

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

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.**

ERRORS IN LEGISLATIVE RECORD 1929

Which Might Confuse One Consulting the Index

- Page 25 The name of the joint committee on School for Feeble Minded was changed in 1927 to Pownal State School. The old name appears on this page, but no other in 1929 Record.
- Page 114 Mr. Aldrich of Topsham introduced the last two acts in column two.
- Page 108 Mr. Littlefield of York introduced the resolve in first paragraph, column one, and Mr. Mitchell of Aroostook the last resolve in column one. In column two the words "Judiciary Committee" should be inserted before S. P. 143.
- Page 115 An act to incorporate the town of Rumford School District (H. P. 422) should appear as being referred to Committee on Legal Affairs instead of Pensions, column one.
- Page 128 Mr. Burkett of Union introduced last resolve in column one (H. P. 577).
- Page 133 Petitions in favor of Barber bill (S. Papers 218-226) should be referred to Judiciary instead of Legal Affairs, column two.
- Page 139 H. P. 709 by Mr. Merrill of Dover-Foxcroft is a resolve in favor of Dover-Foxcroft.
- Page 165 Remonstrance introduced by Mrs. Allen in first paragraph, column two, does not state against what bill remonstrance is made.
- Page 189 Remonstrance in column two against Basic Science Bill should be under Judiciary instead of Education.
- Page 568 Second column says Act to provide for inspection of gasoline was reported in new draft under same title. Title was changed (see page 586, S. P. 718).
- Page 667 Order that Senator Carlton's remarks before committee be printed in Record. They never were so printed.
- Page 756 Last paragraph, first column, Androscoggin should read Aroostook.
- Resolves in favor of following academies were introduced at various times, but do not appear in Record again. Senate Journal shows they were all reported ought not to pass:—Aroostook Central Institute, Higgins Classical Institute, Lee Academy, Monson Academy, Monmouth Academy, Oak Grove Academy, Patten Academy, Pennell Institute, Ricker Classical Institute, Washington Academy, Berwick Academy, Bridgewater Classical Academy, Wiscasset Academy, Cherryfield Academy, Robert W. Traip Academy.
- Resolve in favor of town of Stonington (H. P. 1601) introduced on page 322, column one, does not appear again. Senate Journal shows it was reported ought not to pass.
- Record does not show that report of Budget Committee was submitted to legislature, although corrections to it were.
- Act relative to close time on moose (H. P. 1279 and H. P. 1657) introduced page 244 does not make final appearance. This is not an error of Record, but of Committee on Revision of Statutes, which did not report it out.

SENATE

Thursday, January 31, 1929.

Senate called to order by the President.

Prayer by the Rev. J. H. Bessom, of Hallowell.

Journal of previous session read and approved.

On motion by Mr. Martin of Kennebec, out of order and under suspension of the rules, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 5, at four o'clock in the afternoon.

Sent down for concurrence.

Subsequently the foregoing order came back from the House read and passed in concurrence.

The PRESIDENT: The Chair will state that, as the Senate well knows, in accordance with the order that has just been passed there will not be any Friday session this week. In order not to have a Friday session this week, so that the members can go to their homes this afternoon as many of them would like to do, it seems important and almost necessary, in order to expedite business and have as much printing as possible done over the week-end, to recess after the work of this morning is over until the early part of the afternoon and then to come in again, perhaps, at a quarter past one if that meets with the pleasure of the Senate, to take care of matters that may come to this body from the House in the meantime. The Chair understands that the House intends to do the same thing.

The Chair will further state that commencing next week there will without any question be Friday sessions and of course the Friday sessions once commenced will continue until the close of the Legislature. It is very important for the committees that have worked pending before them, to try and get as many hearings advertised as possible for next Thursday afternoon. I am sure that we all want to stay here as long as is necessary to do all the business that may come before us to do but we do not want to stay here any longer than is necessary because we all have our duties and our work to perform at

home, and I wish that we might fix in our minds, at least, as a goal for adjournment, the latter part of March and then all of us do all that we can to try and meet that date.

