

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Third Legislature*

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Thursday, January 23, 1947.

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

Prayer by the Rev. H. F. Aldrich of Augusta.

Journal of yesterday read and approved.

### Papers From the Senate

From the Senate: Bill "An Act Regulating Deposits in Banks" (S. P. 75) (L. D. 102)

Bill "An Act relating to Joint Deposits in Banks" (S. P. 76) (L. D. 103)

Bill "An Act Guaranteeing Loans for Veterans" (S. P. 77) (L. D. 104)

Bill "An Act Exempting Banks from Laws Dealing with Small Loan Agencies" (S. P. 78) (L. D. 105)

Came from the Senate referred to the Committee on Banks and Banking.

In the House, referred to the Committee on Banks and Banking in concurrence.

From the Senate: Resolve in favor of Andrew Arsenault, of Skowhegan (S. P. 80) (L. D. 106)

Resolve in favor of Desmond A. Beatty, of Augusta (S. P. 81) (L. D. 107)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate: Bill "An Act relative to Night Hunting" (S. P. 59) (L. D. 116)

Bill "An Act relating to Registration or Transfer of Securities to or by Fiduciaries or their nominees" (S. P. 82) (L. D. 108)

Bill "An Act relating to the Right of Safe Deposit Companies to Open Safe or Box" (S. P. 83) (L. D. 109)

Bill "An Act Limiting Actions by Depositors to Recover Money Paid on Forged Signatures" (S. P. 84) (L. D. 110)

Bill "An Act relating to the Amortization of Premiums and the Accumulation of Discounts on Bonds or Other Obligations Held in Trust" (S. P. 85) (L. D. 111)

Bill "An Act to Dissolve the Portland and Rumford Falls Railway

and the Portland and Rumford Falls Railroad" (S. P. 86) (L. D. 112)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate: Bill "An Act relating to Certificates for the Operation of Busses" (S. P. 87) (L. D. 113)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate: Bill "An Act relating to the Salary of the County Attorney of Hancock County" (S. P. 88) (L. D. 114)

Came from the Senate referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

From the Senate: Bill "An Act relating to Maintenance of Third Class Roads" (S. P. 89) (L. D. 115)

Resolve in favor of the town of Franklin (S. P. 94)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

The following Communications:

DEPARTMENT OF STATE  
STATE OF MAINE  
AUGUSTA

January 22, 1947.

To the Honorable John F. Ward,  
Speaker of the

House of Representatives of the  
93rd Legislature:

In compliance with the constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Representative to the Legislature in the class towns of Harrison, Otisfield and Windham at a special election held January 20, 1947, to fill the vacancy caused by the resignation of James R. Pratt of Windham.

Respectfully,

(Signed) HAROLD I. GOSS,  
Secretary of State.

STATE OF MAINE  
Office of Secretary of State

January 22, 1947

To Harvey R. Pease, Clerk  
of the House of Representatives  
of the 93rd Legislature:

In compliance with Section 1 of Chapter 9 of the Revised Statutes, I hereby certify that in accordance with the provisions of Section 74 of Chapter 5 of the Revised Statutes, a special election was held in the class towns of Harrison, Otisfield and Windham on January 20, 1947, for the purpose of electing a representative to the Ninety-third Legislature to fill the vacancy caused by the resignation of James R. Pratt of Windham; that at said election John C. Nichols of Windham, having received a plurality of all votes cast in said election according to a canvass of the returns received from the class towns of Harrison, Otisfield and Windham made by the Governor and Council under date of January 22, 1947, appears to have been elected a representative to the Ninety-third Legislature.

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereto affixed this twenty-second day of January in the year of our Lord one thousand nine hundred and forty-seven and of the Independence of the United States the one hundred and seventy-first.

(Signed) HAROLD I. GOSS,  
Secretary of State.

(SEAL)

The communications were read and ordered placed on file.

On motion of Mr. Peirce of Augusta, the following Resolution:

RESOLVED that John C. Nichols of Windham is hereby declared duly elected representative in the Ninety-third Legislature.

Was read and adopted.

