

# 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 Pluorde.
- 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. 358)—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)

**SENATE**

Tuesday, February 21, 1933

Senate called to order by the President.

Prayer by the Rev. Stanley Manning of Augusta.

Journal of Friday, February 17th, read and approved.

Papers from the House disposed of in concurrence.

**House Bills in First Reading**

An Act relating to the South Portland Municipal Court. (H. P. 843, L. D. 420).

An Act relating to appeals in non-support cases. (H. P. 884, L. D. 353).

An Act relating to bail in municipal courts. (H. P. 1008, L. D. 352).

An Act relating to quarantine of indigent cases. (H. P. 226, L. D. 127).

An Act authorizing cremation of bodies of the dead. (H. P. 1064, L. D. 492).

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

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

**Communications**

The following communications were received:

**DEPARTMENT OF STATE**

February 17, 1933.

To the Honorable Senate of the Eighty-Sixth Legislature of the State of Maine:

I have the honor to herewith transmit proposals of An Act to Raise An Excise Tax on Corporations Organized for Making, Generating, Selling, Distributing and/or supplying Electricity or Electric Current for Power, Lighting, Heating, Manufacturing or Mechanical Purposes.

This measure is in accordance with the provisions of Section 18 of Article XXXI of the Constitution of the State of Maine. The measure is proposed by what is purported to be not less than 12,000 electors, namely 12,822, as shown by the signatures.

Very respectfully yours,

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

The above papers were filed February 16, 1933. (S. P. 435).

Bill "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes." (I. B. 1)

On motion by Mr. Jackson of Cumberland, the communication and bill were tabled pending consideration.

**DEPARTMENT OF STATE**

February 20, 1933

To the Honorable Senate of the Eighty-Sixth Legislature of the State of Maine:

I herewith transmit additional petitions on proposal of a bill entitled An Act to Raise an Excise Tax on Corporations Organized for Making, Generating, Selling, Distributing and/or Supplying Electricity or Electric Current for Power, Lighting, Heating, Manufacturing or Mechanical Purposes.

There appears to be 544 signatures.

Very respectfully yours,

(Signed) ROBINSON C. TOBEY,  
Secretary of State. (S. P. 436)

On motion by Mr. Jackson of Cumberland, the communication and accompanying petitions were tabled pending consideration.

**DEPARTMENT OF STATE**

February 17, 1933

To the Honorable Senate of the Eighty-Sixth Legislature of the State of Maine:

I have the honor to herewith transmit proposals of An Act Establishing a Low Rate Tax on Intangible Personal Property in Accordance with Constitutional Amendment Permitting the Same.

This measure is in accordance with the provisions of Section 18 of Article XXXI of the Constitution of the State of Maine. The measure is proposed by what is purported to be not less than 12,000 electors, namely 12,654, as shown by the signatures. The date of filing was February 16, 1933.

Very respectfully yours,

(Signed) ROBINSON C. TOBEY,  
Secretary of State. (S. P. 437).

Bill "An Act establishing a low rate tax on intangible property in accordance with Constitutional

Amendment permitting the same." (I. B. 2).

On motion by Mr. Jackson of Cumberland the communication and bill were tabled pending consideration.

#### DEPARTMENT OF STATE

February 20, 1933.

To the Honorable Senate of the Eighty-sixth Legislature of the State of Maine:

I herewith transmit additional petitions on proposal of a bill entitled An Act Establishing a Low Rate Tax on Intangible Personal Property in Accordance with Constitutional Amendment Permitting the Same. There appears to be 442 signatures.

Very respectfully yours,

(Signed) ROBINSON C. TOBEY

Secretary of State. (S. P. 438)

On motion by Mr. Jackson of Cumberland the communication and accompanying petitions were tabled pending consideration.

#### DEPARTMENT OF STATE

February 21, 1933.

To the President of the Senate and the Speaker of the House of Representatives of the Eighty-Sixth Legislature:

I have the honor to herewith transmit the Revised county estimates of the county of Piscataquis within the State for the years 1933 and 1934, the same having been filed in this office according to the provisions of the Revised Statutes, Chapter 13, Section 67.

