

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, Feb. 14, 1933.

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

Prayer by Chaplain Hershey of the Veterans Administration Home. Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act relating to closing Presque Isle Normal School, S. P. 310.

Comes from the Senate referred to the committee on Education.

In the House on motion of Mr. Bennett of Presque Isle, tabled pending reference in concurrence.

From the Senate: Resolve relating to rules and regulations on bounties, S. P. 314, L. D. 522.

Comes from the Senate referred to the committee on Inland Fisheries and Game.

In the House, on motion of Mr. Crowell of Weston tabled pending reference in concurrence.

From the Senate: Bill an act validating loans made by county of Hancock, S. P. 364, L. D. 609.

Comes from the Senate received by unanimous consent, under suspension of the rules, and referred to the committee on Legal Affairs.

In the House unanimous consent being granted, the bill was referred to the committee on Legal Affairs in concurrence.

From the Senate: Bill an act relating to personal property, H. P. 1169, L. D. 504, which was referred to the committee on Taxation in the House on February 8th.

Comes from the Senate referred to the committee on Legal Affairs in non-concurrence.

In the House, on motion by Mr. White of Crystal, that body voted to recede and concur with the Senate in the reference of this bill to the committee on Legal Affairs.

Senate Bills in First Reading

S. P. 53, L. D. 468: Resolve appropriating money for the expenses of the Electoral College.

S. P. 92, L. D. 104: An act re-

lating to motor vehicles carrying passengers for hire over regular routes.

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

Inland Fisheries and Game

Bill "An Act creating the South Windsor Game Preserve" (H. P. No. 1312) (Presented by Mr. Bailey of Whitefield by request) (500 copies ordered printed)

Petition of Jerome Keating and 47 others in favor of same (H. P. No. 1313) (Presented by same gentleman)

Judiciary

Bill "An Act relating to Suspension of License or Certificate of Registration if Judgment is Unsatisfied" (H. P. No. 1314) (Presented by Mr. Berry of Waterville) (500 copies ordered printed)

Bill "An Act relating to Distribution of Assets" (H. P. No. 1315) (Presented by Mr. Farris of Augusta) (500 copies ordered printed)

Salaries and Fees

Bill "An Act relating to Compensation of Trustees of York Water District" (H. P. No. 1316) (Presented by Mr. Young of York)

Ways and Bridges

Bill "An Act to provide for Further Issuance of State Bonds" (H. P. No. 1317) (Presented by Mr. Jones of Winthrop).

Taxation

Petition of H. A. Johnson and 19 others in favor of repeal of law imposing a Gasoline Tax on Fishing Boats (H. P. No. 1318) (Presented by Mr. Smith of Vinalhaven)

Petition of Rodney E. Feyler and 25 others in favor of same H. P. No. 1319) (Presented by same gentleman)

Petition of Josiah M. Alley and 69 others in favor of same (H. P. No. 1320) (Presented by same gentleman)

Petition of Vernon P. McFadden and 45 others in favor of same (H. P. No. 1321) (Presented by same gentleman)

Petition of Elmer R. Witham and 18 others in favor of same (H. P. No. 1331) (Presented by Mr. Peacock of Lubec)

Petition of Philip Moore and 39 others in favor of same (H. P. No.

1322) (Presented by same gentleman)

Petition of Harlow Kinney and 28 others in favor of same (H. P. No. 1330) (Presented by same gentleman)

Petition of Allan C. Reed and 10 others in favor of same (H. P. No. 1325) (Presented by Mr. Lewis of Boothbay)

Petition of Chas M. York and 37 others in favor of same (H. P. No. 1327) (Presented by same gentleman)

Petition of A. Meloon and 28 others in favor of same (H. P. No. 1329) (Presented by same gentleman)

Petition of Grover L. Smith and 20 others in favor of same (H. P. No. 1323) (Presented by Mr. Richardson of So. Portland)

Petition of Victor H. Pinkham and 18 others in favor of same (H. P. No. 1324) (Presented by same gentleman)

Petition of Ralph Sprague and 9 others in favor of same (H. P. No. 1326) (Presented by same gentleman)