Mr. Russell of Gorham announced the presence in the hall of the House of Mr. Nichols of Windham and the Speaker appointed that gentleman to conduct Mr. Nichols to the Governor and Council to take and subscribe the oaths necessary to qualify him as a member of the House.

Mr. Russell subsequently reported that he had attended to the duty assigned him.

Mr Nichols was then assigned seat No. 132.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, January 28, 1947, at 4:30 o'clock in the afternoon. (S. P. 95)

Came from the Senate, in that body read and passed.

In the House read and passed in concurrence.

The following Bills and Resolves were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations & Financial Affairs**

Bill "An Act relating to Income Accruing to the State" (H. P. 219) (Presented by Mr. Gray of Orrington)

(Ordered printed)

Bill "An Act relating to Disposition of Uncollectible Accounts Due the State" (H. P. 220) (Presented by Mr. Thomas of Hampden)

(Ordered printed)

Sent up for concurrence.

**Claims**

Resolve to Reimburse the town of Patten for Support and Care of Children of Howard Stubbs (H. P. 221) (Presented by Mr. Boulter of Stacyville)

(Ordered printed)

Resolve in favor of Blanche Griffin, of Kingman (H. P. 222) (Presented by Mr. Dicker of Lakeville Pl.)

(Ordered printed)

Resolve in favor of Grover C. Small, of Deer Isle (H. P. 223) (Presented by Mr. Heanssler of Deer Isle)

(Ordered printed)

Resolve in favor of Liston C. Bean, of Bryants Pond (H. P. 224) (Presented by Mr. Judkins of Woodstock.)

Resolve in favor of Jesse N. Mills, of Southwest Harbor (H. P. 225) (Presented by Mr. Savage of Mt. Desert)

(Ordered printed)

Resolve in favor of Dr. P. F. M. Gilley, of Southwest Harbor (H. P. 226) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Resolve in favor of William Carr, of Stillwater (H. P. 227) (Presented by Mr. Elliott of Corinth)

Resolve in favor of Dana E. Walton, of Costigan (H. P. 228) (Presented by Mr. Gray of Orrington)

Resolve in favor of Estate of Edward Billings, late of Deer Isle (H. P. 229) (Presented by Mr. Heansler of Deer Isle)

Resolve in favor of Irene R. Wells, of Brooklin (H. P. 230) (Presented by same gentleman)

Resolve in favor of Ruth Cook, of Wilton (H. P. 231) (Presented by Mr. Morison of Wilton)

Resolve in favor of Ruth A. Noble, of Livermore Falls (H. P. 305) (Presented by Mr. Moulton of Livermore Falls)

Resolve in favor of John A. Nickerson of Amherst (H. P. 275) (Presented by Mr. Atherton of Bangor)

Resolve in favor of David Reed of Boothbay Harbor (H. P. 232) (Presented by Mr. Perkins of Boothbay Harbor)

Resolve in favor of Wilson G. Francis, of Prospect Harbor (H. P. 233) (Presented by Mr. Silsby of Aurora)

Resolve to Reimburse town of Sanford for Assistance rendered to Maurice Hickey (H. P. 234) (Presented by Mr. Tremblay of Sanford)

Sent up for concurrence.

#### Counties

Bill "An Act relating to Rental for the Old Town Municipal Court" (H. P. 235) (Presented by Mr. Leavitt of Old Town)

(Ordered Printed)

Sent up for concurrence.

#### Education

Bill "An Act relating to Audit of Certain Private Educational Institutions" (H. P. 236) (Presented by Mr. McGown of Carmel)

(Ordered printed)

Resolve relating to Teachers' Pensions for Certain Persons (H. P. 237) (Presented by Mr. Lee of Dover-Foxcroft)

(Ordered Printed)

Sent up for concurrence.

#### Inland Fisheries and Game

Bill "An Act Repealing Winthrop and Wayne Game Sanctuary" (H. P. 238) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Bill "An Act relating to Use of

Gill Net in Taking White Fish in Junior Lake, Penobscot County" (H. P. 239) (Presented by Mr. Dicker of Lakeville Pl.)

