

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State in conjunction with the Revisor of Statutes in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, March 16, 1842, and an Act approved April 2, 1931.

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

1933

MISCELLANEOUS
COMMUNICATIONS

MISCELLANEOUS COMMUNICATIONS

STATE OF MAINE EXECUTIVE CHAMBER

Augusta, Maine

January 4, 1933

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years 1931 and 1932, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation of sentence, and the condition, if any, upon which the same was granted.

WM. TUDOR GARDINER,
Governor.

State Prison

Patrick J. Harrington of Rumford. Convicted of the crime of murder, at the March term, 1916, of the Supreme Judicial Court at Paris, and sentenced to life imprisonment in the State Prison at Thomaston. Pardon granted April 7, 1931, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Harry E. Hatch, of St. George, County of Beauce, Quebec, Canada. Convicted of the crime of incest at the January term, 1927, of the Superior Court at Bangor, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the term of not less than five years and not more than ten years. Pardon granted April 7, 1931, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Resul Kasem Laclioli of Lewiston. Convicted of the crime of murder at the October term, 1913, of the Supreme Judicial Court at Bath, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the term of his natural life. Pardon granted July 8, 1931, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto.

Leland M. Cushman of Bangor. Convicted of the crimes of aiding a prisoner to escape, and aiding a prisoner who has escaped, at the Sep-

tember term, 1930, of the Superior Court at Bangor, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than two years and not more than four years. Sentence commuted, October 14, 1931, to a term of not less than one year nor more than four years.

Albert L. Barker of Portland. Convicted of the crime of murder, at the September term, 1914, of the Superior Court at Portland, and sentenced to imprisonment in the State Prison at Thomaston at hard labor for the term of his natural life. Pardon granted October 14, 1931, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall forthwith leave the limits of the United States, and not return thereto.

Joseph A. Vautour of Sanford. Convicted of the crime of manslaughter, at the September term, 1924, of the Superior Court at Portland, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the term of not less than eight years, and not more than twelve years. Sentence commuted October 14, 1931, to a term of not less than seven nor more than twelve years.

James Cannon of East Millinocket. Convicted of the crime of murder, at the February term, 1913, of the Supreme Judicial Court at Bangor, and sentenced to confinement to hard labor in the State Prison at Thomaston for the term of his natural life. Pardon granted November 10, 1931, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State; and that he shall forthwith leave the limits of the United States and not return thereto.

Merle C. Cooley of Dexter. Convicted of the crime of assault with intent to kill and murder, at the June term, 1930, of the Superior Court at Bangor, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than five years and not more than ten years, at hard labor. Sentence commuted November 10, 1931, to a term of not less than one nor more than five years.

Braho Hiro of Lewiston. Convicted of the crime of murder, at the October term, 1913, of the Supreme Judicial Court at Bath, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the term of his natural life. Pardon granted July 8, 1931, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto. Conditional pardon amended December 28, 1932, so that it shall read as follows: That he shall not be guilty of violating any of the criminal statutes of the State, and shall immediately leave the limits of the State and shall not return thereto.

Omar A. Hall of Arlington, Massachusetts. Convicted of the crime of highway robbery, at the April term, 1931, of the Superior Court at Ells-

worth, and sentenced to imprisonment in the State Prison at Thomaston, for the term of not less than one nor more than two years. Pardon granted January 5, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Robert Estey of Somerville, Massachusetts. Convicted of the crime of highway robbery, at the April term, 1931, of the Superior Court at Ellsworth, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than one nor more than two years. Pardon granted January 5, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Wong Slangchee, otherwise known as Wong Fou, otherwise known as Fung Wah, of Bangor. Convicted of the crime of larceny, at the January term, 1931, of the Superior Court at Bangor, and sentenced to imprisonment in the State Prison at Thomaston, at hard labor, for the term of not less than two years and not more than four years. Pardon granted April 13, 1932, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto.

Frank Oscar Robert Gustafsen, commorant of Portland. Convicted of the crime of being accessory before the fact to the commission of murder, at the September term, 1928, of the Superior Court at Portland, and sentenced to imprisonment, at hard labor, for the term of his natural life remaining, in the Maine State Prison at Thomaston. Pardon granted April 13, 1932, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto.

Gustave Alden Genthner of Bowdoin. Convicted of the crime of assault with intent to rape, at the October term, 1924, of the Supreme Judicial Court at Bath, and sentenced to imprisonment to labor in the Maine State Prison at Thomaston for the term of not less than eight years and not more than fifteen years. Full and free pardon granted April 27, 1932.