From the House:

An Act to establish a closed time on bear. (S. D. 47)

(In Senate, January 29, referred to the Committee on Inland Fisheries and Game.)

In the House, referred to the Committees on Agriculture and Inland Fisheries and Game jointly, in non-concurrence.

In the Senate, on motion by Mr. Page of Somerset that body voted to recede and concur with the House; and on further motion by the same senator the bill was tabled pending consideration.

Papers from the House disposed of in concurrence.

From the House;

An Act to extend the charter of the Patten Water and Power Company. (H. P. 333)

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

In the Senate, on motion by Mr. Weatherbee of Penobscot, tabled pending reference.

The following bills, resolves, petitions, etc. were received and on recommendation by the committee on reference of bills were referred to the following committees:

Agriculture

By Mrs. Allen of Penobscot: Resolve relating to Capper Ketchum Act. (S. P. 127)

(500 copies ordered printed.)

Sent down for concurrence.

Appropriations and Financial Affairs

By Mr. Littlefield of York: Resolve in favor of York County Children's Aid Society of Saco. (S. P. 123)

Sent down for concurrence.

By Mr. Carlton of Sagadahoc: Resolve for aid to typhoid carriers to be expended under the State Department of Health. (S. P. 129)

Subsequenting on motion by Mrs. Pinkham of Aroostook, the Senate voted to reconsider its action whereby the Resolve was referred to the Committee on Appropriations and Financial Affairs; and on fur-

ther motion by the same senator the Resolve was referred to the Committee on Public Health.

(500 copies ordered printed.)

Resolve appropriating money to restore the early records in the office of the register of deeds for York County. (S. P. 130)

(500 copies ordered printed.)

Sent down for concurrence.

Banks and Banking

By Mr. Page of Somerset: An Act to amend the banking laws of this state. (S. P. 131)

(500 copies ordered printed.)

Sent down for concurrence.

Claims

By Mr. Littlefield of York: Resolve in favor of Chester Dutch, compensating him for the loss of a cow. (S. P. 132)

By Mr. Weatherbee of Penobscot: Resolve in favor of J. T. Kelleher & Son, of Bangor, for burial expenses of a state pauper. (S. P. 133)

By Mr. Wheeler of Oxford: Resolve in favor of Charles F. Boober of Norway to compensate him for damages sustained in the construction of a certain state aid highway. (S. P. 134)

(500 copies ordered printed)

Sent down for concurrence.

Education

By Mr. Campbell of Washington: Resolve in favor of the Cherryfield Academy. (S. P. 135.)

Sent down for concurrence.

Indian Affairs

By Mr. Weatherbee of Penobscot: Resolve in favor of the Passamaquoddy Tribe of Indians for the general care, maintenance and education thereof. (S. P. 136.)

(500 copies ordered printed.)

Sent down for concurrence.

Interior Waters

By Mr. Mitchell of Aroostook: An act to incorporate the Fish River Power and Storage Company. (S. P. 178.)

(2000 copies ordered printed.)

Sent down for concurrence.

Inland Fisheries and Game

Resolve in favor of establishing a feeding station or rearing pools for fish at, or near, Houlton, in the county of Aroostook. (S. P. 137.)

Petition of H. D. Hart of Monti-

cello and 25 others (S. P. 138); petition of F. H. Vail of Hodgdon and 8 others (S. P. 139); petition of C. A. Nutter of Mars Hill and 25 others (S. P. 140); petition of Earle E. Stewart of Linneus and 16 others (S. P. 141); petition of Elisha S. Powers of Houlton, and 148 others (S. P. 142) in favor of rearing pool for southern Aroostook County.

By Mr. Weeks of Somerset: An Act relating to legal holidays. (S. P. 143.)

By the same Senator: An Act relating to Board of Registration in Optometry. (S. P. 144.)

By the same Senator: An Act to amend section 46 of chapter 18 of the revised statutes relating to optometry as amended by section 2 of chapter 24 of the public laws of 1923 (S. P. 145.)