Petition of Burton L. Crowley and 14 others in favor of same (H. P. No. 1328) (Presented by same gentleman)

Inland Fisheries and Game

Petition of George Haskell and 92 others in favor of law prohibiting baiting wild ducks in Hancock county. (H. P. No. 1332) (Presented by Mr. Gray of Brooksville)

Temperance

Petition of Harold W. Martin and 29 others of Caratunk in favor of submitting to the People of Maine a Referendum on the repeal or retention of the 26th amendment to the Constitution (H. P. No. 1333) (Presented by Mr. Sterling of Caratunk)

Petition of E. M. Campbell and 35 others of Rockwood in favor of same (H. P. No. 1334) (Presented by same gentleman)

Petition of W. W. Waterman and 127 others of Newport in favor of same (H. P. No. 1335) (Presented by Mr. Soper of Newport)

Remonstrance of Frederick Robie and 300 others of Gorham against Repeal or Modification of the Prohibitory Amendment (H. P. No. 1336) (Presented by Mr. Carswell of Gorham)

Remonstrance of Carl G. Thurston and 39 others of Rumford against resubmission of the Prohib-

itory Amendment (H. P. No. 1337) (Presented by Mr. Burgess of Rumford)

Remonstrance of Delia L. Bracket and two others of Calais against same (H. P. No. 1338) (Presented by Mr. Tupper of Calais)

Remonstrance of Mrs. R. S. Knight and six others of Lincolnville against same (H. P. No. 1339) (Presented by Mr. Fernald of Winterport)

Remonstrance of Wm. H. Tucker and 28 others of Buckfield, Ruth F. Burt and 19 others of Waterville, Nellie L. Rockwood and 37 others of Waterville, Edward H. Murray and 18 others of Freeport, Rev. J. G. P. Sherburne and 13 others of Easton and Bertha F. Grant and 100 others of Cherryfield against same (H. P. No. 1340) (Presented by Mr. Tompkins of Bridgewater)

Remonstrance of Rev. John Singleton and 55 others of Wilton against same (H. P. No. 1341) (Presented by Mr. Blanchard of Wilton)

Remonstrance of R. B. Knapp and 78 others of Wilton against same (H. P. No. 1342) (Presented by same gentleman)

Remonstrance of Rev. L. G. Perry and 82 others of Rockland against same (H. P. No. 1343) (Presented by Mr. Fogg of Rockland)

Remonstrance of Rev. E. H. Timberlake and 57 others of Friendship against same (H. P. No. 1344) (Presented by Mr. Whitney of Friendship)

Remonstrance of H. I. Bean and 80 others of Bethel against same (H. P. No. 1345) (Presented by Mr. Hastings of Bethel)

Remonstrance of Fred E. Brown and 74 others of Norway and vicinity against same (H. P. No. 1346) (Presented by Mr. Russ of Woodstock)

Remonstrance of Miss Georgia Crockett and 61 others of Woodstock against same (H. P. No. 1347) (Presented by same gentleman)

Remonstrance of Edwin S. Cummings and 26 others of Norway against same (H. P. No. 1348) (Presented by same gentleman)

Remonstrance of Rev. Albert E. Luce and 76 others of Camden against same (H. P. No. 1349) (Presented by Mr. Fogg of Rockland)

Remonstrance of H. H. Marr and 46 others of Rockland against same (H. P. No. 1350) (Presented by Mr. Walker of Rockland)

Remonstrance of G. D. Gould

and 77 others of Warren against same (H. P. No. 1351) (Presented by same gentleman)

Remonstrance of Ralph O. Brewster and 23 others of Dexter against same (H. P. No. 1352) (Presented by Mr. Plouff of Dexter)

Remonstrance of Bessie L. Foss and 86 others of Norway against same (H. P. No. 1353) (Presented by Mr. Boyle of West Sumner)

Remonstrance of Manuel H. Snow and 67 others of Kenduskeag against same (H. P. No. 1354) (Presented by Mr. Piper of Bangor)