(Signed) ROBINSON C. TOBEY

Secretary of State (S. P. 439)

On motion by Mr. Hathaway of Piscataquis the communication and accompanying papers were transmitted to the House.

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

#### Inland Fisheries and Game

Mr. Harmon of Hancock: Petition signed by Harry O. Ford and 44 others of Hancock County in favor of the continuance of the present hunting season on deer. (S. P. 430)

The same Senator: Petition signed by R. W. Clarke and 96 others of Hancock County in favor of the

continuance of the present hunting season on deer. (S. P. 431)

The same Senator: Petition signed by H. A. Springer and 33 others of Hancock County in favor of the continuance of the present hunting season on deer. (S. P. 432)

Sent down for concurrence.

#### Taxation

Mr. Bartlett of Oxford: Petition in favor of repeal of the Auxiliary Forest Law signed by O. Lee Abbott and 35 others of Upton. (S. P. 428)

Sent down for concurrence.

#### Temperance

Mr. Murchie of Washington: Remonstrance of W. F. Skerrye and 11 others of Belfast, Maine against the resubmission of the prohibitory amendment. (S. P. 429)

Sent down for concurrence.

#### Bills in First Reading

An Act to amend an act to incorporate the Guilford and Sangerville Water District. (S. P. 218, L. D. 702)

An Act to incorporate Sandy River Log Driving Company. (S. P. 219, L. D. 701)

An Act relating to taking of land for park purposes by Parsonsfield Kezar Falls Village Corporation. (S. P. 225, L. D. 690)

An Act relating to plant railroads and definition thereof. (S. P. 336, L. D. 689)

An Act regulating the taking of shellfish in the town of Harpswell. (S. P. 422, L. D. 698)

#### Reports of Committees

Mr. Weeks from the Committee on Judiciary on Bill "An Act relative to the use of state owned motor vehicles." (S. P. 281, L. D. 466) reported that the same ought not to pass.

(On motion by Mr. Jackson of Cumberland, tabled pending acceptance of the report.)

Mr. Hathaway from the Committee on Ways and Bridges on "Resolve relating to maintenance of Mount Desert Island Bridge." (S. P. 75) reported that the same ought not to pass.

Mr. Kitchen from the same Committee on Bill "An Act to require the use of concrete or cast iron culverts." (S. P. 139) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Abbott from the Committee on Agriculture on Bill "An Act relating to transportation of poultry." (S. P. 97, L. D. 134) reported that the same ought to pass.

Mr. Weeks from the Committee on Judiciary on Bill "An Act to authorize the Treasurer of State to make payment of the share of the State in the reconstruction of Cascade Bridge, in the town of Old Orchard." (S. P. 220, L. D. 399) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once and tomorrow assigned for second reading.

Mrs. Gay from the Committee on Education on Bill "An Act relating to admission to normal schools" (S. P. 104) reported the same in a new draft (S. P. 440) under the same title and that it ought to pass.

Mrs. Holman from the Committee on Judiciary on Bill "An Act to authorize the Old Town Herbert Gray School District to refund any of its bonds falling due in the years 1933 and 1934" (S. P. 215) reported that the same ought to pass.

Which reports were severally read and accepted and the bills laid upon the table for printing under the joint rules.

#### Passed to be Engrossed

An Act relating to registration of women voters. (S. P. 155, L. D. 165).

An Act revising sundry sections of the Revised Statutes. (S. P. 151, L. D. 212).

An Act relating to the taking of testimony. (S. P. 214, L. D. 278).

Resolve providing for a state pension for Mary A. Leighton of Gardiner. (H. P. 74, L. D. 670).

Resolve providing for a state pension for Augusta O. Goodwin of Augusta. (H. P. 75, L. D. 671).

Resolve relating to smelt fishing in East Machias. (H. P. 80, L. D. 42).

Resolve in favor of John E. Parker of Windsor, for State pension. (H. P. 90, L. D. 672).

An Act to amend the Charter of the Northport Wesleyan Grove Camp Meeting Association. (H. P. 158, L. D. 635).

Resolve providing for a state pension for William N. Rankin of Wintertown. (H. P. 385, L. D. 673).

Resolve providing for a state pen-

sion for Susie E. Simmons of Bel-fast. (H. P. 570, L. D. 674).

