

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

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

- Page 73—An act to empower the County Commissioners of Hancock County to construct a highway and raise money for the same (S. P. 35, L. D. 11)—Should be (S. P. 35, L. D. 9)
- Page 75—Ordered, that there be printed one thousand additional copies each of L. D. No. 28, H. P. No. 39, and L. D. No. 10, H. P. No. 37—should be L. D. 10, S. P. No. 37.
- Page 105—Resolve in favor of the town of Prescott. (H. P. No. 282)—Should be town of Trescott.
- Page 106—Second resolve in favor of the town of Dixmont (H. P. 401)
- Page 114—Resolve to reimburse the town of Solon for support of Mrs. Ernest Cousins having no known settlement in the state.—Should be Salem.
- Page 120—Resolve to reimburse Hamlin Plantation for support and burial expenses of Ephrem Picard, a State Pauper (H. P. No. 895)—Should be (H. P. No. 805)
- Page 128—Resolve in favor of the town of Atkinson (H. P. No. 876)—Should be (H. P. No. 976)
- Page 129—Second resolve in favor of the town of Cornish to be deleted.
- Page 152—Resolve in favor of E. G. Hodgkins of Carmel, H. P. 364, L. D. 197—should be H. P. 364, L. D. 203.
- Page 152—An act relating to health certificates for teachers and janitors S. P. 207, L. D. 295—Should be S. P. 207, L. D. 395.
- Page 153—An act relating to inland fish and game wardens; powers, duties and service of processes, S. P. 193, L. D. 597—Should be S. P. 193, L. D. 397.
- Page 163—Bill "An Act relating to Stamping of Registered Boilers" (H. P. No. 1132)—Should be (H. P. No. 1131)
- Page 163—Bill "An Act relating to Towns and Town Officers" (H. P. No. 1136)—Should be (H. P. No. 1135)
- Page 184—"An act relating to motor vehicles carrying passengers for hire over regular routes" (S. P. 92, L. D. 105)—Should be (S. P. 92, L. D. 104)
- Page 193—An act relating to motor vehicle lights S. P. 217, L. D. 598—Should be S. P. 217, L. D. 398.
- Page 202—(Presented by Mr. Stevens of Pownal)—Should be Mr. Stover.
- Page 246—An act relating to Board of Censors of Maine Pictures—should read Moving Pictures.
- Page 259—Resolve opening Jaquity Pond in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 260—Ordered, that there be printed 500 more copies of H. P. 1082, L. D. 571—Should be H. P. 1083, L. D. 571.
- Page 267—Resolve in favor of John E. Parker of Windsor, for State pension (H. P. 90, L. D. 672)—Should be (H. P. 99, L. D. 672)
- Page 273—Resolve opening Jacquith Pond, in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 315—(H. P. No. 552) (L. D. No. 231) Resolve relating to rabbit hunting in Vinalhaven—Should be (H. P. No. 552) (L. D. No. 221)
- Page 321—An Act relating to partition of real estate (S. P. 327, L. D. 833)—Should be (S. P. 327, L. D. 533)
- Page 341—An Act permitting Dennis Plourde to Dump Sawdust in Wallagrass Stream—Should be Dennis Plourde.
- Page 343—(H. P. No. 39) (L. D. No. 776)—Should be (H. P. No. 739 (L. D. No. 776)
- Page 343—(H. P. No. 1476) (L. D. No. 778)—Should be (H. P. No. 1486) (L. D. No. 778)
- Page 358—An act to grant a new charter to the city of Rockland, S. P. 486, L. D. 788—Should be S. P. 486, L. D. 798.
- Page 383—An act to amend the banking laws by amending Sec. 91, of Chap. 57 of the Revised Statutes—Should be marked S. P. 548, L. D. 805.
- Page 417—An Act to provide for School Expenses in Towns having a Valuation of Less than \$200,000.00—Should be marked (H. P. 588, L. D. 235)
- Page 437—"An Act to amend Sections 48 to 54 of Chapter 28 of the Revised Statutes" (S. P. 353)—Should read Sections 48 to 51.
- Page 440—Resolve in favor of Henry McCroty of Farmingdale (H. P. 1502, L. D. 810)—Should be Henry McGroty.
- Page 442—Resolve regulating ice fishing in Tacoma Lakes (H. P. 1465, L. D. 736)—Should be (H. P. 1465, L. D. 756)

HOUSE

Wednesday, March 1, 1933.

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

Prayer by the Rev. Mr. Moulton of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: The following communication: (S. P. No. 489)

To the Senate and House of Representatives:

I have the honor and duty to present a certified copy of a resolution of Congress entitled "Joint Resolution Proposing an Amendment to the Constitution of the United States", passed during the second session of the 72nd Congress of the United States and involving the repeal or retention of the 18th Article of the Amendment to the Constitution of the United States.

I respectfully recommend that legislation providing for a convention in this state for the selection of candidates to said convention, to provide for the method of holding said election, the qualifications of the electors, the holding of the convention and the return and certification of the result be forthwith enacted.

The election of delegates should be fair, representative and expressive of the sentiment of the voters of Maine.

Seasonable and forthwith action by the Legislature will obviate the calling of a special session of the Legislature and the additional expense thereby involved.

February 28, 1933.

Respectfully submitted,

(Signed) Louis J. Brann
Governor.

Comes from the Senate, read and ordered placed on file with the certified copy of the Resolution of Congress referred to the committee on Federal Relations.

In the House, the communication was read and placed on file in concurrence, the accompanying papers being referred to the committee on Federal Relations in concurrence.

