

# 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**

Tuesday, March 19, 1929.

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

Prayer by the Rev. Mr. Walch of Yarmouth.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

(S. P. 458) (S. D. 185) An act relating to the transportation or board of children in places of temporary residences, provided for, procedure to obtain, payment of how made.

(S. P. 460) (S. D. 187) An act relating to the temporary closing of schools.

(S. P. 211) (S. D. 343) An act relating to the annual payments to the Aroostook Law Library.

(S. P. 212) (S. D. 344) An act for the purchase of books for the Aroostook Law Library.

(S. P. 594) (S. D. 259) An act to regulate the plotting of private lands for streets or ways and imposing conditions for recording maps or plans of private land with streets or ways thereon.

(S. P. 615) (S. D. 286) An act to amend section 69 of chapter 211 of the Public Laws of 1921 relating to lights on vehicles.

(S. P. 618) (S. D. 285) An act to amend sections 1 and 29 of chapter 29 of the Revised Statutes relating to paupers, their settlement and support.

(S. P. 604) (S. D. 265) An act relating to a state entomologist.

(S. P. 463) (S. D. 188) Resolve in favor of the State Prison.

(S. P. 678) (S. D. 346) An act relating to the expenses of the Justices of the Supreme Judicial Court.

(S. P. 682) (S. D. 350) An act to amend Chapter 110 of Revised Statutes relating to easements.

(S. P. 680) (S. D. 348) Resolve providing for moving pictures of Maine's Wild Life for Recreational Advertising Purposes.

(S. P. 681) (S. D. 349) Resolve in favor of the Pownal State School.

From the Senate: Report of the committee on Legal Affairs on bill an act relating to bonds of licensed detectives, S. P. 534, S. D. 208, reporting same in a new draft, S. P. 679, S. D. 347, under same title and that it ought to pass.

Comes from the Senate the report read and accepted and the bill passed to be engrossed.

In the House:

Mr. WILLIAMSON of Augusta: Mr. Speaker, I wish to offer House Amendment A to Senate Paper 679 to correct a clerical error, and I move its adoption.

House Amendment A to Senate Paper 679, S. D. 347, an act relating to bonds of licensed detectives.

Amend Senate Document 347 by striking out in the sixth line the words "twenty-five" and inserting in place thereof the words "thirty-five"; also striking out in the sixth line the word "licensed."

The SPEAKER: The Chair will repeat that amendments should be offered to the papers and not to the document.

Thereupon House Amendment A was adopted and the bill was assigned for its third reading tomorrow morning.

**Orders**

On motion by Mr. Williamson of Augusta, it was

Ordered that the committees on Judiciary and Maine Publicity be given the use of the hall of the House Tuesday afternoon and evening, March 19.

**Reports of Committees**

Mr. CARLETON from the Committee on Agriculture on bill an act relating to weights and measures (H. P. 1449) (H. D. 504) reported legislation inexpedient.

Same gentleman from same Committee reported ought not to pass on bill an act relating to packing and branding of apples (H. P. 1205) (H. D. 399)

Same gentleman from same Committee reported same on bill an act relating to the packing and grading of apples (H. P. 1519) (H. D. 544)

Reports read and accepted and sent up for concurrence.

Same gentleman from same Committee on resolve in favor of poul-

try husbandry (H. P. 1076) (H. D. 342) reported same in a new draft (H. P. 1658) under same title and that it ought to pass.

(Tabled by Mr. Sturgis of Auburn pending acceptance of report)

Same gentleman from same Committee on bill an act relating to the sterilization of milk utensils (H. P. 749) (H. D. 223) reported same in a new draft (H. P. 1655) under same title and that it ought to pass.

Mr. WIGHT from same Committee on bill an act relating to payment of damages by dogs and wild animals to domestic animals (H. P. 1052) (S. D. 167) reported same in a new draft (H. P. 1656) under same title and that it ought to pass.

Mr. ALDRICH from Committee on Revision of Statutes on bill an act relative to close time on moose (H. P. 1279) (H. D. 436) reported same in a new draft (H. P. 1657) under same title and that it ought to pass.

Mr. HAMMOND from the Committee on State Lands and Forest Preservation on resolve in favor of Caratunk Plantation (H. P. 623) reported same in a new draft (H. P. 1654) under same title and that it ought to pass.