By the same Senator: An Act to amend sections 41, 44, 45, 53 and 54 of chapter 18 of the revised statutes, relating to optometry. (S. P. 146.)

(500 copies of each ordered printed.)

By Mr. Martin of Kennebec: An Act relating to the Portland Terminal Company. (S. P. 147.)

By the same Senator: An Act to dissolve the Somerset Railway Company and the Washington County Railway Company. (S. P. 148.)

By Mr. Littlefield of York: Three petitions in favor of bill "An Act to register and license barbers and create a Board of Barber Examiners. (Senate Papers Nos. 149, 150 and 151).

Sent down for concurrence.

Legal Affairs

By Mr. Crockett of York: An Act to authorize the treasurer and county commissioners of York County to procure a loan and issue bonds. (S. P. 152.)

(500 copies ordered printed.)

Sent down for concurrence.

Military Affairs

By Mr. Crosby of Penobscot: Resolve providing for a state pension for Otis O. Roberts of Dexter, last surviving holder in Maine of the Congressional Medal of Honor, for services rendered in the Civil War. (S. P. 153.)

Sent down for concurrence.

Pensions

By Mr. Nickerson of Waldo: Resolve providing for a state pension for Mabel Paul Ferrow of Belfast. (S. P. 154.)

Sent down for concurrence.

Public Utilities

By Mr. Page of Somerset: An Act relating to highway crossings of railroads. (S. P. 155.)

(500 copies ordered printed.)

Sent down for concurrence.

Salaries and Fees

By Mr. Campbell of Washington: An Act relating to the salary of the sheriff of Washington County. (S. P. 156.)

By Mr. Murchie of Washington: An Act to increase the salary of the county commissioners of the county of Washington. (S. P. 157.)

Sent down for concurrence.

Sea and Shore Fisheries

By Mr. Littlefield of York: An Act to repeal section 94 of chapter 98 of the Public Laws of 1921, relating to the transportation of lobsters. (S. P. 158.)

By the same Senator: An Act relating to the lobster industry. (S. P. 159.)

(500 copies ordered printed.)

Sent down for concurrence.

State Lands and Forest Preservations

By Mr. Mitchell of Aroostook: Resolve appropriating money for the study and control of the birch saw-fly leaf miner and birch case bearer. (S. P. 160.)

(500 copies ordered printed.)

Sent down for concurrence.

State Prison

By Mr. Littlefield of York: An Act permitting the warden of the State Prison to credit up a percentage of the earnings of each inmate under certain circumstances. (S. P. 161.)

By the same Senator: An Act relating to the employment of convicts in the State Prison. (S. P. 162.)

(500 copies of each ordered printed.)

Sent down for concurrence.

State Sanatoriums

By Mr. Weeks of Somerset: Resolve in favor of the Western Maine Sanatorium for the main-

tenance, personal services, repairs and equipment. (S. P. 163.)

By the same Senator: Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment. (S. P. 164.)

By the same Senator: Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment. (S. P. 165.)

(500 copies of each ordered printed.)

Sent down for concurrence.

Ways and Bridges

By Mr. Bond of Lincoln: Resolve proposing an amendment to the Constitution to provide for an additional issue of highway and bridge bonds. (S. P. 166.)

(On motion by Mr. Bragdon of Aroostook, tabled pending reference.)

(1000 copies ordered printed.)

By the same Senator: Resolve in favor of the town of Jefferson. (S. P. 167.)

By the same Senator: Resolve in favor of the town of Whitefield for a road. (S. P. 168.)

By the same Senator: Resolve in favor of the town of Jefferson. (S. P. 169.)

By the same Senator: Resolve in favor of the town of Somerville. (S. P. 170.)

By the same Senator: Resolve in favor of the town of Somerville. (S. P. 171.)

By Mr. Campbell of Washington: Resolve in favor of the town of Steuben. (S. P. 172.)

By the same Senator: Resolve in favor of the town of Columbia. (S. P. 173.)

By the same Senator: Resolve in favor of the town of Harrington. (S. P. 174.)

By Mr. Harriman of Kennebec: Resolve in favor of the town of Wayne. (S. P. 175.)