From the Senate: Ordered, the

House concurring, that the Commissioner of Education be and is hereby directed to furnish to the Legislature a statement showing

(a) The amount of State funds which were available for the cities, towns and other school districts of the State in 1932.

(b) The estimated State funds available for the same school units in 1933.

(c) The estimated revenue which would be available for the same school units from a proposed tax on tobacco products, together with such other information on the subject as the Department of Education has in its possession.

Comes from the Senate, read and passed.

In the House, on motion by Mr. Mack of Veazie, tabled pending passage in concurrence.

The following Order:

ORDERED, The House concurring, that a special committee of 5 be appointed, 2 on the part of the Senate and 3 on the part of the House, with the President of the Senate and the Speaker of the House serving ex-officio, to examine the act creating the office of Revisor of Statutes, and after consideration of the handling of legislation during the present session, to recommend for enactment such changes in said law as may seem best designed to facilitate the work of succeeding legislatures; (S. P. No. 487)

Comes from the Senate read and passed with the following members appointed on its part:

Messrs. WEATHERBEE of Penobscot

HOLMAN of Franklin

In the House, read and passed in concurrence and the Speaker appointed the following members on the part of the House: the member from Portland, Miss Laughlin, Messrs. Farris of Augusta and Tompkins of Houlton, to serve with the Speaker.

From the Senate: Report of the committee on Judiciary, reporting ought not to pass on bill an act to require the payment of a license fee from certain peddlers, S. P. 325, L. D. 530.

Comes from the Senate, report read and accepted.

In the House, on motion by Mr. Rounds of Portland, tabled pending

acceptance of the report in concurrence.

Senate Bills In First Reading

S. P. 433, L. D. 723: Resolve in favor of Fort Knox.

S. P. 440, L. D. 718: An act relating to admission to Normal Schools.

S. P. 63, L. D. 731: Resolve authorizing payment of accident compensation to Leon P. Shepard.

S. P. 199, L. D. 728: Resolve in favor of A. L. Dennison of Wilton.

S. P. 80, L. D. 729: Resolve in favor of Lawrence Hahn.

S. P. 190, L. D. 725: An act relating to the West Bath Game Preserve.

S. P. 192, L. D. 724: Resolve relating to fishing in Demyers Brook.

S. P. 191, L. D. 722: Resolve providing for a survey of proposed Game Preserve in Hancock County.

S. P. 106, L. D. 726: Resolve relating to ice fishing in Peters Pond.

S. P. 215, L. D. 717: An act to authorize the Old Town Herbert School District to refund any of its bonds falling due in the years 1933 and 1934.

S. P. 163, L. D. 730: Resolve authorizing the Governor to convey certain land in Petersburg, Virginia, to the United States.

S. P. 337, L. D. 541: An act relating to abolishment of grade crossings.

From the Senate: Report of the committee on Claims reporting ought not to pass on resolve in favor of Leon W. Alley of Prospect Harbor H. P. 365, which was re-committed to the committee on Claims in the House on February 23rd.

Comes from the Senate report accepted in non-concurrence.

In the House, that body voted to recede and concur with the Senate in the acceptance of the report of the committee.

From the Senate: Bill an act relating to the counting and sealing of ballots, H. P. 1305, L. D. 669, which was passed to be engrossed in the House February 16th.

Comes from the Senate, passed to be engrossed amended by Senate Amendment A in non-concurrence.

In the House: (Senate Amendment A read by the Clerk)

Thereupon the House voted to reconsider its action of February 16th whereby this bill was passed to be

engrossed. Senate Amendment A adopted in concurrence, and the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

Communication from Secretary of State

DEPARTMENT OF STATE

Augusta, February 28, 1933

To the Speaker of the House of Representatives of the Eighty-sixth Legislature:

I have the honor to transmit herewith a certified copy of Senate Joint Resolution 2, from the State of Arizona, entitled "Urging State Legislatures to petition Congress to pass United States Senate Bill 1197, known as the Frazier Bill, and to amend said bill to include ranchers and livestock owners." This resolution has been forwarded to the Secretary of the State of Maine with the request that it be presented to the proper officers of our Legislature, namely, President of the Senate and Speaker of the House.

(Signed) ROBINSON C. TOBEY,
Secretary of State.

Read and referred to the committee on Agriculture.

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

Taxation

Petition of Clovis Baker and 20 others of Macwahoc in favor of repeal of Auxiliary Forest Law (H. P. No. 1491) (Presented by Mr. Russ of Woodstock)

Petition of J. A. Russell and 21 others of Rangeley in favor of same (H. P. No. 1492) (Presented by Mr. Ellis of Rangeley)

Petition of H. C. Biddle and 28 others of Rangeley in favor of same (H. P. No. 1493) (Presented by same gentleman)

Petition of Selectmen and 20 others of Rangeley in favor of same (H. P. No. 1494) (Presented by same gentleman)

Ways and Bridges

Remonstrance of Philip Israelson and 67 others of Rumford and vicinity against L. D. No. 270—Resolve in favor of Wilson Mills—Oquossoc Road (H. P. No. 1495)

(Presented by Mr. Burgess of Rumford)

Placed on File

Remonstrance of Samuel T. Hayden and 34 others of Canton against resubmission of the Prohibitory Amendment (H. P. No. 1496) (Presented by Mr. Boyle of West Sumner)

Remonstrance of John H. Maxwell and 41 others of Livermore Falls against same (H. P. No. 1497) (Presented by Mr. Dow of Livermore)

Remonstrance of Mrs. Maude Goodwin and 55 others of Pittsfield against same (H. P. No. 1498) (Presented by Mr. Cook of Pittsfield)

Orders

Mr. Walker of Rockland presented the following order and moved its passage:

Ordered, the Senate concurring, that the Engrossing Department be requested to return to the House, House Paper 875, L. D. 312, an act authorizing Knox County to issue bonds.