Remonstrance of C. H. Marston, M. D. and 56 others of Brownfield, and Charles O. Stickney and 22 others of Brownfield against same (H. P. No. 1355) (Presented by Mr. Osgood of Fryeburg)

Remonstrance of Viola M. Pratt and 79 others of Kezar Falls against same (H. P. No. 1356) (Presented by same gentleman)

Remonstrance of James B. Ranger and 68 others of Bangor and Brewer against same (H. P. No. 1357) (Presented by Mr. Sargent of Brewer)

Remonstrance of Louis L. Miller and 16 others of So. Brewer against same (H. P. No. 1358) (Presented by same gentleman)

Remonstrance of George E. Eames and 37 others of Bangor and Brewer against same (H. P. No. 1359) (Presented by same gentleman)

Remonstrance of Edw. V. Morgan and 24 others of Bangor and Brewer against same (H. P. No. 1360) (Presented by same gentleman)

Remonstrance of Rev. A. B. McAlister and 88 others of Kennebunk against same (H. P. No. 1361) (Presented by Mr. Wentworth of Kennebunk)

Remonstrance of Forest A. Stowell and 63 others of Mexico against same (H. P. No. 1362) (Presented by Mr. Goodwin of Mexico)

Remonstrance of Marjorie A. Pullen and 32 others of Danforth against same (H. P. No. 1363) (Presented by Mr. Clarke of Cooper by request)

Orders

On motion by Miss Martin of Bangor, it was

Ordered, that there be printed 500 additional copies of H. P. 1013, L. D. 421, bill an act for the regulation of the practice of hair dressing and cosmetic therapy.

On motion by Mr. Plouff of Dexter, it was

Ordered, that there be printed 500 additional copies of H. P. 375, L. D. 137, an act relating to closed time, daily bag limits and transportation of wild hares and rabbits.

On motion by Mr. Sterling of Caratunk, it was

Ordered, that there be printed 500 copies each of the following bills:

Bill "An Act relative to closed time, daily bag limits and transportation of Wild Hares and Rabbits" (S. P. No. 172)

Bill "An Act relative to Fishing for Gain and Hire prohibited; exceptions, penalty" (S. P. No. 173)

Bill "An Act relative to Transportation of Deer within State" (S. P. No. 174)

Bill "An Act relative to the Visiting and Setting of Traps" (S. P. No. 175)

Bill "An Act relating to Fur Farms" (S. P. No. 176)

Bill "An Act relative to falsely assuming to be a Game Warden" (S. P. No. 177)

On motion by Mr. Sterling of Caratunk, it was

Ordered, that there be printed 500 additional copies of H. P. 574, L. D. 173, bill an act relating to the permanent school fund.

On motion by Mr. Sterling of Caratunk, it was

Ordered, that there be printed 500 additional copies of H. P. 572, L. D. 233, bill an act relating to the interest on organized and unorganized township funds.

On motion by Mr. Ashby of Fort Fairfield it was

Ordered, that the use of the hall of the House of Representatives be granted to Councillor Frank W. Carlton for the afternoon of Thursday, February 16, for a public meeting for a discussion of the proposed budget and other financial questions.

Reports of Committees

Mr. Crowell from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve in favor of the town of Frankfort for a Fishway. (H. P. No. 207).

Mr. Bussey from same Committee reported same on Bill "An Act relative to Ice Fishing in China Lake and Mud Pond." (H. P. No. 202) (L. D. No. 110).

Mr. Smith from same Committee reported same on Resolve for the Screening of Morrill Pond. (H. P. No. 605).

Mr. Sterling from same Committee reported same on Resolve in favor of Screening Eagle Lake. (H. P. No. 607).

Mr. Burgess from same Committee reported same on Resolve for completing the Repairing of Screening of Indian Pond. (H. P. No. 604).

Reports read and accepted and sent up for concurrence.

Mr. Eldridge from the Committee on Judiciary reported same on Bill "An Act relating to Costs in Municipal Courts." (H. P. No. 213) (L. D. No. 119).

(On motion by Mr. Tompkins of Houlton, tabled pending acceptance of report).