Chester Perkins of Lambert Lake. Convicted of the crime of uttering a forged instrument, at the November term, 1930, of the Superior Court at Houlton, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than two years, and not more than four years. Pardon granted July 5, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Ascenzo Ventresco of Portland. Convicted of the crime of manslaughter, at the May term, 1931, of the Superior Court at Portland, and sentenced to imprisonment, at hard labor, for not less than two years, and not more than four years in the State Prison at Thomaston. Pardon granted

August 10, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

James Caiazzo of Portland. Convicted of the crime of manslaughter, at the September term, 1930, of the Superior Court at Portland, and sentenced to imprisonment, at hard labor, for not less than seven years and not more than fourteen years in the Maine State Prison at Thomaston. Pardon granted August 10, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Winfield S. Joy of Bath. Convicted of the crime of assault, at the January term, 1931, of the Superior Court at Bath, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than eighteen months nor more than thirty-six months. Pardon granted August 10, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Peter Adamen of Lewiston. Convicted of the crime of negligent shooting of a human being, at the January term, 1932, of the Superior Court at Skowhegan, and sentenced to imprisonment at hard labor for not less than one year and not more than two years in the State Prison at Thomaston. Pardon granted September 28, 1932, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Ainsley Whitney of Weston. Convicted of the crime of embezzlement, at the December term, 1931, of the Superior Court at Houlton, and sentenced to imprisonment at hard labor, in the State Prison at Thomaston, for the term of not less than one year and not more than two years. Pardon granted October 12, 1932, upon condition that he shall not be guilty of violating any of the criminal statutes of the State.

George V. Little of Thomaston. Convicted of the crime of rape, at the February term, 1931, of the Superior Court at Rockland, and sentenced to imprisonment, at hard labor, in the State Prison at Thomaston for the term of not less than five years, and not more than ten years. Pardon granted, October 12, 1932, upon condition that he shall not be guilty of violating any of the criminal statutes of the State.

Ernest Haddad of York. Convicted of the crime of murder, at the September term, 1928, of the Supreme Judicial Court at Alfred, and sentenced to imprisonment in the State Prison at Thomaston for the term of his natural life. Pardon granted December 14, 1932, upon condition that he shall not be guilty of violating any of the criminal statutes of the State.

Wesley E. Grogan of Kittery. Convicted of the crime of embezzlement, at the October term, 1931, of the Superior Court at Alfred, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than eighteen nor more than thirty-six months. Full and free pardon granted December 14, 1932.

George W. Howard of Portland. Convicted of the crime of breaking, entering and larceny in the night-time, at the May term, 1932, of the Superior Court at Portland, and sentenced to imprisonment in the State Prison at Thomaston for the term of not less than two nor more than four years. Pardon granted December 14, 1932, upon condition that he shall not be guilty of violating any of the criminal statutes of the State.

Evan Drenoff of Bangor. Convicted of the crime of murder, at the January term, 1925, of the Superior Court at Bangor, and sentenced to confinement at hard labor for the term of his natural life in the State Prison at Thomaston. Pardon granted January 3, 1933, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto.

Edward LaPointe of Sebec. Convicted of the crime of murder, at the September term, 1920, of the Supreme Judicial Court at Dover, and sentenced to imprisonment, at hard labor, in the State Prison at Thomaston during the remainder of his natural life. Pardon granted January 3, 1933, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the United States and not return thereto.

Edwin C. Goodwin of Surry. Convicted of the crime of Murder, at the October term, 1913, of the Supreme Judicial Court at Ellsworth, and sentenced to imprisonment at hard labor, in the State Prison at Thomaston for the term of his natural life. Pardon granted January 3, 1933, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the state, and at the expiration of twenty years from the time of his original commitment, less such deduction from such twenty years for good conduct as he would be entitled to and may be allowed under the provisions of section 20 of chapter 152 of the revised statutes, had his original sentence been for not less than twenty years nor more than forty years, he shall be permitted to go at large, subject however to all the provisions of sections 53, 54, 55, and 56 of chapter 147 of the revised statutes, and subject further during the period of his natural life to all provisions of law now applying to prisoners sentenced and paroled under sections 25 to 43 inclusive of the revised statutes as amended by chapter 216 of the public laws of 1931; all the provisions of the foregoing sections applicable to persons sentenced under indeterminate sentences and paroled, being hereby made terms and conditions of this pardon as if each of these provisions were expressly set forth herein.

Frank P. Parks of Kittery. Convicted of the crime of Murder, at the May term, 1899, at the Supreme Judicial Court at Alfred, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the

term of his natural life. Pardon granted January 3, 1933, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and at the expiration of forty years from the time of his original commitment, less such deduction from such forty years for good conduct as he would be entitled to and may be allowed under the provisions of section 20 of chapter 152 of the revised statutes, had his original sentence been for not less than forty years nor more than eighty years, he shall be permitted to go at large, subject however to all the provisions of sections 53, 54, 55, and 56 of chapter 147 of the revised statutes, and subject further during the period of his natural life to all provisions of law now applying to prisoners sentenced and paroled under sections 25 to 43 inclusive of the revised statutes as amended by chapter 216 of the public laws of 1931; all the provisions of the foregoing sections applicable to persons sentenced under indeterminate sentences and paroled, being hereby made terms and conditions of this pardon as if each of these provisions were expressly set forth herein.