The order received passage and was sent up for concurrence.

On motion by Mr. Fowles of Pittston, it was

Ordered, that the Rev. N. R. Pearson of Randolph be invited to act as Chaplain of the House on Friday, March 3, 1933.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Grant a New Charter to the city of Bangor" (H. P. No. 860) (L. D. No. 302) reporting that the Senate recede from its position and concur with the House in referring the Bill to the Committee on Judiciary.

(Signed) Messrs. QUINE of Bangor
PIPER of Bangor

—Committee on part of House.

BLAISDELL of Hancock

JACKSON of Cumberland

—Committee on part of Senate

Report read and accepted and sent up for concurrence.

Reports of Committees

Mr. Stern from the Committee on Pensions on Majority and Minority Reports of the Old Age Pension Recess Committee (H. P. No. 111) (L. D. No. 61) reported that same

be placed on file with 1926 Report of a similar committee in the State Library.

Mr. Fenlason from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to the Election of School Superintendents in Remote Towns and Plantations" (H. P. No. 1092) (L. D. No. 579)

Mr. Hall from same Committee reported same on Bill "An Act relating to Scholars at the National Home" (H. P. No. 820)

Mr. Tompkins from same Committee reported same on Bill "An Act relating to Changes in Location of any School Legally Established" (H. P. No. 1088) (L. D. No. 575).

(Tabled by Mr. Flanders of Auburn, pending acceptance of the report).

Mr. Gallagher from the Committee on Education reported ought not to pass on Bill "An Act relating to Tuition for Pupils Attending Secondary Schools" (H. P. No. 1089) (L. D. No. 576).

Mr. Smith from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Smelt Fishing in town of Turner" (H. P. No. 705) (L. D. No. 251).

Mr. Hescocock from same Committee reported same on Bill "An Act relating to Trapping of Wild Animals" (H. P. No. 46) (L. D. No. 32).

Mr. Crowell from same Committee reported same on Bill "An Act relative to Sunday Hunting" (H. P. No. 865) (L. D. No. 287).

Mr. Ashby from the Committee on Interior Waters reported same on Bill "An Act permitting Dennis Plourde to Dump Sawdust in Wallagrass Stream" (H. P. No. 837) (L. D. No. 259).

Mr. Tompkins from the Committee on Judiciary reported same on Bill "An Act relating to Pauper Residence Disputes" (H. P. No. 1128) (L. D. No. 560).

Same gentleman from same Committee reported same on Bill "An Act relating to the taking of Finger Prints and Photographs" (H. P. No. 847) (L. D. No. 344).

Same gentleman from same Committee reported same on Bill "An Act relating to Employers and Employees under the Workmen's Compensation Law" (H. P. No. 852) (L. D. No. 347).

Miss Laughlin from same Committee reported same on Resolve re-

lating to Referendum Petitions (H. P. No. 858) (L. D. No. 265).

Same member from same Committee reported same on Bill "An Act extending the Time of Operators' Licenses" (H. P. No. 1104) (L. D. No. 585).

Miss Martin from the Committee on Legal Affairs reported same on Bill "An Act relating to Protection of Property" (H. P. No. 1140) (L. D. No. 564).

Mr. Tompkins from same Committee reported same on Bill "An Act relative to Business and Recreation Prohibited on the Lord's Day" (H. P. No. 864) (L. D. No. 286).

Mr. Chase of Sebec from same Committee reported same on Bill "An Act providing for Pensions for Call Firemen in Augusta" (H. P. No. 879) (L. D. No. 315).

(Tabled by Mr. Farris of Augusta, pending acceptance of the report).

Mr. Sargent from Committee on Legal Affairs reported ought not to pass on Bill "An Act to amend the Charter of the city of Hallowell" (H. P. No. 869) (L. D. No. 379).

Mr. Chase of Baring from same Committee reported legislation thereon inexpedient on Bill "An Act creating a State Board of Registration for Professional Engineers and Land Surveyors" (H. P. No. 1037) (L. D. No. 476).

Mr. Sterling from the Committee on Maine Publicity reported ought not to pass on Bill "An Act concerning the Licensing of Motor Vehicle Junk Yards" (H. P. No. 1136) (L. D. No. 644).

Mr. Bailey from the Committee on Pensions reported same on Resolve for State Pension in favor of Rena Cooley of Augusta (H. P. No. 397) as it is covered by other legislation passed in 1931.

Mr. Leathers from same Committee reported same on Resolve in favor of Patrick Conley (H. P. No. 568) as it is covered by general law.

Same gentleman from same Committee reported ought not to pass on Resolve providing for a State Pension for Charles T. Powers of Farmingdale (H. P. No. 989).

Same gentleman from same Committee reported same on Resolve providing for a State Pension for Flora A. Grant of Newburgh (H. P. No. 648).

Same gentleman from same Committee reported same on Resolve providing a State Pension for Philip Barker (H. P. No. 890).

Mr. Richardson from same Com-

mittee reported same on Resolve providing for a State Pension for Elmer White of Gardiner (H. P. No. 916).

Mr. Hawkes from same Committee reported same on Resolve providing for a State Pension for Sarah L. Bean of Augusta (H. P. No. 917).

Mr. Stern from same Committee reported same on Resolve providing for a State Pension for Melzar N. Spencer of Carmel (H. P. No. 647).

Mr. Wright from the Committee on Public Health reported same on Resolve naming Harry Burdge of Raymond, State Exterminator (H. P. No. 922) (L. D. No. 291).