Resolve in favor of the Monson Rod and Gun Club. (H. P. 606, L. D. 675).

An Act relating to Judges of Probate. (H. P. 1231, L. D. 684).

Resolve relating to ice fishing in Webber Pond and Three Mile Pond. (H. P. 1304, L. D. 652).

Resolve providing for a state pension for Frank F. Clark of Gardiner. (H. P. 1308, L. D. 679).

Resolve providing for a state pension for Mary L. Merrill of Gardiner. (H. P. 1309, L. D. 678).

Resolve providing for a state pension for Cassie E. Spencer of Wintertown. (H. P. 1307, L. D. 677).

Resolve providing for an increase in state pension for Eva J. Rundlette of Readfield. (H. P. 1306, L. D. 676).

Resolve providing state pension for Meretta McFarland of Augusta. (H. P. 1310, L. D. 680).

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

#### Orders of the Day

On motion by Mr. Kitchen of Aroostook, the Senate voted to take from the table, House Report from the Committee on Inland Fisheries and Game, "Ought to Pass" on "An Act Closing to All Fishing for a Period of Four Years Fish River Falls." (H. P. 203) (L. D. 111) tabled by that Senator on February 16th pending acceptance of the report.

Mr. KITCHEN of Aroostook: Mr. President, by way of explanation I will say that of course I am in favor of this, but the bill does not provide or specify as to restrictions, that is to say, how far up or down the river these restrictions shall apply. In attempting to secure a proper amendment, I have been informed by the Revisor of Statutes that the bill is not properly drawn. He has suggested it be recommitted to the Committee on Inland Fisheries and Game for redraft, and acting upon his advice, I move the bill be recommitted to the Committee on Inland Fisheries and Game for a new draft.

The motion prevailed and the bill was recommitted to the Committee on Inland Fisheries and Game.

Sent down for concurrence.

On motion by Mr. Holmes of Androscoggin, the Senate voted to take from the table, House Report from the Committee on Judiciary "Ought

to pass in a new draft" on "An Act to validate a loan to the City of Lewiston and to authorize said city to issue its bonds in payment therefor" (H. P. 1233, L. D. 641), tabled by that Senator on February 16th pending acceptance of the report; and on further motion by the same Senator the report of the committee was accepted in concurrence.

Thereupon, that Senator offered Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to House Paper 1233, Legislative Document 641, Bill, An Act to validate a loan negotiated by the City of Lewiston and to authorize said City to issue its bonds in payment therefor. Amend the title of said bill by striking out the words 'and to authorize said city to issue its bonds in payment therefor;' so that the title of said bill shall read as follows: 'An Act to validate a loan negotiated by the City of Lewiston.'"

Thereupon Senate Amendment "A" was adopted, the bill as so amended was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table, House Report from the Committee on Judiciary "Ought to pass" on "An Act relating to the Odd Fellows Home in Maine" (H. P. 216, L. D. 636), tabled by that Senator on February 16 pending acceptance of the report.

Mr. WEATHERBEE of Penobscot: Mr. President, I yield to the Senator from Somerset, Senator Weeks.

Thereupon, on motion by Mr. Weeks of Somerset, the report of the committee "Ought to pass" was accepted in concurrence, the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Page of Somers-

et, the Senate voted to take from the table, Senate Report from the Committee on Judiciary "Ought not to pass" on "An Act to charge passengers in motor vehicles with the negligence of the driver in certain cases" (S. P. 156, L. D. 210), tabled by that Senator on February 17th pending acceptance of the report; and on further motion by the same Senator the report of the Committee "Ought not to pass" was accepted.

Sent down for concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act prescribing a schedule of fees for registration of motor vehicles, (H. P. 1166) (L. D. 687) tabled by that Senator on February 17th, pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Taxation, in concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act prescribing a schedule of fees for registration of motor trucks, (H. P. 1165) (L. D. 688), tabled by that Senator on February 17th, pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Taxation, in concurrence.

The PRESIDENT: Is there anything further that can be taken from the table before adjournment today? With only five matters on the table at this time in the session, the Chair thinks he will have to admit we are doing well.

On motion by Mr. Weymouth of Penobscot,

Adjourned, until tomorrow morning at ten o'clock.