Mr. Eldridge from the Committee on Judiciary reported ought not to pass Bill "An Act relating to Town, City and Village By-laws and Ordinances." (H. P. No. 616) (L. D. No. 182).

Mr. Tompkins from same Committee reported same on Bill "An Act relating to Taxation and Enforcement of Tax Liens." (H. P. No. 94) (L. D. No. 51).

Same gentleman from same Committee reported same on Bill "An Act providing for the Establishment of a Judicial Council." (H. P. No. 29) (L. D. No. 20).

Same gentleman from same Committee reported same on Bill "An Act relating to the Appointment of Probation Officers." (H. P. No. 31) (L. D. No. 24).

Mr. Fernald from same Committee reported same on Bill "An Act relating to Motor Vehicle License Plates for Rural Mail Carriers." (H. P. No. 27) (L. D. No. 21).

Miss Laughlin from same Committee reported same on Bill "An Act to amend the Statute of Frauds." (H. P. No. 155) (L. D. No. 87).

Mr. Tompkins from same Committee reported same on Bill "An Act relating to Sale of Real Estate for Taxes." (H. P. No. 154) (L. D. No. 81).

Mr. Stern from the Committee on Pensions reported same on Resolve for a State Pension for Owen H.

Moran (H. P. No. 161) as Resolve is covered by General Law.

Mr. Richardson from same Committee reported same on Bill "An Act relating to Pensions for Crippled Citizens" (H. P. No. 221) (L. D. No. 126) as legislation is inexpedient at this time.

Reports read and accepted and sent up for concurrence.

Mr. Sterling from the Committee on Inland Fisheries and Game on Resolve relating to Ice Fishing in Webber Pond and Three Mile Pond (H. P. No. 208) (L. D. No. 114) reported same in a new draft (H. P. No. 1304) under same title and that it "Ought to pass."

(On motion by Mr. Farris of Augusta, tabled pending acceptance of the report, and 500 copies of the new draft ordered printed).

Mr. Tompkins from the Committee on Legal Affairs on Bill "An Act relating to the Counting and Sealing of Ballots" (H. P. No. 259) (L. D. No. 132) reported same in a new draft (H. P. No. 1305) under same title and that it "Ought to pass."

Mr. Dow from the Committee on Pensions on Resolve providing for an increase in State Pension for Eva J. Rundlette of Readfield (H. P. No. 100) reported same in a new draft (H. P. No. 1306) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve providing for a State Pension for Cassie E. Spencer of Winterport (H. P. No. 386) reported same in a new draft (H. P. No. 1307) under same title and that it "Ought to pass."

Mr. Bailey from same Committee on Resolve providing for a State Pension for Frank F. Clark of Gardiner (H. P. No. 55) reported same in a new draft (H. P. No. 1308) under same title and that it "Ought to pass."

Mr. Richardson from same Committee on Resolve providing for a State Pension for Mary L. Merrill of Gardiner (H. P. No. 54) reported same in a new draft (H. P. No. 1309) under same title and that it "Ought to pass."

Mr. Hawkes from same Committee on Resolve providing for a State Pension for Meretta McFarland of Augusta (H. P. No. 160) reported same in a new draft (H. P. No. 1310) under same title and that it "Ought to pass."

Mr. Clement from same Commit-

tee on resolve providing for a State pension for Agnes Gilson of Gardiner (H. P. No. 53) reported same in a new draft (H. P. No. 1311) under same title and that it "ought to pass."

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

Mr. Bussey from the Committee on Inland Fisheries and Game reported "ought to pass" on resolve regulating fishing in Round, Ross, Haley and Quimby Ponds. (H. P. No. 210) (L. D. No. 116).

Mr. Smith from same Committee reported same on bill "An Act relating to fishing in Upper Taylor Brook." (H. P. No. 118) (L. D. No. 65).

Mr. Sterling from same Committee reported same on resolve relating to fishing in Whitney Brook. (H. P. No. 64) (L. D. No. 34).