Mr. Bennett from same Committee reported same on Bill "An Act to amend 'An Act relating to the Control of the State Department of Health over Plumbing'" (H. P. No. 921) (L. D. No. 319).

(Tabled by Mr. Rounds of Portland, pending acceptance of the report)

Mr. Bennett from the committee on Public Health reported ought not to pass on Bill "An Act to amend the Vital Statistics Law" (H. P. No. 920) (L. D. No. 290).

Mr. Lancaster from the Committee on Public Utilities reported same on Bill "An Act relating to Portland Water District" (H. P. No. 923) (L. D. No. 348).

Mr. Bennett from same Committee reported same on Resolve for Investigating Lighting Costs in York County (H. P. No. 654) (L. D. No. 194).

Reports read and accepted and sent up for concurrence.

Mr. Sargent from the Committee on Legal Affairs reported ought to pass on bill An act to grant a new charter to the city of Ellsworth, H. P. 880, L. D. 355.

Mr. SARGENT of Brewer: Mr. Speaker, this bill was considered and reported by the committee, ought to pass. There are two little changes that the committee desires to make in this bill and rather than redraft the bill I wish to offer an amendment at the proper time.

Report read and accepted, and, under suspension of the rules, the bill was read twice.

Thereupon Mr. Sargent offered House Amendment A and moved its adoption, as follows:

House Amendment "A" to H. P. 880, L. D. 355 Bill "An Act to Grant a New Charter to the city of Ellsworth"

Amend said bill by inserting after Section 7 of Article 1 the following:

"Sec. 8. Ordinances, orders or resolves submitted to popular vote. The city council may submit, on its own initiative, a proposition for the enactment, repeal, or amendment of any ordinance, order or resolve (except as herein otherwise provided) to be voted upon at any municipal election and should such proposition receive a majority of the votes cast thereon at said election, such ordinance, order or resolve shall be enacted, repealed or amended accordingly."

And also by striking out in the third line of Section 3 of Article VI the word "First" and inserting in place thereof "2nd."

House Amendment A was adopted, and tomorrow assigned for third reading.

Miss Martin from the Committee on Legal Affairs reported ought to pass on bill An act to change the time for holding the annual town meeting of the town of Sanford, York County, Maine, and for other purposes (H. P. 628) (L. D. 294).

(Tabled by Miss Martin of Bangor pending acceptance of report.)

First Reading of Printed Bills and Resolves

(H. P. No. 39) (L. D. No. 776) An act relative to raising the water of York Pond situate in the towns of Elliot and York.

(H. P. No. 1485) (L. D. No. 777) An act to improve rural school teaching.

(H. P. No. 1476) (L. D. No. 778) An act to provide for the surrender by town of Drew of its organization.

(Tabled by Mr. Sargent of Brewer pending second reading).

(H. P. No. 1487) (L. D. No. 779) An act relating to Ogunquit Beach District.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 428) (L. D. No. 780) Resolve in favor of Herbert McDaniel of Somerville.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 649) (L. D. No. 781) Resolve providing for an increase in State Pension for Olive E. Brann of Augusta.

(Tabled by Mr. Sargent of Brewer pending first reading)

(H. P. No. 897) (L. D. No. 782) Resolve providing for a State Pen-

sion for Harrison B. Bowley, Jr. of Rockport.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 889) (L. D. No. 783) Resolve providing for an increase in State Pension for Harry E. Troop of Pittston.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 900) (L. D. No. 784) Resolve providing for a State Pension for Addie L. Wakefield of Saco

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 901) (L. D. No. 785) Resolve providing for a State Pension for Frank C. Davis of Jefferson.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 911) (L. D. No. 786) Resolve providing for a State Pension for Nellie E. Hatch of Monmouth.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 912) (L. D. No. 787) Resolve providing for a State Pension for Eva E. Binford of Portland.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 918) (L. D. No. 788) Resolve providing for a State Pension for Clara M. Ware of Pittston.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 1488) (L. D. No. 789) Resolve providing for a State Pension for Sidney Potter of Gardiner.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 1489) (L. D. No. 790) Resolve providing for a State Pension for Charles Dowling Kidder of Otisfield.

(Tabled by Mr. Sargent of Brewer pending first reading).

(H. P. No. 1490) (L. D. No. 791) Resolve providing for a State Pension for Joseph B. Pelletier of Winterville Plantation.

(Tabled by Mr. Sargent of Brewer pending first reading).

Passed to be Engrossed

(H. P. No. 610) (L. D. No. 241) An act relating to sterilization in certain cases.

(H. P. No. 638) (L. D. No. 296) An act authorizing the town of Bristol to raise money for the purpose of helping keep in repair the cemeteries in said town.

(H. P. No. 877) (L. D. No. 313) An act to incorporate the Maine Reinsurance Company.

(H. P. No. 1051) (L. D. No. 482)
An act to amend the absent voting law.

(H. P. No. 1075) (L. D. No. 458)
An act relating to tuition in secondary schools.

(H. P. No. 1082) (L. D. No. 558)
An act relating to milk containers.

(H. P. No. 1084) (L. D. No. 572)
An act relating to damage to poultry by dogs, or wild animals.

(H. P. No. 1085) (L. D. No. 573)
An act relating to testing of live stock for tuberculosis.

(H. P. No. 1091) (L. D. No. 578)
An act relating to schools in plantations and unorganized territory.

(H. P. No. 1467) (L. D. No. 746)
An act to provide for the regulation of the practice of podiatry and for the examination and licensing of podiatrists.

(H. P. No. 394) (L. D. No. 747)
Resolve providing for a State pension for Hannah L. Batchelor of Belfast.