(Ordered Printed)

Bill "An Act relating to Propagation Funds in Department of Inland Fisheries and Game" (H. P. 240) (Presented by Mr. Thomas of Hampden)

(Ordered Printed)

Resolve Opening Notched Pond in Gray, New Gloucester and Raymond to Ice Fishing (H. P. 241) (Presented by Mr. Woodbury of New Gloucester)

(Ordered Printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act relating to Appeal from Orders for Judging Dangerous Buildings to be Nulsances" (H. P. 242) (Presented by Mr. Atherton of Bangor)

(Ordered Printed)

Bill "An Act relating to Inactive Accounts of Former Inmates and Patients of State Institutions" (H. P. 243) (Presented by Mr. Gray of Orrington)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act to Regulate Public Dance Halls" (H. P. 244) (Presented by Mr. Bove of Naples)

(Ordered printed.)

Bill "An Act relating to the Licensing of Buildings for Dancing Purpose" (H. P. 245) (Presented by same gentleman)

(Ordered printed.)

Bill "An Act relating to Superintending School Committee for the town of Caribou" (H. P. 246) (Presented by Mr. Collins of Caribou)

(Ordered printed.)

Bill "An Act to Repeal the Incorporation of the Madison Village Corporation" (H. P. 247) (Presented by Mr. DeSanctis of Madison)

(Ordered printed.)

Bill "An Act relating to Civil Service Rules for Police and Fire Departments" (H. P. 248) (Presented by Mr. Lacharite of Brunswick)

(Ordered printed.)

Bill "An Act to Incorporate Old Town Great Works School District" (H. P. 249) (Presented by Mr. Leavitt of Old Town)

(Ordered printed.)

Bill "An Act to Incorporate the Town of Litchfield School District" (H. P. 250) (Presented by Mr. Marsans of Monmouth)

(Ordered printed.)

Bill "An Act relating to Records of Pari Mutuel Racing" (H. P. 251) (Presented by Mr. Smith of Exeter)

(Ordered printed.)

Sent up for concurrence.

#### Mercantile Affairs and Insurance

Bill "An Act Requiring the Licensing of Insurance Adjusters" (H. P. 252) (Presented by Mr. Jordan of Saco)

(Ordered printed.)

Sent up for concurrence.

#### Motor Vehicles

Bill "An Act relating to Operation of Farm Tractors" (H. P. 253) (Presented by Mr. Fitch of Sebago)

(Ordered printed.)

Sent up for concurrence.

#### Pensions

Resolve Providing for a Pension for Howard Worster of Webster Plantation (H. P. 254) (Presented by Mr. Dicker of Lakeville Pl.)

Resolve Providing for State Pension for Burton A. Knight, of Peru (H. P. 255) (Presented by Mr. Fuller of Buckfield)

Resolve Providing for an Increase in State Pension for Mary A. Saunders, of Sedgwick (H. P. 256) (Presented by Mr. Heanssier of Deer Isle)

Resolve Providing for an Increase in State Pension for Edith M. Saunders, of Sedgwick (H. P. 257) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Raymond H. Saunders, of Sedgwick (H. P. 258) (Presented by same gentleman)

Resolve Providing for State Pension for Lillian Ireland, of South Lincoln (H. P. 259) (Presented by Mr. House of Lincoln)

Resolve Providing for an Increase in State Pension for Freda Potter of Whitefield (H. P. 260) (Presented by Mr. Johnston of Jefferson)

Resolve Providing for an Increase in State Pension for Mace Hall of Whitefield (H. P. 261) (Presented by same gentleman)

Resolve Providing for State Pension for Robert Arlo Fogg of Bucks-

port (H. P. 262) (Presented by Mr. Sargent of Bucksport)

Sent up for concurrence.

#### Public Utilities

Bill "An Act relating to the Carrying of Passengers for Hire" (H. P. 263) (Presented by Mr. Haskell of Portland)

(Ordered printed)

Sent up for concurrence.