By Mr. Carlton of Sagadahoc: Resolve in favor of the town of Woolwich. (S. P. 179.)

By Mr. Leland of Piscataquis: Resolve in favor of the town of Sangerville. (S. P. 176.)

Sent down for concurrence.

Mr. Oakes of Cumberland presented bill "An Act to repeal sections 1 and 2 of Chapter 60 of the

revised statutes of 1916 know as the Fernald law." (S. P. 177)

The PRESIDENT: The Committee on reference of bills makes no suggestion as to the reference of this bill except that fifteen hundred copies be ordered printed.

Mr. MARTIN of Kennebec: Mr. President, as the reference of this bill is somewhat peculiar the committee on reference of bills thought that possibly some brief explanation should be made as to its reference. The members of the Senate who are members of the committee on reference of bills felt that this bill should be referred to the three committees to which the bill introduced by the Senator from Sagadahoc, Senator Carlton, was referred yesterday, namely, Public Utilities, Judiciary, and Interior Waters, in view of the action of this body yesterday. The members of the House who are members of the committee on reference of bills felt that in view of the fact that the bill introduced by the Senator from Sagadahoc, Senator Carlton, would be before the House this morning, that they did not wish to report on the bill because it might be considered that they were attempting to influence or prejudice the House or anticipate the action of the House on the reference of that bill today. For that reason they did not wish to make reference of this bill to any committee. I now yield to the Senator from Cumberland, Senator Oakes.

The PRESIDENT: The Senator from Kennebec, Senator Martin, now yields to the Senator from Cumberland, Senator Oakes.

Mr. OAKES of Cumberland: Mr. President, I move that the bill be referred to the three committees; Public Utilities, Judiciary and Interior Waters, and that 1500 copies be ordered printed.

I wish to correct an unintentional error which has been suggested regarding my attitude. I am not opposed to export of surplus power. I would be willing to make a sacrifice if I could help to devise a means to secure export with retention of state control. The only means that has ever come to my attention was embodied in the compact bill which I introduced two years ago. I am informed that the negotiations that were carried on between Governor Brewster and the power interests for about a year

after the Legislature adjourned indicate that a suitable agreement to be embodied in a compact could not be reached. Therefore I consider the idea a dead issue.

I think we have no adequate legal opinion that the Carlton Bill, formerly the Smith Bill, would retain control. Mr. President, I now make my motion.

The PRESIDENT: The Senator from Cumberland, Senator Oakes, moves that this bill be referred to the committees on Public Utilities, Judiciary and Interior Waters jointly, and that 1500 copies be ordered printed. Is this the pleasure of the Senate?

The motion prevailed.

Orders

On motion by Mr. Weatherbee of Penobscot, it was

Ordered, the House concurring, that the cost of distribution of the report of the Commissioner for the Revision of the General and Public Laws be, and the same is hereby, made a part of the contingent expenses of the 84th Legislature.

Report of Committee

Mr. Dwinial from the Committee on Legal Affairs, on bill, An Act authorizing and legalizing copies of certain volumes of records of deeds in Knox County (S. P. 9) reported that the same ought to pass.

The report was read and accepted, and the bill tabled for printing under the joint rules.

Passed to be Engrossed

An Act to amend section four of chapter four of the private and special laws of nineteen hundred and twenty-five, entitled "An Act to incorporate the city of Brewer High School District." (H. D. 3)

An Act to extend the charter of the Quebec Extension Railway Company. (H. D. 18)

Orders of the Day

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, An Act to Amend Section Two of Chapter Two Hundred Eight of the Public Laws of Nineteen Hundred Twenty-Five, Permitting Sterilizing Operations, (S. D. 51), tabled by that senator yesterday pending reference; and on further motion by the same senator the bill was refer-

red to the Committee on Public Health.

The PRESIDENT: The Chair will inquire of the Senate if it is satisfactory for the members to recess until this afternoon until quarter past one.

On motion by Mr. Boulter of York,

Recessed until this afternoon at quarter past one.