(H. P. No. 396) (L. D. No. 748)
Resolve providing for a State pension for George L. Harvey of Belfast.

(H. P. No. 746) (L. D. No. 412)
Resolve in favor of Bernard Andrews of Canton.

(H. P. No. 834) (L. D. No. 749)
Resolve granting teacher's pension to Miss Nancy Rankin of Hiram.

(H. P. No. 987) (L. D. No. 750)
Resolve providing for an increase in State pension for Kate Bird of Farmingdale.

(H. P. No. 988) (L. D. No. 751)
Resolve providing for an increase in State pension for Ellen Bird of Farmingdale.

(H. P. No. 1460) (L. D. No. 752)
Resolve relating to fishing in Pleasant Pond in the town of Turner.

(H. P. No. 1461) (L. D. No. 753)
Resolve authorizing negotiations for screening the outlet of Eastern Grand Lake.

(H. P. No. 1463) (L. D. No. 754)
Resolve regulating the fishing in Parlin Stream.

(H. P. No. 1464) (L. D. No. 755)
Resolve regulating the fishing in Bog Brook, in Minot and Mechanic Falls.

(H. P. No. 1465) (L. D. No. 756)
Resolve regulating ice fishing in Tacoma Lakes.

(H. P. No. 1466) (L. D. No. 757)
Resolve providing for a State pension for Frank G. Downer of Palermo.

Passed to Be Enacted

(S. P. No. 61) (L. D. No. 661) An act to open Little Sebago Lake in Cumberland County to ice fishing.

(S. P. No. 71) (L. D. No. 500) An act repealing obsolete law.

(S. P. No. 72) (L. D. No. 502) An act to revise penalty provisions in Chapter 72.

(S. P. No. 82) (L. D. No. 662) An act relative to the use of pole traps, so-called.

(S. P. No. 160) (L. D. No. 164) An act to provide a Town Council and Manager form of government for the town of Washburn, in the county of Aroostook.

(S. P. No. 254) (L. D. No. 384) An act to amend the laws relating to Loan and Building Associations.

(S. P. No. 255) (L. D. No. 385) An act to amend the laws relating to Loan and Building Associations.

(S. P. No. 256) (L. D. No. 386) An act to amend the laws relating to Loan and Building Associations.

(S. P. No. 258) (L. D. No. 388) An act to amend the laws relating to Loan and Building Associations.

(S. P. No. 259) (L. D. No. 389) An act amending the Banking Law.

(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. 226) (L. D. No. 127) An act relating to quarantine of indigent cases.

(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. 612) (L. D. No. 180) An act permitting small town polls to close at five o'clock in primary elections.

(H. P. No. 843) (L. D. No. 420) An act relating to the South Portland Municipal Court.

(H. P. No. 884) (L. D. No. 353) An act relating to appeals in non-support cases.

(H. P. No. 1008) (L. D. No. 352) An act relating to bail in Municipal Courts.

(H. P. No. 1064) (L. D. No. 492) An act authorizing cremation of bodies of the dead.

(H. P. No. 1231) (L. D. No. 684) An act relating to Judges of Probate.

Finally Passed

(S. P. No. 81) (L. D. No. 660) Re-

solve opening Jaquith Pond in Brownville, to ice fishing.

(H. P. No. 74) (L. D. No. 670) Resolve providing for a State pension for Mary A. Leighton of Gardiner.

(H. P. No. 75) (L. D. No. 671) Resolve providing for a State pension for Augusta O. Goodwin of Augusta.

(H. P. No. 80) (L. D. No. 42) Resolve relating to smelt fishing in East Machias.

(H. P. No. 99) (L. D. No. 672) Resolve in favor of John E. Parker of Windsor, for State Pension.

(H. P. No. 385) (L. D. No. 673) Resolve providing for a State pension for William H. Rankin of Winterport.

(H. P. No. 570) (L. D. No. 674) Resolve providing for a State pension for Susie E. Simmons of Belfast.

(H. P. No. 606) (L. D. No. 675) Resolve in favor of the Monson Rod and Gun Club.

(H. P. No. 1304) (L. D. No. 652) Resolve relating to ice fishing in Webber Pond and Three Mile Pond.

(H. P. No. 1306) (L. D. No. 676) Resolve providing for an increase in State pension for Eva J. Rundlette of Readfield.

(H. P. No. 1307) (L. D. No. 677) Resolve providing for a State pension for Cassie E. Spencer of Winterport.

(H. P. No. 1308) (L. D. No. 679) Resolve providing for a State pension for Frank F. Clark of Gardiner.

(H. P. No. 1309) (L. D. No. 678) Resolve providing for a State pension for Mary L. Merrill of Gardiner.

(H. P. No. 1310) (L. D. No. 680) Resolve providing for a State pension for Meretta McFarland of Augusta.

(H. P. 1311) (L. D. 681) Resolve providing for a State pension for Agnes Gilson of Gardiner.

(H. P. 1379) (L. D. 686) Resolve relating to the taking of smelts from certain waters of Penobscot Bay, Blue Hill Bay and Union River.

(Emergency Measure)

(H. P. 1380) (L. D. 685) An act relating to the shipping and transporting of clams beyond the limit of the State during closed time.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire membership of the House on its passage to be enacted. All those in favor of the

passage of this act will rise and stand until counted and the monitors have returned the count.

A division being had,

One hundred and thirty voting in the affirmative and none in the negative, the bill was passed to be enacted.

Orders of the Day

The SPEAKER: Today being calendar Wednesday, all matters tabled and unassigned prior to last Friday come off the table automatically, and in accordance with this custom the Chair lays before the House the first unassigned matter being House report of the Committee on Agriculture on joint order relative to investigation of poultry department of Highmoor Farm, H. P. 1020, reporting that the same be referred to the committee on Appropriations and Financial Affairs, tabled on February 21 by the gentleman from Weston, Mr. Crowell, pending acceptance of the report.