Homer Spurlock, alias Earl Morris of Ashland, Kentucky. Convicted of the crime of Murder, at the January term, 1921, of the Supreme Judicial Court at Skowhegan, and sentenced to imprisonment at hard labor in the State Prison at Thomaston for the term of his natural life. Pardon granted, January 3, 1933, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the State of Maine and not return thereto.

Edgar M. Ward of Randolph. Convicted of the crime of Murder, at the February term, 1921, of the Superior Court at Auburn, and sentenced to life imprisonment in the State Prison at Thomaston. Sentence commuted January 3, 1933, to a term of not less than twenty nor more than forty years.

Canning H. Rich of Portland. Convicted of the crime of Robbery Armed, at the October term, 1930, of the Superior Court at Alfred, and sentenced to imprisonment in the State Prison at Thomaston at hard labor for the term of not less than six nor more than twelve years. Sentence commuted January 3, 1933, to a term of not less than two and one half nor more than five years.

COUNTY JAILS

Adelard St. Pierre of Augusta. Convicted of the crime of illegal transportation of liquor, at the October Term, 1930, of the Superior Court at Augusta, and sentenced to pay a fine of \$300 and to be imprisoned three months in the county jail at Augusta, and in default of payment of fine to be imprisoned six months additional. Pardon granted April 7, 1931, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Oscar Michaud of Presque Isle. Convicted of the crime of single sale of intoxicating liquor, at the November Term, 1930, of the Superior Court at Houlton, and sentenced to pay a fine of \$400 and costs taxed at \$13.37 and to imprisonment in the county jail at Houlton for the term of four months, and in default of payment of fine and costs further imprisonment in jail for the term of six months. Pardon granted April 7, 1931, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Gregory Thomas Griffin of Brunswick. Convicted of the crimes of single sale of intoxicating liquor, and unlawful possession of intoxicating liquor, at the May term, 1930, of the Superior Court at Portland, and sentenced to confinement at labor in the county jail at Portland for the term of six months, and pay a fine of \$500 and costs of prosecution taxed at \$26.13, and in default of payment of fine and costs to suffer additional imprisonment at labor in said jail for the term of six months. 2nd.—Confinement in the county jail at Portland for the term of six months and to pay a fine of \$500 and costs of prosecution taxed at \$27.33, and in default of payment of fine and costs to suffer additional imprisonment at labor in said jail for the term of six months. Sentence to take effect at the expiration of first sentence. Sentences commuted May 6, 1931 to a term of one year.

Ralph Woodward of Portland. Convicted of the crime of unlawful possession of intoxicating liquor, at the May term, 1932, of the Superior Court at Portland, and sentenced to pay a fine of \$300 and costs of \$9.15 and to serve three months in the County jail at Portland, and in default of payment of fine and costs to serve six months additional. Pardon granted October 12, 1932, upon condition that he shall not be guilty of violating any of the criminal statutes of the State.

Willie Theberge of Lawrence, Massachusetts. Convicted of the crime of illegal transportation and possession of intoxicating liquors, at the Portland Municipal Court on May 21, 1932, and sentenced to pay a fine of \$300 and costs taxed at \$7.33, and to be imprisoned in jail for the term of three months and in default of payment of fine and costs, to be imprisoned for six months additional. Pardon granted December 14, 1932, upon conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall immediately leave the limits of the State and not return thereto.

STATE REFORMATORY FOR MEN

Clifford R. Butler of Belfast. Convicted of the crime of larceny, in the Belfast Municipal Court at Belfast, December 8, 1931, and sentenced to the State Reformatory for Men. Pardon granted April 13, 1932, upon

the condition that he shall not be guilty of violating any of the criminal statutes of the State, and the further condition that he shall be surrendered to the Massachusetts authorities for prosecution in that State.

To the Honorable Senate and House of Representatives:

I am pleased to submit herewith a communication from Ex-Governor Percival P. Baxter, distinguished citizen of Maine, with accompanying Act and Deed.

I suggest that prompt action be taken upon the Submitted Act, expressing definitely and conclusively our gratitude and appreciation.

It is the desire of Governor Baxter that the validity and public purpose of this very magnanimous gift be properly legalized, authenticated and recorded in the Laws of Maine.

No gift could be more generous, unselfish and disinterested.