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

Mr. Carleton from the Committee on Agriculture reported ought to pass on bill An act relating to the capacity of milk bottles and jars. (H. P. 1517) (H. D. 543)

Same gentleman from same Committee reported same on bill an act relating to the capturing of bees. (H. P. 1518) (H. D. 599)

Same gentleman from same Committee on Agriculture reported same on bill an act relating to weights and measures. (H. P. 1520) (H. D. 545)

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

Mr. CRAWFORD of Houlton: Mr. Speaker, I would like to ask that this last bill H. D. 545 be laid on the table. I think there is a mistake in it. I may be wrong but I would like to look it up.

The SPEAKER: The gentleman

is advised that the bill in its present stage is assigned for third reading tomorrow morning. Does the gentleman wish to table it, or does he simply desire to offer an amendment?

Mr. CRAWFORD: I would like to have it tabled if the Speaker pleases.

Thereupon on motion by Mr. Crawford, the House voted to reconsider its action whereby it assigned H. P. 1520, H. D. 545, An act relating to weights and measures for its third reading tomorrow morning; and on further motion by the same gentleman the bill was tabled pending assignment for third reading.

#### Passed to be Engrossed

(S. P. 533) (S. D. 209) An act relating to the qualification of public officers.

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

(H. P. 341) (H. D. 102) An act to amend the fees for registration of motor vehicles.

(H. P. 1469) (H. D. 512) An act for the purchase of books and to provide for cataloging the Androscoggin County Law Library.

(H. P. 1536) (H. D. 557) An act relating to the protection of fur-bearing animals.

(H. P. 1562) (H. D. 571) An act to increase the time for filing appeals in municipal, police or trial justice courts.

(H. P. 1564) (H. D. 572) An act providing for the fencing and care of burying grounds in unincorporated places.

(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 Orrington Cemeteries Association.

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

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

(S. P. 672) (S. D. 336) Resolve in favor of Augusta State Hospital.

(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.

#### Passed to be Enacted

(S. P. 34) (S. D. 312) An act to incorporate the New England Public Finance Co.

(Tabled by Mr. Chase of Cape Elizabeth pending passage to be enacted)

(S. P. 194) (S. D. 107) An act to incorporate the Eastern Loan Company, Incorporated.

(S. P. 216) (S. D. 86) An act to change the name of Westbrook Seminary; to enlarge the Board of Trustees thereof and to authorize said Trustees to accept and administer gifts to said institution.

(S. P. 229) (S. D. 93) An act to incorporate the Maine Pharmaceutical Association.

(S. P. 329) (S. D. 309) An act to aid in the enforcement of statutes governing the use of vehicles on closed or restricted ways and bridges.

(S. P. 482) (S. D. 191) An act relating to bonds to be given by officials, trustees or employees of savings banks.

(S. P. 483) (S. D. 192) An act to re-letter paragraphs "e" and "f" of sub-division 12 of Section 27 of Chapter 144 of the Public Laws of 1923, relating to collateral loans.

Mr. KITCHEN of Presque Isle: Mr. Speaker, this bill has to do with the revision of the Statutes. I am informed by those who have charge of that work that the bill is wrong; in fact that it is entirely unnecessary in connection with their work, and, at their request I move its indefinite postponement.

Thereupon the bill was indefinitely postponed.

(S. P. 539) (S. D. 211) An act granting authority to the State

Highway Commission in the reconstruction of intra-State bridges.

(S. P. 546) (S. D. 225) An act relating to investments in industrial bonds by savings banks.

(S. P. 652) (S. D. 307) An act relative to State stipends to agricultural societies.

(S. P. 657) (S. D. 316) An act relating to increase of salary of County Attorney of Androscoggin County.

(S. P. 658) (S. D. 317) An act relating to the increase of the salary of the Assistant County Attorney for the county of Androscoggin.

(S. P. 659) (S. D. 318) An act to increase the salary of the Register of Probate of Androscoggin County.

(S. P. 662) (S. D. 324) An act relating to administration upon estates of persons who have disappeared and not been heard from for a period of at least seven years from the date of disappearance.

(S. P. 663) (S. D. 328) An act relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto.

(H. P. 9) (H. D. 5) An act to establish the Fort Fairfield Municipal Court.

(H. P. 24) (H. D. 8) An act relating to taking of claims in Trenton.

(H. P. 61) (H. D. 635) An act relative to the County Commissioners of Penobscot County.

(H. P. 96) (H. D. 40) An act relating to teachers' pensions.

(H. P. 243) (H. D. 81) An act to provide a town manager form of government for the town of Fort Fairfield.

(H. P. 319) (H. D. 94) An act to provide a town council and manager form of government for the town of Freeport, in the county of Cumberland.