Mr. TOMPKINS of Bridgewater: Mr. Speaker, the gentleman from Weston, Mr. Crowell, had to be away today, and he is very much interested in this "State's Hen Pen," and he asked me if I would ask the House to have it retabled, and I now move it be retabled. I think he will be here tomorrow to take the matter up.

Thereupon, the matter was retabled.

The Chair lays before the House the second unassigned matter, House order relative to additional telephone calls, which was tabled on February 22nd by the gentleman from Augusta, Mr. Farris, pending passage, and the Chair now recognizes that gentleman.

Mr. FARRIS: Mr. Speaker, due to the fact that the author of the order is agreeable, I move that the order be indefinitely postponed.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, in view of the fact that Santa Claus came to me the other night, I withdraw that order. (Laughter)

Mr. CLARKE of Cooper: I would like to inquire, Mr. Speaker, when Santa Claus is coming to the rest of the members.

The SPEAKER: The gentleman from Cooper, Mr. Clarke, inquires, apparently of the gentleman from Fort Fairfield, Mr. Ashby, when Santa Claus is coming to the rest of

the members of this House, if he knows.

Mr. ASHBY: Santa Claus, not being a personal friend of mine, Mr. Speaker, I cannot tell you. He didn't take me into his confidence. (Laughter)

Thereupon, on motion by Mr. Farris, the order was indefinitely postponed.

The Chair lays before the House the third unassigned matter, House report ought not to pass, committee on Taxation, on bill an act relating to the gasoline tax, H. P. 1015, L. D. 429, tabled on February 22 by Mr. Lewis of Boothbay pending acceptance of the report, and the Chair recognizes that gentleman.

On motion by Mr. Lewis the ought not to pass report was accepted.

The Chair lays before the House the fourth unassigned matter, House report ought not to pass, committee on Temperance, on bill an act to permit the manufacture and sale of non-intoxicating malt beverages; to derive revenue therefrom and to create a legal definition of the term "saloon," H. P. 38, L. D. 22, tabled on February 22 by the gentleman from Lewiston, Mr. Audet, pending acceptance of the report; and the Chair now recognizes that gentleman.

On motion by Mr. Audet the report of the committee ought not to pass and the accompanying bill were retabled and specially assigned for Wednesday, March 8th.

The Chair lays before the House the 5th unassigned matter, House report ought to pass of the committee on Appropriations and Financial Affairs, on bill an act relating to the permanent school fund, H. P. 574, L. D. 173, tabled on February 22 by the gentleman from Bridgewater, Mr. Tompkins, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Tompkins the ought to pass report was accepted; and on further motion by the same gentleman, under suspension of the rules, the bill received its first two readings and tomorrow assigned.

The Chair lays before the House the sixth unassigned matter, House order relative to printing statement of distribution of state aid money,

tabled on February 22 by the gentleman from Portland, Mr. Carleton, pending passage; and the Chair recognizes that gentleman.

Mr. CARLETON: Mr. Speaker, I now move that this matter be indefinitely postponed, and I will state my reasons. I have a letter from the Chief Engineer of the State Highway Commission, and it is almost impossible to set up such a document as would be required.

(Reading) "Apportionments for the coming year must depend on the new valuation and in some cases these will affect the appropriations which towns may make and also the apportionments of state aid. We do not know what appropriations will be made by the towns. It would seem to me, therefore, that such a comparison as contemplated would have to be made on assumptions that the same number of towns which appropriated the one-unit amount last year would do the same this year and that the towns which increased their appropriations under the five times provision and the three town act would increase their appropriations this year and that for these towns the maximum of two units of state aid without bonus would be apportioned. Our State Aid Division estimates that it would take four or five days to compile such a statement."

For this reason I move that this order be indefinitely postponed.

The SPEAKER: Does any member desire to have the order read? The Clerk will read the order.

"Ordered, that one thousand copies be printed giving the amount of state aid money received by the municipalities during the year 1932, also the same amounts that would be available under the proposed Kitchen-Friend highway bill."

Mr. ASHBY of Fort Fairfield: Mr. Speaker and Members of the House: I think that I can truly say, and I think you will bear me out, that I have always tried to play the game square here. When Brother Carleton tabled my order first he came to me with the excuse that he would have to wait and consult with some committee to see where the money was coming from for printing. Then the other day he came and told me he could not take it off because the Kitchen-Friend bill had not been produced yet and comparisons could not be made. Now my thought in pre-

senting this order was to give the people back home who did not have the same sources of information that we have, an insight of what would be available to them under the Kitchen-Friend bill.

Now I believe it is of interest to the people back home in the various towns, because they want to know how this Kitchen-Friend bill is going to affect their available road money, and, in turn, how it will affect their unemployment situation, I believe this is only a fair thing to ask. Mr. Carleton's explanation was rather complicated, and I doubt if half a dozen people here understood what he was talking about.

I believe the people up home know what they want to raise, and can make a very good comparison, and, providing it does take a day or two, I believe they have a perfect right to know this. All of you who would like to have the people of the State know what we are doing here, what this Kitchen-Friend bill contemplates, I think will sustain my motion that this order have passage. All of those who believe that the people back home should not know what we are doing here and should remain in the dark as to the money available under the Kitchen-Friend bill will probably sustain Mr. Carleton in his motion for indefinite postponement. However, when the vote is taken, I ask for the yea and nay vote, so the people back home may know how their representatives here are voting.

