

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

Monday, March 18, 1929.

Senate called to order by the President.

Prayer by the Rev. C. E. Young of Hallowell.

Journal of previous session read and approved.

From the House: Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment. (S. P. 164) (S. D. 74)

(In Senate, March 5, passed to be engrossed and sent down for concurrence.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" and "B" in non-concurrence.

In the Senate, on motion by Mr. Mitchell of Aroostook, that body voted to recede from its former action whereby the resolve was passed to be engrossed; House Amendments "A" and "B" were adopted in concurrence and the resolve as so amended was passed to be engrossed in concurrence.

From the House: Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment. (S. P. 165) (S. D. 75)

(In Senate, March 5, passed to be engrossed and sent down for concurrence.)

Comes from the House, passed to be engrossed as amended by House Amendments "A" and "B" in non-concurrence.

In the Senate, on motion by Mr. Mitchell of Aroostook, that body voted to recede from its former action whereby the resolve was passed to be engrossed; House Amendments "A" and "B" were adopted in concurrence, and the resolve as so amended was passed to be engrossed in concurrence.

From the House: An act to amend the charter of the city of Westbrook in reference to reducing the number of its Aldermen, and increasing the time of their office as well as that of the Mayor and Board of Assessors. (H. P. 171) (H. D. 70)

(In Senate, March 14, passed to be engrossed in non-concurrence.)

Comes from the House, that branch having voted to insist on its action of March 1, whereby the report and bill were recommitted to the Committee on Legal Affairs.

In the Senate, that body voted to adhere to its former action.

From the House: An act to incorporate the Big Black River Dam Company. (S. P. 363) (S. D. 218)

(In Senate, February 27, passed to be engrossed and sent down for concurrence.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.)

In the Senate, that body voted to recede from its former action, House Amendment "A" was adopted and the bill as so amended was passed to be engrossed in concurrence.

From the House: An act to grant a new charter to the city of Belfast. (H. P. 1557)

In the House, referred to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Nickerson of Waldo, tabled pending consideration.

Papers from the House disposed of in concurrence.

From the House: Report of the Committee on Judiciary, on bill an act relative to absent voting (H. P. 1283) (H. D. 440) reported that legislation is inexpedient.

In the House, report read and accepted.

In the Senate, on motion by Mr. Oakes of Cumberland, tabled pending consideration.

From the House: Report of the majority of the Committee on Judiciary, on bill an act relating to the relicensing and registration of undertakers (H. P. 316) (H. D. 91) reported the same in a new draft, under the same title (H. P. 1629) (H. D. 648) and that it ought to pass.

(Signed)

OAKES  
ALDRICH  
MARTIN  
FARRIS  
HOLMAN  
WILLIAMSON  
WEEKS  
McCART

The minority of the same Committee, on the same subject matter, reported that the same ought not to pass.

(Signed) WING  
LAUGHLIN.

Comes from the House, majority report "ought to pass in new draft" accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Oakes of Cumberland, majority report "ought to pass in new draft" was accepted in concurrence, the bill received its first reading and Tuesday next assigned for second reading.

From the House: Report of the Committee on Judiciary, on bill an act in relation to the Ellsworth Municipal Court (H. P. 844) (H. D. 270) reported the same in a new draft, under the same title (H. P. 1626) (H. D. 644) and that it ought to pass.

Comes from the House, report accepted, bill subsequently recommended to the Committee on Judiciary.

In the Senate, that body voted to concur with the House in the recommitment of the bill to the Committee on Judiciary.

#### House Bills in First Reading

An act relating to procedure before Public Utilities Commission. (H. P. 1214) (H. D. 405)

An act relating to the establishment of the Lewiston Municipal Court. (H. P. 842) (H. D. 268)

An act relating to certain reports to the Commissioner of Labor and Industry. (H. P. 1407) (H. D. 469)

From the House: Report of the Committee on Military Affairs on resolve to assist in defraying expenses for National Encampment of the Grand Army of the Republic (H. P. 113) reported the same in a new draft, under the same title (H. P. 1625) (H. D. 643) and that it ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment "A."

