT OF AGRICULTURE

Washington, D. C.

March 14, 1929.

Hon. William Tudor Gardiner  
Governor of Maine  
Augusta, Maine

Dear Governor:

Supplementing the letter of March 2 from former Secretary Jardine to you concerning the omission of cement which under the specifications should have gone into the concrete pavements on Maine Federal aid projects Nos. 102-A, 102-B, and 103-A, I now request reimbursement by the State of the Federal funds paid on account of the pavement portion of these projects.

The Department records concerning these projects have been checked to ascertain the cost of the pavement portion of the improvements and the proportionate amount of the Federal funds paid on account thereof. Our records show that on project 102-A the cost of the pavement was \$151,139.44 and the Federal funds paid on account thereof \$50,227.56; that on project No. 102-B the cost of the pavement was \$139,827.80 and the Federal funds paid on account thereof \$42,517.36; and that on project No. 103-A the cost of the pavement was \$41,424.42 and the Federal funds paid on account thereof \$11,252.61. The total Federal funds paid on account of the pavement portion of the improvement of these projects, therefore, amounted to \$103,997.53, and a check from the State in reimbursement of this amount is requested.

I am submitting this request for reimbursement to you for the reason that there may be some question as to whether or not the State highway department has funds available which it would be author-

ized to utilize in making this reimbursement and it may be necessary for you to call upon the Legislature to make an appropriation for that purpose.

Sincerely,  
(Signed) ARTHUR M. HYDE,  
Secretary.

Comes from the Senate read and with the accompanying letter ordered placed on file.

In the House:

Mr. KITCHEN of Presque Isle: Mr. Speaker, I move that the communication be placed on file.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to inquire if the United States Government did not have a man on the job as an inspector all the time. Will anybody answer that question?

The SPEAKER: If there is any gentleman who can answer the inquiry of the gentleman from Portland, Mr. Rounds, he is at liberty to do so. (No response.) The question before the House is whether the communication shall be placed on file.

Mr. ROUNDS: I have not heard it seconded, and I move that it lie on the table pending concurrence with the Senate.

Thereupon the communication from the Governor with the accompanying letter was tabled, pending the motion of Mr. Kitchen that the same be placed on file in concurrence.

#### Orders of the Day

On motion by Mr. Bissett of Portland the House voted to reconsider its action whereby it passed to be engrossed House Paper 282, H. D. 626, resolve in favor of the Maine Institution for the Blind for repairs to buildings for the year 1930; and on further motion by the same gentleman the bill was tabled pending passage to be engrossed.

On motion by Mr. Bissett of Portland the House voted to reconsider its action whereby it passed to be engrossed House Paper 281, H. D. 625, resolve in favor of the Maine Institution for the Blind for experimental work in home teaching for the years 1930 and 1931; and on further motion by the same gentleman the bill was tabled pending passage to be engrossed.

Order, out of order.

Mr. Leonard of Hampden presented the following order, under suspension of the rules, and moved its passage:

Ordered, that the State Auditor be requested to furnish the House with a report concerning the claim of J. M. Norris against the State of Maine.

Thereupon the order received passage.

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

On motion by Mr. Rounds of Portland the House voted to reconsider its action whereby resolve in favor of the Department of Maine Grand Army of the Republic, S. P. 190, S. D. 326, was specially assigned for Tuesday, March 19; and on further motion by the same gentleman the resolve was taken from the table; and on further motion by the same gentleman received its second reading and was passed to be engrossed.

On motion by Mr. Sturgis of Auburn it was voted to take from the table H. P. 1634, H. D. 660, an act relating to the removal of snow from highways and town ways, tabled by that gentleman, March 15, pending passage to be engrossed.

Mr. STURGIS: Mr. Speaker, I offer House Amendment A.

House Amendment A to H. P. 1634, H. D. 660, entitled an act relating to the removal of snow from highways and town ways.

Amend by adding in the sixth line after the word "season," the following: 'leaving a blanket of snow not less than three inches in depth.'

Thereupon the House adopted House Amendment A, and on motion by the same gentleman the bill was passed to be engrossed as amended by House Amendment A.

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On motion by Mr. Clifford of Garland,

Adjourned until ten o'clock tomorrow morning.