Mr. CARLETON: Mr. Speaker, I have no interest in this matter, but it seems to me the chief engineer of our Highway Department would have to assume a lot of the figures that he would have to give us. It seems to me that it is all out of reason to have four or five days' work put on this and then have it an assumption. No one knows how much the towns are going to appropriate. I have no interest in the matter. I do not care whether we spend one thousand or ten thousand dollars.

Mr. FLANDERS of Auburn: Mr. Speaker, I would like to ask Mr. Carleton if he knows how much this will cost.

The SPEAKER: The gentleman from Auburn, Mr. Flanders inquires through the Chair of the gentleman from Portland, Mr. Carleton, how much this will cost. The

gentleman may answer if he desires.

Mr. CARLETON: The letter states:

"Our State Aid Division estimates that it would take four or five days to compile such a statement." That does not include the printing.

Mr. ASHBY: Mr. Speaker, I would like to inquire of Mr. Carleton if the compiling of these figures would be an extra cost on the State or is that a part of the duty of the Highway Department?

The SPEAKER: The gentleman from Fort Fairfield, Mr. Ashby, inquires of the gentleman from Portland, Mr. Carleton, if the printing of this order is part of the duty of the State Highway Department or would it involve extra cost. The gentleman may answer if he desires.

Mr. CARLETON: I assume, Mr. Speaker, it would mean legislative expense at this time.

Mr. Ashby was granted permission of the House to speak on the same subject the third time.

Mr. ASHBY: Mr. Speaker, I do not comprehend the matter as Mr. Carleton does. In regard to the printing, of course that would be a legislative matter. In regard to compiling the figures, it certainly is the duty of the Highway Department to submit any figures we ask for.

Mr. CLARKE of Cooper: Mr. Speaker, I rise to a point of information. Would the Clerk please read the order again.

The order was read again by the Clerk.

Mr. CLARKE: Mr. Speaker, as I understand it, it seems to me there is a difference between the letter that Mr. Carleton read, the idea there, and the idea conveyed in the order. The idea is, as I get it,—and I would like to get this matter straight before I vote,—the idea is to get the amount that would be available to the towns under the Kitchen-Friend bill provided it was in effect. That does not take into consideration what the towns might raise; it is just what can be divided up amongst them, as I understand it. Am I correct?

The SPEAKER: The order apparently calls for the following information: The amount of money that was received by the several towns and cities during the year 1932 as state aid money, and the amount that would be available to the same towns and cities if the

Kitchen-Friend highway bill became a law.

Mr. CLARKE: That is as I understood, Mr. Speaker. Of course it is easy to get amounts that the towns received last year, but what the order calls for, as I understand it, are the amounts that might be available under the Kitchen-Friend bill to the towns. It does not ask how many units they are going to raise or anything like that; it is just the amount available to be divided up, as I get it.

Mr. Ashby was granted permission to speak for the fourth time.

Mr. ASHBY: Mr. Speaker, I simply want to answer Mr. Clarke's inquiry. That is exactly what I was coming at, so that the towns may see what it is possible for them to get under the Kitchen-Friend bill in comparison with what they had last year.

Mr. PLOUFF of Dexter: Mr. Speaker, as I understand from Mr. Kitchen's description, there is a million dollars available, and Fort Fairfield would have its proportionate share. We do not know how much that would be; we do not know how much your town of Fort Fairfield would subscribe.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Carleton, that this order be indefinitely postponed. The gentleman from Fort Fairfield, Mr. Ashby, moves that when the vote is taken it be taken by the yeas and nays. All those in favor of taking the vote by the yeas and nays, requiring the affirmative vote of one-fifth of the members present, will rise and stand until counted and the monitors will make and return the count.

A division of the House was had, and a sufficient number not having arisen, the motion for a yeas and nays vote failed of passage.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Carleton, that this order be indefinitely postponed.

Mr. Ashby was granted permission of the House to speak the fifth time.

Mr. ASHBY: Mr. Speaker, I now ask for a division of the House when the vote is taken.

The SPEAKER: All those in favor of the motion of the gentleman from Portland, Mr. Carleton, that this order be indefinitely postponed

will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had, Sixty-one having voted in the affirmative and 26 in the negative, the motion prevailed and the order was indefinitely postponed.

The Chair lays before the House the seventh matter tabled and unassigned, report of committee on Taxation, reporting ought not to pass on an act to extend the gasoline tax laws, H. P. 664, L. D. 197, tabled February 22 by the gentleman from Newport, Mr. Soper, pending acceptance of the report; and the Chair now recognizes that gentleman.

On motion by Mr. Soper the matter was retabled.

The Chair lays before the House the eighth matter tabled and unassigned, Senate report ought not to pass, committee on Appropriations and Financial Affairs on resolve in favor of the memorial of the Maine Volunteer Signal Corps, S. P. 18, comes from the Senate, report accepted, tabled February 23 by the gentleman from Portland, Mr. Rounds, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

Mr. ROUNDS: Mr. Speaker, I move we recede and concur with the Senate.

The motion prevailed.