In the Senate:

Mr. SLOCUM of Cumberland: Mr. President, I move that House Amendment "A" be indefinitely postponed. In support of my motion I would like to explain that

there evidently was a misapprehension on the part of the member putting in the amendment. When the bill was first drawn and presented to the military affairs committee it contained a provision for the appropriation of \$15,000 to assist in defraying the expenses of the National Encampment of the Grand Army, which will be held in Maine this coming summer. When the hearing was held the proponents of the bill explained that the bill had been drawn before they had made an estimate of their expenses and they found that they would need at least \$20,000 or \$25,000 from the State to properly conduct the National Encampment. They therefore asked that the bill be immediately redrafted, it being then in the committee. The bill that was reported favorably by the committee is the redraft containing an appropriation of \$20,000. A member of the other branch of the Legislature did not understand that the original bill as introduced by the proponents had been changed to \$20,000 at the hearing. He therefore suggested the amendment that the bill, or rather the resolve, as originally drawn be enacted.

I, therefore, move the indefinite postponement of the amendment which would in effect be in accord with the vote of the committee to appropriate \$20,000 to assist in financing the National Encampment of the Grand Army of the Republic.

Thereon, on motion by Mr. Spear of Cumberland the resolve was tabled pending the motion to indefinitely postpone the amendment.

An act providing for Committee of Visitors to Pownal State School. (H. P. 1406) (H. D. 468)

From the House: Report of the Committee on Salaries and Fees, on bill An Act relating to the salary of the Municipal Court Recorder of Sanford (H. P. 695) reported the same in a new draft, under the same title (H. P. 1633) (H. D. 656) and that it ought to pass.

Comes from the House, report accepted, bill subsequently recommended to the Committee on Salaries and Fees.

In the Senate, that body voted

to concur with the House in the recommitment of the bill to the Committee on Salaries and Fees.

An act to prohibit lobster fishing in certain waters of Winter Harbor and Gouldsboro. (H. P. 1636) (H. D. 658)

An act to set off certain land from the town of Hudson to be annexed to the city of Old Town. (H. P. 1635) (H. D. 659)

An act regarding disposition of motor vehicle fees. (H. P. 1595) (H. D. 593)

The following communication was received:

"State of Maine,  
Office of the Governor,  
Augusta,

March 18, 1929

To the Honorable Senate and House of Representatives:

I transmit letter received from the Honorable Secretary of the Department of Agriculture of the United States.

It will be noted that an apparent typographical error in the previous letter from this Department has been corrected, and the third project referred to is No. 103-A, and not 103-B.

I have consulted the Attorney General regarding this matter and he is today in Washington in the interest of the State.

Respectfully submitted,  
(Signed)

WM. TUDOR GARDINER."

Department of Agriculture,  
Washington, D. C.,

March 14, 1929

Hon. William Tudor Gardiner,  
Governor of Maine,  
Augusta, Maine.

Dear Governor:

Supplementing the letter of March 2 from former Secretary Jardine to you concerning the omission of several thousand barrels of cement which under the specifications should have gone into the concrete pavements on Maine Federal aid projects Nos. 102-A, 102-B, and 103-A, I now request reimbursement by the State of the Federal funds paid on account of the pavement portion of these projects.

The Department records concerning these projects have been checked to ascertain the cost of the pavement portion of the improve-

ments and the proportionate amount of the Federal funds paid on account thereof. Our records show that on project 102-A the cost of the pavement was \$151,139.44 and the Federal funds paid on account thereof \$50,227.56; that on project No. 102-B the cost of the pavement was \$139,827.80 and the Federal funds paid on account thereof \$42,517.36; and that on project No. 103-A the cost of the pavement was \$41,424.42 and the Federal funds paid on account thereof \$11,252.61. The total Federal funds paid on account of the pavement portion of the improvement of these projects, therefore, amounted to \$103,997.53 and a check from the State in reimbursement of this amount is requested.

I am submitting this request for reimbursement to you for the reason that there may be some question as to whether or not the State highway department has funds available which it would be authorized to utilize in making this reimbursement and it may be necessary for you to call upon the Legislature to make an appropriation for that purpose.

Sincerely,

(Signed) ARTHUR M. HYDE,  
Secretary.

The Communication was read and placed on file; and on motion by Mr. Oakes of Cumberland five hundred copies were ordered printed.