#### Salaries and Fees

Bill "An Act to Increase the Salary of the County Treasurer and the Deputy Treasurer of Cumberland County" (H. P. 264) (Presented by Mr. Haskell of Portland)

(Ordered printed)

Bill "An Act relating to the Amount to be Paid for Clerk Hire in the Office of Register of Probate in the county of Cumberland" (H. P. 265) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Clerk Hire in Cumberland County Clerk of Courts Office" (M. P. 266) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Salary of Clerks in the Office of Clerk of Courts in Kennebec County" (H. P. 267) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Sent up for concurrence.

#### State Lands & Forest Preservation

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Harry L. Wheelden, of Bangor (H. P. 268) (Presented by Mr. Atherton of Bangor)

(Ordered printed)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Penobscot County to Carl J. Kennedy of Milford (H. P. 269) (Presented by Mr. Brown of Milford)

(Ordered printed)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Calvin Cummings of Bethel (H. P. 270) (Presented by Mr. Sharpe of Anson)

(Ordered printed)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford

County to Leon Millett of Bethel (H. P. 271) (Presented by same gentleman)

(Ordered printed)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Somerset County to Leo Tessier of Rockwood (H. P. 272) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

### Towns

Bill "An Act relating to Bank Accounts and Deposits of Town Treasurers" (H. P. 273) (Presented by Mr. Campbell of Garland)

(Ordered printed)

Sent up for concurrence.

### Ways & Bridges

Resolve for the Construction of a Dyke in the town of Howland (H. P. 274) (Presented by Mr. Elliott of Corinth)

(Ordered printed)

Sent up for concurrence.

Resolve in favor of the town of Orono (H. P. 276) (Presented by Mr. Brown of Milford)

Resolve in favor of the town of Milford (H. P. 277) (Presented by same gentleman)

Resolve in favor of the town of Milford (H. P. 278) (Presented by same gentleman)

Resolve in favor of the town of Lyman (H. P. 279) (Presented by Mr. Byron of Hollis)

Resolve in favor of the town of Buxton (H. P. 280) (Presented by same gentleman)

Resolve in favor of the town of Dayton (H. P. 281) (Presented by same gentleman)

Resolve in favor of the town of Hollis (H. P. 282) (Presented by same gentleman)

Resolve in favor of the town of Garland (H. P. 283) (Presented by Mr. Campbell of Garland)

Resolve in favor of the town of Dexter (H. P. 284) (Presented by same gentleman)

Resolve in favor of the town of Springfield (H. P. 285) (Presented by Mr. Dicker of Lakeville Pl.)

Resolve in favor of the town of Lee (H. P. 286) (Presented by same gentleman)

Resolve in favor of the town of Greenfield (H. P. 287) (Presented by Mr. Gray of Orrington)

Resolve in favor of the town of Greenbush (H. P. 288) (Presented by same gentleman)

Resolve in favor of the town of Eddington (H. P. 289) (Presented by same gentleman)

Resolve in favor of the town of Orrington (H. P. 290) (Presented by same gentleman)

Resolve in favor of the town of Holden (H. P. 291) (Presented by same gentleman)

Resolve in favor of the town of Bradley (H. P. 292) (Presented by same gentleman)

Resolve in favor of the town of Clifton (H. P. 293) (Presented by same gentleman)

Resolve in favor of the town of Brooklin (H. P. 294) (Presented by Mr. Heanssier of Deer Isle)

Resolve in favor of the town of Stonington (H. P. 295) (Presented by same gentleman)

Resolve in favor of the town of Brooksville (H. P. 296) (Presented by same gentleman)

Resolve in favor of the town of Sedgwick (H. P. 297) (Presented by same gentleman)

Resolve in favor of the town of Deer Isle (H. P. 298) (Presented by same gentleman)

Resolve in favor of the town of Waldoboro (H. P. 299) (Presented by Mr. Johnston of Jefferson)

Resolve in favor of the town of Newcastle (H. P. 300) (Presented by same gentleman)

Resolve in favor of the town of Alna (H. P. 301) (Presented by same gentleman)

Resolve in favor of the town of Jefferson (H. P. 302) (Presented by same gentleman)

Resolve in favor of the town of Brunswick (H. P. 303) (Presented by Mr. Labbe of Brunswick)