The Chair lays before the House the ninth unassigned matter, House report ought not to pass, committee on Appropriations and Financial Affairs on resolve appropriating money for the maintenance of department headquarters of the Department of Maine, United Spanish War Veterans, H. P. 581, tabled on February 23 by the gentleman from Portland, Mr. Rounds, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. ROUNDS: Mr. Speaker and ladies and gentlemen of this House: This bill has been before different Houses for a good many years. There seems to be a misunderstanding. In 1898 the Spanish War came about, and the Governor of the State of Maine did not wish to call the legislators together, and he was going to give them the money, as I understand it, out of his own pocket. In 1899 there was an order drawn from the Council, one, I think, \$17,000 and another one for twenty odd

thousand dollars, and part of them paid, as I understand it. If not, I would like to be corrected. Therefore the rest of them didn't get their pay. Some of them got twenty-two dollars. They were to have one hundred dollars, as I understand it, if they would go without any authority from the legislature. Now they have come to every legislature, almost, since, trying to get that money. They are dwindling fast. Now it would only take \$200,000 to pay them all, as I understand it, or less, because they are dwindling so fast that it is going to be less, and therefore it seems to me that the time has come when this great State of Maine should recognize those people. They went as young men from this State. They came back, and I saw them when they came. They were not maimed by battle; they were maimed by sickness. The country they were in was no place for any human being. They came from Maine, as I say, and it is time that the great State of Maine should recognize these people. Therefore I move you that the bill be substituted for the report.

The SPEAKER: The Chair finds on examination that this bill has not been printed. It provides that there is appropriated the sum of five hundred dollars for the years 1933 and 1934, to be paid to the Quartermaster's Department of Maine for the United States Spanish War Veterans, to be used in assisting and maintaining the Department Headquarters. The gentleman from Portland, Mr. Rounds, has moved that the bill be substituted for the ought not to pass report of the committee. The Chair recognizes the gentleman from Portland, Mr. Carleton.

Mr. CARLETON: Mr. Speaker, we did not set up anything for this as we believe we are planning to take care of so many pensions at this time for these people that it would be better to spend the money for pensions than it would to spend it for headquarters. I think the gentleman from Portland, Mr. Rounds, is entirely wrong on what he is talking about. This bill calls for setting up of headquarters, maintaining headquarters, and has nothing to do with that old affair where the Governor, years and years ago, promised them one hundred dollars. The State had no obligation at that time. Therefore I move that

the report of the committee be accepted.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Rounds, that the bill be substituted for the report. All those in favor will say aye; contrary minded, no.

A viva voce vote was taken, and the motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Carleton, that the ought not to pass report of the committee be accepted.

A viva voce vote being taken, the motion prevailed.

The Chair lays before the House the tenth unassigned matter, House report ought not to pass of the committee on Legal Affairs on resolve extending the charter of the Fryeburg Village Fire Corporation, H. P. 870, L. D. 380, tabled on February 23 by the gentleman from Fryeburg, Mr. Osgood, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Osgood the bill and accompanying report were recommitted to the committee on Legal Affairs.

The Chair lays before the House the eleventh unassigned matter, bill an act relating to closing of Attean pond to ice fishing, H. P. 699, L. D. 266, tabled on February 23 by the gentleman from Canaan, Mr. Lancaster, pending first reading under suspension of the rules, and the Chair recognizes that gentleman.

On motion by Mr. Lancaster, under suspension of the rules, the bill had its first two readings and tomorrow assigned.

The Chair lays before the House the twelfth unassigned matter, House reports, majority ought not to pass and minority ought to pass of the committee on Judiciary on bill an act authorizing the city of Lewiston to enlarge its municipal electric plant, and to sell light, heat and power to its inhabitants and creating the Lewiston Electric Authority, H. P. 68, L. D. 46, tabled on February 23 by the gentleman from Lewiston, Mr. George Hamel, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion by Mr. Hamel, the majority report ought not to pass was accepted.

The Chair lays before the House the thirteenth unassigned matter, bill an act to reduce certain fees of deputy sheriffs for the next two years, H. P. 1399, L. D. 705, tabled on February 23 by the gentleman from York, Mr. Young, pending third reading; and the Chair recognizes that gentleman.

Mr. YOUNG: Mr. Speaker, I yield to the gentleman from Auburn, Mr. Flanders.

Thereupon, Mr. Flanders presented House Amendment A.

On motion by the same gentleman House Amendment A was tabled for printing pending its adoption.

The Chair lays before the House the fourteenth unassigned matter, Senate report ought to pass of the committee on Judiciary on bill an act to incorporate Sandy River Log Driving Company, S. P. 219. In the Senate the report was accepted and the bill passed to be engrossed. This report and accompanying bill were tabled February 24 by Mr. Blanchard of Wilton, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Blanchard the bill and report were retabled pending acceptance of the report in concurrence.

The Chair lays before the House the fifteenth unassigned matter, House order relative to lists of deer and moose damage claims paid, tabled on February 24 by the gentleman from Augusta, Mr. Farris, pending passage of the order.

The SPEAKER: The clerk will read the order.

(Order read by the clerk).

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Farris.

On motion by Mr. Farris, the order received passage.

The Chair lays before the House the sixteenth unassigned matter, resolve relating to ice fishing in No Name pond, H. P. 741, L. D. 408, tabled on February 24 by the gentleman from Auburn, Mr. Flanders, pending first reading under suspension of the rules; and the Chair recognizes that gentleman.

On motion by Mr. Flanders the resolve was recommitted to the committee on Inland Fisheries and Game.

The Chair lays before the House the seventeenth unassigned matter, House report ought not to pass of the committee on Taxation on bill an act exempting horses and dairy cows from taxation, H. P. 1014, L. D. 426, tabled on February 24 by the gentleman from Brunswick, Mr. Lebel, pending the motion of that gentleman to substitute the bill for the report.

Mr. MORIN of Brunswick: Mr. Speaker, as Mr. Lebel is absent this morning I would like to have this retabled until next week or tomorrow, when he comes in, I think he will take it off the table tomorrow.

On motion by Mr. Morin, the bill was retabled, the pending question being the motion of Mr. Lebel to substitute the bill for the report.

On motion by Mr. Berwick of Saco,

Adjourned until ten o'clock tomorrow morning.