(H. P. 336) (H. D. 99) An act regulating the catching of smelts in the waters of Casco Bay and mouth of the Presumpscot river in Cumberland County.

(H. P. 521) (H. D. 657) An act to increase the compensation for clerk hire in the office of Waldo County Register of Deeds.

(H. P. 609) (H. D. 180) An act relating to voters in unincorporated places and on islands.

(H. P. 674) (H. D. 638) An act relating to the salary of the Regis-

ter of Probate of Washington County.

(H. P. 676) (H. D. 627) An act relating to the salary of the Register of Deeds in Piscataquis County.

(H. P. 740) (H. D. 481) An act relating to expenses and clerk hire of the Commissioner of Agriculture.

(H. P. 852) (H. D. 277) An act relating to the Park Commission of the city of Portland.

(H. P. 861) (H. D. 284) An act authorizing the city of Lewiston to issue bonds.

(H. P. 864) (H. D. 287) An act to make valid copies of records of instruments affecting or conveying title to real estate in the county of Knox and recorded in other counties.

(H. P. 886) (H. D. 619) An act relating to clerk hire in the Register of Probate's office for Oxford County.

(H. P. 899) (H. D. 300) An act to change the name of the town of Old Orchard to Old Orchard Beach.

(H. P. 891) (H. D. 620) An act increasing the salary of the Judge of the Rumford Falls Municipal Court.

(H. P. 894) (H. D. 456) An act relating to the digging of clams in Bidsford, in the county of York.

(H. P. 979) (H. D. 628) An act relating to closing of ways in winter.

(H. P. 1029) (H. D. 325) An act relating to the care of abandoned or neglected animals.

(H. P. 1085) (H. D. 348) An act relative to canning of short lobsters.

(H. P. 1238) (H. D. 415) An act relating to deposits individually and in trust in savings banks.

(H. P. 1239) (H. D. 416) An act relating to the use as part of name the words "saving", "savings", "savings bank" and kindred words.

(H. P. 1240) (H. D. 417) An act legalizing guaranteed bonds of Canadian railroads as an investment for the savings banks of Maine.

(H. P. 1241) (H. D. 418) An act relating to collateral loans by mutual savings banks.

(H. P. 1242) (H. D. 419) An act relating to personal loans by mutual savings banks.

(H. P. 1243) (H. D. 420) An act relating to the allowance of interest on certain deposits by mutual savings banks.

(H. P. 1244) (H. D. 421) An act relating to dividends; maintenance of reserve fund; declaration of dividends in mutual savings banks.

(H. P. 1278) (H. D. 435) An act relating to the appropriation for the abolishment of grade crossings.

(Tabled by Mr. Chase of Cape Elizabeth pending passage to be enacted and specially assigned for Friday, March 22.)

(H. P. 1381) (H. D. 448) An act to amend Chapter 201 of the Private and Special Laws of 1911 entitled An act to incorporate the Guilford Water District.

(H. P. 1513) (H. D. 615) An act relative to military parades on election days.

(H. P. 1612) (H. D. 622) An act to incorporate the Home Finance Company.

(H. P. 1613) (H. D. 623) An act relating to Loan and Building Association.

(H. P. 1615) (H. D. 624) An act to establish a game sanctuary in the towns of Mapleton and Chapman in the county of Aroostook.

(H. P. 1616) (H. D. 629) An act relating to the service of process on non-residents involved in automobile accidents.

(H. P. 1617) (H. D. 630) An act to change the name of Cumberland Agricultural and Horticultural Society; to enlarge the Board of Directors and to increase the amount of property the society may hold.

(H. P. 1619) (H. D. 632) An act relating to amount allowed for clerk hire in the office of the Register of Deeds in Piscataquis County.

(H. P. 1620) (H. D. 633) An act to increase the salary of the Treasurer of Androscoggin County.

(H. D. 541) An act relating to the Hancock-Sullivan Bridge.

#### Finally Passed

(S. P. 93) (S. D. 322) Resolve appropriating money for the expenses of the Electoral College.

(S. P. 154) (S. D. 311) Resolve providing for a State pension for Mabel Paul Ferrow of Belfast.

(S. P. 564) (S. D. 319) Resolve in favor of Newell Lewey, Representative of the Passamaquoddy Tribe of Indians.

(S. P. 661) (S. D. 321) Resolve appropriating money to restore the early records in the office of the Register of Deeds for York County.

(H. P. 1475) (H. D. 369) Resolve providing for a State pension for Alice M. Whitten of Albion.

(H. P. 1621) (H. D. 634) Resolve to improve the road to Fort William Henry.