After Recess

Senate called to order by the President.

Mr. MARTIN of Kennebec: Mr. President, I have a resolution which I would like to introduce and move its adoption, and I move that the rules be suspended that the resolution may be introduced at this time.

The rules were suspended and Mr. Martin of Kennebec introduced the following resolution and moved its adoption:—

RESOLUTION: On the death of Justice Albert M. Spear.

BE IT RESOLVED: that in the death of Honorable Albert M. Spear, Justice of the Supreme Judicial Court of Maine, the State has lost a citizen whose distinguished service as a jurist, as a statesman and as a citizen will ever live in the history of the State; that as a jurist his services to Maine cannot be overestimated; that as a statesman his aim was ever to serve to the best of his great ability, and included in this service was his service as President of the Senate of Maine; that as a citizen his goal was ever to be of service to others. And be it further

RESOLVED: that an engrossed copy of this resolution, signed by the President of the Senate, be sent to Mrs. Spear as a pledge of our respect and love for Justice Spear. And be it further

RESOLVED: that these resolutions be spread in full upon the records.

The PRESIDENT: It was with the deepest regret that we all learned this morning of the death of Justice Albert M. Spear. As stated in the resolution presented he was a past President of this body, having presided over the Maine Senate in 1893—one of Maine's great jurists. His activi-

ties continued as an Active Retired Justice until within a short time of his death. The people of Maine have met with a distinct loss in the passing of this distinguished citizen.

The Senate will signify its assent to the adoption of this resolution by rising.

The resolution was unanimously adopted by a rising vote.

Additional papers from the House called off in concurrence.

House Bill in First Reading

An Act amendatory of Chapter 98 of the Private and Special Laws of 1917, entitled "An Act to incorporate the Casco Title Guaranty Company" (H. D. 4)

The following bills, resolves, petitions, etc. were received and on recommendation by the committee on reference of bills were referred to the following committees:

Claims

By Mr. Nickerson of Waldo: Resolve in favor of Bessie Nickerson, for compensation. (S. P. 180)

By Mr. Mitchell of Aroostook: Resolve to reimburse the town of Shirley for support of the family of Angus A. Green. (S. P. 181)

Sent down for concurrence.

Ways and Bridges

By Mr. Boulter of York: Resolve in favor of the town of Kittery. (S. P. 182)

By Mr. Campbell of Washington: Resolve to aid in rebuilding the road in Township No. 10, Hancock County. (S. P. 183)

By the same Senator: Resolve in favor of the town of Milbridge to aid in building a road. (S. P. 184)

By Mr. Leland of Piscataquis: Resolve in favor of the town of Monson. (S. P. 185)

By the same Senator: Resolve in favor of the town of Atkinson. (S. P. 186)

By Mr. Nickerson of Waldo: Resolve in favor of the town of Swanville. (S. P. 187)

By the same Senator: Resolve in favor of the town of Swanville. (S. P. 188)

Sent down for concurrence.

Reports of Committees

Mr. Nickerson from the Committee on Pensions, on bill "An Act to amend the statutes relating to pen-

sion of the blind" (S. D. 7) reported that the same be referred to the Committee on Taxation.

The report was read and accepted.

Sent down for concurrence.

Mr. Weeks from the Committee on Judiciary, on bill "An Act relating to marriage licenses," (S. P. 4) reported that the same ought to pass.

Which report was read and accepted, the bill read once under suspension of the rules, and Tuesday assigned for second reading.

The same Senator, from the same Committee, on bill "An Act to incorporate the Home Security Company" (S. P. 5) reported that the same ought to pass.

The report was read and accepted and the bill laid upon the table for printing under the joint rules.

Orders of the Day

On motion by Mr. Page of Somerset, the Senate voted to reconsider its action of this morning whereby Senate Paper No. 155, An Act relating to highway crossings of railroads, was referred to the Committee on Public Utilities; and on further motion by the same senator the bill was tabled pending reference and printing.

On motion by Mr. Littlefield of York.

Adjourned until Tuesday afternoon, February 5, at four o'clock.