Resolve in favor of the town of Brunswick (H. P. 304) (Presented by Mr. Lacharite of Brunswick)

Resolve in favor of the town of Livermore Falls (H. P. 306) (Presented by Mr. Moulton of Livermore Falls)

Resolve in favor of the town of Livermore (H. P. 307) (Presented by same gentleman)

Resolve in favor of the town of Kittery (H. P. 308) (Presented by Mr. Seeger of Kittery)

Resolve in favor of the town of Eliot (H. P. 309) (Presented by same gentleman)

Resolve in favor of the town of Sullivan (H. P. 310) (Presented by Mr. Silsby of Aurora)

(Resolve in favor of Jerusalem Township (H. P. 311) (Presented by Mr. Sterling of Caratunk)

Resolve in favor of Deorganized Township of Concord (H. P. 312) (Presented by same gentleman)

Resolve in favor of the town of Bingham (H. P. 313) (Presented by same gentleman)

Resolve in favor of East Moxie Township (H. P. 314) (Presented by same gentleman)

Resolve in favor of The Forks Plantation (H. P. 315) (Presented by same gentleman)

Resolve in favor of the town of New Portland (H. P. 316) (Presented by same gentleman)

Resolve in favor of the town of Falmouth (H. P. 317) (Presented by Mr. Sweetser of Cumberland)

Resolve in favor of the town of Cumberland (H. P. 318) (Presented by same gentleman)

Resolve in favor of the town of Cumberland (H. P. 319) (Presented by same gentleman)

Resolve in favor of the town of New Gloucester (H. P. 320) (Presented by Mr. Woodbury of New Gloucester)

Resolve in favor of the town of New Gloucester (H. P. 321) (Presented by same gentleman)

Resolve in favor of the town of Gray (H. P. 322) (Presented by same gentleman)

Resolve in favor of the town of Raymond (H. P. 323) (Presented by same gentleman)

Sent up for concurrence.

### Orders

On motion by Miss Longstaff of Crystal, it was

ORDERED, that the Clerk of the House be directed to send flowers to Representative Violette of Van Buren and express to him the regrets of the members and their hopes for a speedy and complete recovery.

Mr. Marsans of Monmouth presented the following Order and moved its passage.

ORDERED, the Senate concurring, that mileage be paid to the Indian Representatives of the Passamaquoddy and Penobscot Tribes at the legislature according to lists

certified by the Secretary of the Senate and Clerk of the House, jointly.

The Order received passage and was sent up for concurrence.

On motion by Mr. Lacharite of Brunswick, it was

ORDERED, that Mr. Nadeau of Biddeford be excused from attendance this week because of the illness and death of his mother.

### House Reports of Committees

Mr. Peirce from the House Committee on Elections on Returns for Votes cast for Representatives reported the following resolution:

RESOLVED that the several persons named in the certified list of Representatives-elect to the Ninety-third Legislature transmitted to Harvey R. Pease, Clerk of the House of the Ninety-second Legislature by Harold I. Goss, Secretary of State, are hereby declared legally elected Representatives to the Ninety-third Legislature.

Report was read and accepted and the Resolution was read and adopted.

### Ought Not to Pass

#### Tabled

Mr. Mills from the Committee on Judiciary reported "Ought not to pass" on Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms (H. P. 33) (L. D. 31)

(On motion by Mr. Allen of Portland, tabled pending acceptance)

### Ought to Pass

#### Printed Bill

Mr. Perkins from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Writ of Audits Querela Before Justice in Vacation" (H. P. 7) (L. D. 6)

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading the next legislative day.

### Orders of the Day

The SPEAKER: The Chair at this time wishes to call the attention of the members of the House to the fact that it is very possible that



next week the House will have a Friday morning session and will adjourn on January the 31st instead of the 30th. It is also very possible that the week following the House will begin Tuesday morning sessions. This information might be desirable to the members in making their plans at home.

If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Chase of Cape Elizabeth,

Adjourned until Tuesday, January 28th, 1947, at 4:30 o'clock in the afternoon.