Sent down for concurrence.

#### Orders

On motion by Mr. Slocum of Cumberland, it was,

Ordered, the House concurring, that twenty-five hundred additional copies of the address of Col Paul V. McNutt, National Commander of the American Legion, before the 84th Legislature, be printed.

#### Bills in First Reading

Resolve in favor of the town of Lyman. (S. P. 644) (S. D. 352)

An act to prohibit the erection of any dam on the public waters in the State unless and until all bushes, trees and stumps within the area to be flowed shall have been removed. (S. P. 683) (S. D. 351)

An act to amend and extend the charter of Kennebec Reservoir

Company, said charter being chapter 113 of the Private and Special Acts of 1927. (S. P. 684) (S. D. 353)

#### Reports of Committees

Mr. Oakes, from the committee on Judiciary, on bill an act to prevent fraudulent registration of motor vehicles. (S. P. 379) (S. D. 160) reported that the same ought not to pass.

Mr. Martin, from the same committee, on bill an act relating to the crime of arson and punishment. (S. P. 591) (S. D. 258) reported that the same ought not to pass.

The reports were severally read and accepted.

Sent down for concurrence.

Mr. Harriman, from the Committee on Claims, on resolve in favor of Emerson J. Hills and Alice S. Hills of Belmont for damages. (S. P. 268) (S. D. 137) reported the same in a new draft, under the same title (S. P. 685) and that it ought to pass.

Mr. Weatherbee, from the Committee on Indian Affairs, on resolve in favor of the Passamaquoddy Tribe of Indians for the general care, maintenance and education thereof. (S. P. 136) (S. D. 63) reported the same in a new draft, under the same title (S. P. 686) and that it ought to pass.

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

Mr. Murchie, from the Committee on Legal Affairs, on bill an act to authorize the Treasurer and County Commissioners of York County to procure a loan and issue bonds. (S. P. 152) (S. D. 68) reported that the same ought to pass.

The report was read and accepted, and the bill read once and tomorrow assigned for second reading.

Mr. Mitchell, from the Committee on State Sanatoriums, on resolve in favor of the Northern Maine Sanatorium for the construction and equipment of a nurses' home. (S. P. 119) (S. D. 54) reported the same in a new draft, under the same title (S. P. 687) and that it ought to pass.

The same Senator, from the same Committee, on resolve in favor of the Central Maine Sanatorium for the construction equipment

and maintenance of an additional building for patients. (S. P. 120) (S. D. 55) reported the same in a new draft, under the title of resolve in favor of the Central Maine Sanatorium for construction and equipment of an additional building for patients. (S. P. 688) and that it ought to pass.

The same Senator, from the same Committee, on resolve in favor of the Western Maine Sanatorium for the construction of a superintendent's home and employees' building (S. P. 117) (S. D. 52) reported the same in a new draft, under the title of resolve in favor of the Western Maine Sanatorium for the construction of a superintendent's home (S. P. 689) and that it ought to pass.

Mr. Leland, from the Committee on Ways and Bridges, on resolve in favor of the towns of Sangerville and Guilford (S. P. 256) reported that the same ought to pass.

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

The same Senator, from the same Committee, on bill an act to remove the limit of expenditure of third class highway funds upon a section of road where buildings are nearer than two hundred feet apart (S. P. 254) (S. D. 106) reported that the same ought to pass.

The report was read and accepted, the bill read once and tomorrow assigned for second reading.

#### Passed to be Engrossed

An Act relating to the Bucksport Seminary. (H. P. 510) (H. D. 650)

Resolve for the purchase of one hundred copies of "The Beginnings of Education in Maine." (H. P. 1609) (H. D. 651)

Resolve for the purchase of one hundred copies of "Sketches of Brooks History." (H. P. 1610) (H. D. 652)

Resolve for the purchase of "Emden Town of Yore." (H. P. 1614) (H. D. 653)

An act relating to the annual payments to the Aroostook Law Library. (S. P. 211) (S. D. 343)

An act for the purchase of books for the Aroostook Law Library. (S. P. 212) (S. D. 344)

An act relating to the transportation or board of children in places of temporary residences, provided for, procedure to obtain, pay-

ment of, how made. (S. P. 458) (S. D. 185)