On motion by Mr. Bishop of Boothbay Harbor the House voted to reconsider its action whereby this resolve was passed to be engrossed; and the same gentleman offered House Amendment A as follows:

House Amendment A to H. P. 1621.

Amend said House Paper by inserting after the words "the same to be," the words "taken from the appropriation for old military reservations and the care of old forts and to be."

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

(H. P. 1628) (H. D. 646) Resolve for the laying of the county taxes for the year 1930.

#### Passed to be Enacted

(S. P. 666) (S. D. 332) An act relating to the jurisdiction of the Supreme Judicial and Superior Courts.

On motion by Mr. Rounds of Portland tabled pending passage to be enacted, and specially assigned for Thursday, March 21.

#### Emergency Measure

(H. P. 1630) (H. D. 647) Resolve for the laying of the county taxes for the year 1929.

The SPEAKER: This being an emergency measure, it is necessary under the Constitution that it have the affirmative vote of two-thirds the entire membership of this body. As many as are in favor of the final passage of this resolve will rise and stand in their places until counted and the monitors will return the count.

A division being had,

One hundred and thirty voting in the affirmative and none in the negative, the resolve was finally passed.

#### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair presents the first matter tabled and today assigned, majority report ought to pass and the minority report ought

not to pass from the committee on Salaries and Fees on S. P. 65, S. D. 36, bill An act relating to fees of sheriffs and their deputies, tabled by the gentleman from Poland, Mr. McKnight, on March 13th, the pending question being acceptance of either report, and the Chair recognizes the gentleman.

Mr. McKNIGHT: Mr. Speaker and Ladies and Gentlemen of the Eighty-fourth Legislature: In support of my position that I took on this bill, and of the committee, in bringing in the minority report, I wish to say to the House at this particular time that I do not wish to cumber up the calendar, and I am willing to hurry things along as fast as I can, but I would like to have this bill retabled.

I would say that I have taken this bill up with all the deputy sheriffs in the House I know of,—the ex-deputy sheriffs,—and also have taken the matter up with the Attorney General, and have talked with one or two other lawyers in regard to this matter. There seems to be a divided opinion; and having gone through with a bill similar to this two years ago in regard to deputy sheriffs, which was found to be not entirely satisfactory, I ask the indulgence of the House, and move this bill be retabled.

Thereupon, the motion prevailed and the bill was retabled pending acceptance of either report.

The SPEAKER: The Chair presents the second matter today assigned, House report ought not to pass from the committee on Legal Affairs, H. P. 858, H. D. 282, bill an act in relation to athletic exhibitions, creating a commission prescribing its powers and duties, providing penalties for violations of the provisions thereof and repealing sections of an act therein named, tabled on March 14th by the gentleman from Franklin, Mr. Blaisdell, the pending question being motion of the gentleman from Westbrook, Mr. Robie, that the bill be substituted for the report, and the Chair recognizes the gentleman from Franklin, Mr. Blaisdell.

Mr. BLAISDELL: Mr. Speaker, I yield the floor at this time to the gentleman from Westbrook, Mr. Robie.

Mr. ROBIE: Mr. Speaker, at the

present time we have on our statute books laws that permit the holding of boxing bouts. This bill was presented by a gentleman from Portland, and is a copy of the laws in effect in some other states. It was my opinion that this bill, when presented, would correct several evils that are existent now in our present statutes. For this reason, when the report came back from the committee on Legal Affairs, ought not to pass, it was my intention to recommend the bill to the committee and have it redrafted, to correct these errors. It developed over the week-end that I had a chance to talk with the man who was the real proponent of this bill, and after having talked with him, he was quite willing to have the bill withdrawn, or the report of the committee accepted, for the reason the fundamental principles of the thing may be all right, but the bill was so full of legal errors and the time so short, he was willing to have it withdrawn instead of trying to correct them at this time. Therefore, Mr. Speaker, I ask leave to withdraw my motion for the substitution of the bill for the report.

The SPEAKER: The gentleman from Westbrook, Mr. Robie, asks leave of the House to withdraw his motion for the substitution of the bill for the report. Is there any objection to such withdrawal? The Chair hears none and the gentleman is allowed to withdraw his motion.

On motion by Mr. Robie, the ought not to pass report of the committee was accepted.

The SPEAKER: The Chair presents the third matter today assigned, (H. P. 1622) (H. D. 640) bill an act relating to county jails, tabled on March 15th by the gentleman from Belfast, Mr. Taylor, the pending question being motion of the gentleman from Guilford, Mr. Heath, for indefinite postponement, and the Chair recognizes the gentleman from Belfast, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker, I yield to the gentleman from Guilford, Mr. Heath.