Mr. Fogg from same Committee reported same on resolve regulating fishing in Long Pond or Crescent Lake. (H. P. No. 209) (L. D. No. 115).

Mr. Hescoc from same Committee reported same on resolve relating to fishing in McCoslin Brook and Turtle Pond Brook. (H. P. No. 206) (L. D. No. 113).

Mr. Burgess from same Committee reported same on bill an act relating to fishing in Lake Pennesseewassee and Sand Pond. (H. P. No. 211) (L. D. No. 117).

Same gentleman from same Committee reported same on bill an act closing to all fishing for a period of four years Fish River Falls. (H. P. No. 203) (L. D. No. 111).

Mr. Eldridge from the Committee on Judiciary reported same on bill an act permitting small town polls to close at five o'clock in primary elections. (H. P. No. 612) (L. D. No. 180).

Same gentleman from same Committee reported same on bill an act discontinuing publishing lists of costs. (H. P. No. 614) (L. D. No. 181).

Mr. Tompkins from same Committee reported same on bill an act providing for special terms of the Superior Court. (H. P. No. 30) (L. D. No. 17).

Mr. Hill from same Committee reported same on bill an act relating to appointment of town Road Commissioners. (H. P. No. 122) (L. D. No. 72).

Miss Laughlin from same Com-

mittee reported same on bill an act relating to the jurisdiction of Municipal Courts in certain cases. (H. P. No. 123) (L. D. No. 73).

Mr. Fernald from same Committee reported same on bill an act granting preference to Maine bidders. (H. P. No. 153) (L. D. No. 85).

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

Mr. Hescoc from the Committee on Inland Fisheries and Game reported ought to pass on resolve in favor of the Monson Rod and Gun Club. (H. P. No. 606).

Mr. Bailey from the Committee on Pensions reported same on resolve providing for a State pension for Susie E. Simmons of Belfast. (H. P. No. 570).

Mr. Richardson from same Committee reported same on resolve providing for a State pension for Mary A. Leighton of Gardiner. (H. P. No. 74).

Mr. Clement from same Committee reported same on resolve providing for a State pension for Augusta O. Goodwin, of Augusta. (H. P. No. 75).

Mr. Hawkes from same Committee reported same on resolve providing for a State pension for William H. Rankin, of Winterport. (H. P. No. 385).

Mr. Stern from same Committee reported same on resolve in favor of John E. Parker of Windsor for State Pension. (H. P. No. 99).

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

First Reading of Printed Bills and Resolves

(H. P. No. 158) (L. D. No. 635). An act to amend the charter of the Northport Wesleyan Grove Camp Meeting Association.

(H. P. No. 216) (L. D. No. 636). An act relating to the Odd Fellows' Home of Maine.

(H. P. No. 227) (L. D. No. 637). An act to extend the rights, powers and privileges of the Sabattus Water and Sewer District.

(H. P. No. 652) (L. D. No. 638). An act to extend the charter of the Patten Water and Power Company.

(H. P. No. 924) (L. D. No. 639). An act to extend the charter of the Vanceboro Water Company.

(H. P. No. 1232) (L. D. No. 640).

An act relating to qualifications of County Attorneys.

(H. P. No. 1233) (L. D. No. 641).

An act to validate a loan negotiated by the city of Lewiston.

Passed to be Engrossed

(H. P. No. 91) (L. D. No. 60). An act Appointing a Commission on Medical Education.

(H. P. No. 217) (L. D. No. 122).

An act relating to the practice of vivisection in schools supported wholly or in part by public money.

(H. P. No. 258) (L. D. No. 131).

An act relating to the certificate to be given by the clerk of towns or cities to those declaring intention of marriage.

(H. P. No. 641) (L. D. No. 191).

Resolve authorizing the Commissioner of Health and Welfare to convey and acquire property.

(H. P. No. 1226) (L. D. No. 607).

Resolve in favor of George L. Page of Orland, to reimburse him for loss of and damage to property in the construction of a State road in the town of Orland.

Orders of the Day

On motion by Mr. Eldridge, the rules were suspended and the House voted to reconsider its action of February 7th whereby it passed to be engrossed H. P. 1004, L. D. 274, bill an act validating the election of the city assessor of Eastport.