This great public domain is for the enjoyment of our people for all time.

I desire to express to Governor Baxter the appreciation and thanks of the people of Maine.

Respectfully submitted,

LOUIS J. BRANN,
Governor.

STATE OF MAINE

In Senate, February 7, 1933.

ORDERED, the House concurring, that in order that the records of the Gift and Conveyance to the State of MOUNT KATAHDIN by PERCIVAL PROCTOR BAXTER shall be complete, the communication dated February 7, 1933, addressed by said BAXTER to the HONORABLE LOUIS J. BRANN, GOVERNOR, and to the SENATE AND HOUSE OF REPRESENTATIVES be printed in the Laws of Maine, 1933.

IN SENATE CHAMBER
Feb. 7, 1933
Read and Passed
Sent Down for Concurrence
ROYDEN V. BROWN,
Secretary

HOUSE OF REPRESENTATIVES
Read and Passed
In Concurrence
Feb. 8, 1933
HARVEY R. PEASE,
Clerk

Portland, Maine, February 2, 1933.

To Honorable Louis J. Brann, Governor and the Senate and House of Representatives of the Eighty-Sixth Legislature of the State of Maine:

On March 3, 1931 I conveyed by Deed of Gift to the State of Maine an undivided three-eighths ($\frac{3}{8}$) interest in a tract of land located in Township three (3) Range nine (9) W. E. L. S. Piscataquis County (Mt. Katahdin) which, had the Township been divided according to the fractional interests then outstanding, would have amounted to an area of six (6) square miles and this gift and conveyance was accepted, subject to the conditions therein imposed, by Act of the Legislature approved by the Governor on March 4, 1931 (Private and Special Laws of 1931, Chapter 23).

Subsequent to the conveyance and to the passage of the Act above mentioned a division of the Township was effected under which the former undivided interests were consolidated into separate and distinct ownerships, and this enabled me to complete and enlarge my Gift to the State. On October 7, 1931 I thereupon completed the former Gift and at the same time conveyed to the State an additional area slightly in excess of three (3) square miles which additional area when added to that first conveyed gave the State full title and ownership to an area of nine (9) square miles in said Township. This second conveyance was accepted by the State on October 7, 1931 by Hon. Neil L. Violette, Forest Commissioner, approval being given thereto by Governor William T. Gardiner and the Executive Council and by Hon. Clement F. Robinson, Attorney General, all of them acting under authority conferred upon them by Sections fifteen (15) and sixteen (16) of Chapter eleven (11) of the Revised Statutes of 1930.

In order that the total area of nine (9) square miles or to be more exact about 5,960 acres, conveyed to the State by the two (2) Deeds above referred to shall finally be accepted by the Senate and House of Representatives directly representing the People of the State and shall be approved by the Governor, I have prepared and submit herewith an Act of the Legislature which I request your Honorable bodies to enact into law and your Excellency to approve. The description of the area and the conditions of the Gift are the same as in the two original conveyances. The passage of this Act makes the acceptance of the two Gifts above mentioned somewhat more formal and complete and it is this that I seek to accomplish.

Respectfully,

PERCIVAL PROCTOR BAXTER.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED
AND THIRTY-TWO

A Resolve Ratifying Proposed Amendment to the Constitution of the United States Fixing the Commencement of the Terms of President and Vice President and Members of Congress, and Fixing the Time of the Assembling of Congress.

WHEREAS the seventy-second Congress of the United States of America, at the first session begun and held at the City of Washington on Monday, the seventh day of December, one thousand nine hundred and thirty-one, by a Constitutional two-thirds vote in both Houses, adopted a joint resolve proposing an amendment to the Constitution of the United States, to wit:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

“ARTICLE —

“Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

“Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

“Sec. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have

failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

“Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

“Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

“Sec. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.”

Therefore, be it RESOLVED, that the legislature of the State of Maine hereby ratifies and adopts this proposed amendment to the Constitution of the United States and be it further RESOLVED that the Secretary of State of the State of Maine notify the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States of this action of the legislature by forwarding to each of them a certified copy of this resolve.

IN SENATE CHAMBER
 Apr. 1, 1932
 Read and Adopted
 Sent Down for Concurrence
 ROYDEN V. BROWN,
Secretary

HOUSE OF REPRESENTATIVES
 Read and Adopted
 Apr. 1, 1932
 CLYDE R. CHAPMAN,
Clerk

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

March 31, 1933.

To the President of the Senate and the Speaker of the House:

I herewith transmit a list of the Acts and Resolves passed by the present Legislature.

I have approved a total of 351 Acts and 215 Resolves.

I know of nothing further to engage your attention.

May my best and sincerest wishes attend your journeys home.

Sincerely submitted,

LOUIS J. BRANN,
Governor.