Mr. HEATH: Mr. Speaker, I would like to ask permission to withdraw my motion.

The SPEAKER: The gentleman from Guilford, Mr. Heath, asks

leave of the House to withdraw his motion for indefinite postponement. Is there objection on the part of the House to the gentleman so doing? The Chair hears no objection, and the gentleman's motion is withdrawn.

On motion by Mr. Heath, the bill received its second reading and tomorrow assigned.

The SPEAKER: The Chair presents the fourth matter today assigned, joint order relative to joint rules, tabled yesterday afternoon by the gentleman from Cape Elizabeth, Mr. Chase, the pending question being passage in concurrence, and the Chair recognizes the gentleman.

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

House Amendment A to Joint Order relative to Joint Rules.

Amend said order by striking out in the fourth line the word "involving," and inserting in place thereof the word "carrying."

Mr. FOSTER of Ellsworth: Mr. Speaker, in defense of the Appropriations Committee, on this order, the way it is drawn, I want to say just a word. Now we do not mind the substitution of the word "carrying" for the word "involving," but I would like to take you back to the Legislatures of 1923, 1925, and 1927. You will find on the back page of the little handbook this order, or suggestion, rather: "No act or resolve involving any appropriation can be engrossed unless it bears the following endorsement: Examined and recorded by the committee on Appropriations and Financial Affairs." I am rather surprised that the gentleman from Cape Elizabeth, (Mr. Chase) had not discovered that word "involving" before this.

Now it has been whispered around by certain members that the Appropriations Committee are trying to grab something for themselves. That is absolutely untrue and without foundation. We find, if we do not get these bills tabulated, we are pretty likely to get into serious trouble.

I will cite you just one instance of the last Legislature: The porcupine bill was passed here, but there was no appropriation set off against it for the reason that it got



by us somewhere; it never came to our committee. Now that meant that the payment of the porcupine bounty had to be taken out by the Governor and Council from the contingent fund. Had we had that bill listed, we would have been able to set off an appropriation against it, and eliminated all that trouble.

Now, gentlemen, we do not want any more trouble than we have now. Certainly we have enough work to do, and if any member of this House feels we haven't, I would like to take him up in our committee and go over with him the report for 1925 and 1927, with which I am familiar. I think you will agree with me, it is some job. Now I do not want to take up any more of your time, but I hope this is made perfectly plain to you.

The SPEAKER: Is the House ready for the question? The question is on the adoption of House Amendment A to the joint order. As many as are in favor of the adoption will say aye; as many as are opposed will say no.

A viva voce vote being taken, the amendment was adopted; and on further motion by Mr. Chase, the joint order as amended by House Amendment A, received passage.

The SPEAKER: Is there any further business under Orders of the Day?

There are twenty-two matters on the table unassigned.

On motion by Mr. McKnight of Poland, it was voted to take from the table the seventeenth unassigned matter, House report ought to pass in new draft, committee on Ways and Bridges, on bill an act relative to highways through towns of less than five thousand inhabitants, H. P. 522, H. D. 151, new draft H. P. 1645, H. D. 672, tabled by that gentleman on March 15th, the pending question being acceptance of report.

Mr. McKNIGHT: Mr. Speaker, I now yield the floor to the gentleman from Standish, Mr. Hawkes.

Mr. HAWKES: Mr. Speaker, the objection to this bill was taken care of in the new draft, House Paper 1645, House Document 672. I therefore move the acceptance of the report.

Thereupon, on motion by Mr. Hawkes, House Report, ought to pass in new draft, was accepted; and on further motion by the same gentleman, this being a printed bill, the rules were suspended, and the bill had its two several readings at this time and tomorrow assigned.

The SPEAKER: Is there any other matter which may be taken from the calendar?

Mr. KITCHEN of Presque Isle: Mr. Speaker, I would just like to call the attention of the members to the number of unassigned matters on the calendar today, and while it would not be my wish to unnecessarily hurry any of the members, I should like very much, and am very sure it would expedite matters, if there were any further matters unassigned today which could be taken off at this time. I simply bring this matter to your attention. There might be some matters as well taken care of now as later.

The SPEAKER: Is there any other of the unassigned matters which any member will take from the table? There appear to be more matters on the calendar tabled and unassigned than at any previous time in the session. There apparently being none, the Clerk will read the notices.

On motion by Mr. Ward of Limestone,

Adjourned until 10 o'clock tomorrow morning.