Mr. Eldridge then offered House Amendment A, and moved its adoption, as follows:

House Amendment A to H. P. 1004, L. D. 274, bill an act validating the election of the city assessor of Eastport.

Amend said bill by inserting in the second line thereof, after the word "May" the figures "1932."

House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed, and sent up for concurrence.

The SPEAKER: Are there any other matters under Orders of the Day?

On motion by Miss Martin of Bangor, it was voted to take from the table the fifth unassigned matter, bill an act relating to itinerant vendors, H. P. 1141, tabled February 8th by that member, pending reference to a committee; and on further motion by the same member the bill was referred to the commit-

tee on Legal Affairs and 500 copies ordered printed.

On motion by Miss Martin of Bangor, it was voted to take from the table the eighth unassigned matter, bill an act imposing a sales tax, H. P. 1172, tabled by that member February 8th, pending reference to a committee; and on further motion by the same member 1500 copies of the bill were ordered printed, and the bill was retabled pending reference to a committee.

On motion by Mr. Wright of Bath, it was voted to take from the table the 13th unassigned matter, bill an act relating to manufacture of intoxicating liquor, S. P. 116, L. D. 163, tabled by that gentleman February 9th, pending reference in concurrence.

Mr. WRIGHT: Mr. Speaker, I yield to the gentleman from Calais, Mr. Tupper.

On motion by Mr. Tupper, the bill was referred to the committee on Judiciary in non-concurrence.

On motion by Mr. Haggett of Wiscasset, it was voted to take from the table the third unassigned matter, bill an act permitting towns to contract for road work, H. P. 1134, tabled by that gentleman February 8th, pending reference; and on further motion by the same gentleman the bill was referred to the committee on Ways and Bridges and 500 copies ordered printed.

On motion by Mr. Carignan of Sanford, it was voted to take from the table the fourth unassigned matter, bill an act relating to polling places in Sanford, H. P. 1137, tabled by that gentleman February 8th, pending reference; and on further motion by the same gentleman the bill was referred to the committee on Towns and 500 copies ordered printed.

On motion by Mr. Rounds of Portland, it was voted to take from the table the first unassigned matter, bill an act relating to county commissioners, S. P. 292, tabled by that gentleman February 8th, pending reference in concurrence; and on further motion by the same gentleman 500 copies of the bill were ordered printed and the bill

was retabled pending reference in concurrence.

On motion by Mr. Fernald of Winterport, it was voted to take from the table resolve in favor of Lawrence J. McCormack, H. P. 794, recalled from the committee on Claims.

Mr. FERNALD: Mr. Speaker, inasmuch as this claim has been paid in full by the State of Maine, I ask leave of the House to withdraw the resolve.

On motion by Mr. Fernald the House, under suspension of the rules, voted to reconsider its action of February 1 whereby this resolve was referred to the committee on Claims, and that gentleman was granted unanimous consent to withdraw this resolve.

On motion by Mr. Mack of Veazie, the House under suspension of the rules, voted to reconsider its action of February 1 whereby bill an act relating to the tributaries of Springy Pond, Hatcase Pond, Mountainy Pond and Burnt Pond in the counties of Hancock and Penobscot, H. P. 701, L. D. 366, was referred to the

committee on Inland Fisheries and Game; and on further motion by the same gentleman unanimous consent was granted for leave to withdraw this bill.

On motion by Mr. Rounds of Portland, it was voted to take from the table the eleventh unassigned matter, report from the committee on Salaries and Fees, reporting legislation inexpedient because the subject matter is covered by another bill on S. P. 27, bill an act to reduce the bill of State employees, tabled February 9 by that gentleman, pending acceptance of the report in concurrence; and on further motion by the same gentleman the report, ought not to pass, was accepted in concurrence.

The SPEAKER: Are there any other matters under Orders of the Day? If not, the Clerk will read the notices.

On motion by Mr. Ward of Thorn-dike,

Adjourned until ten o'clock tomorrow morning.