An act relating to the temporary closing of schools. (S. P. 460) (S. D. 187)

Resolve in favor of the State Prison. (S. P. 463) (S. D. 188)

An act to regulate the plotting of private lands for streets or ways and imposing conditions for recording maps or plans of private land with streets or ways thereon. (S. P. 594) (S. D. 259)

An act relating to a state entomologist. (S. P. 604) (S. D. 265)

An act to amend section 69 of chapter 211 of the Public Laws of 1921 relating to lights on vehicles. (S. P. 615) (S. D. 286)

An act to amend sections 1 and 29 of chapter 29 of the Revised Statutes relating to paupers, their settlement and support. (S. P. 618) (S. D. 285)

An act to amend the Act defining the term "securities" under the Blue Sky Law (S. P. 677) (S. D. 345)

Mr. SLOCUM of Cumberland: Mr. President, I move that this bill be recommitted to the Committee on Banks and Banking, there being a technical error in the drafting.

The motion prevailed.

An act relating to the expenses of the Justices of the Supreme Judicial Court (S. P. 678) (S. D. 346)

An act relating to bonds of licensed detectives (S. P. 679) (S. D. 347)

Resolve providing for moving pictures of Maine's Wild Life for recreational advertising purposes. (S. P. 680) (S. D. 348)

Resolve in favor of the Pownal State School. (S. P. 681) (S. D. 349)

An act to amend chapter 110 of Revised Statutes relating to easements. (S. P. 682) (S. D. 350)

#### Passed to Be Enacted

An act relating to the property of extinct or disbanded Baptist or Free Baptist Churches, Parishes or Societies. (H. P. 413) (H. D. 124)

#### Finally Passed

Resolve for the general distribution of data concerning the resources of the State. (S. P. 651) (S. D. 306)

Resolve in favor of C. J. Thom-

as, compensating him for the loss of a cow. (H. P. 3178) (H. D. 459)

#### Orders of the Day

On motion by Mr. Slocum of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby it voted to adhere to its former action on an act to amend the Charter of the City of Westbrook in reference to reducing the number of its Aldermen and increasing the time of their office as well as that of the Mayor and the Board of Assessors (H. P. 171) (H. D. 70); and on further motion by the same Senator the Senate voted to recede and concur with the House in recommending the bill to the Committee on Legal Affairs.

On motion by Mr. Nickerson of Waldo, the Senate voted to take from the table an act to grant a new charter to the city of Belfast (H. P. 1557), tabled by that Senator earlier in today's session pending consideration.

Mr. NICKERSON of Waldo: Mr. President, I would inquire if this is a printed bill?

The PRESIDENT: The Chair will state that it is not a printed bill.

Thereupon, on motion by Mr. Nickerson of Waldo, the bill was referred to the Committee on Legal Affairs in concurrence and five hundred copies ordered printed.

On motion by Mr. Douglas of Hancock, the Senate voted to take from the table, an act relative to the town line between the towns of Hancock and Lamoine (S. D. 337) tabled on March 15 by that Senator pending passage to be engrossed; and the same Senator offered Senate Amendment "A" and moved its adoption: "Senate Amendment A to Senate Document 337. Amend by striking out all of Section 7 of the new draft."

Mr. DOUGLAS of Hancock: Mr. President and members of the Senate, I approach this subject by asking you to be lenient with me on so small a matter to most of you but vital to some of us. I haven't cluttered up the table much with tabling matters, I haven't taken up much of your time in talking, this session or any other session. In

the three sessions that I have been a member of the Legislature I have usually introduced one bill, sometimes have sponsored one or two others. It is true this session that I have introduced one bill, and I am speaking for that bill and perhaps am going to explain a little in detail which would not be necessary if all of you knew the geographical situation down there. And if you will excuse me in my map-making I will try and give you a rough draft and then talk to the draft for all of you. (Draws rough map on black board.) That (indicating) is the town of Lamoine. This over here is the town of Hancock. One hundred and thirty-one years ago they ran out the town line between Lamoine and Hancock leaving this little hamlet of Marlboro in Hancock. For over a hundred years the people living in this little hamlet have come over to Lamoine, married there, gone to church and school there, have been masters of our Grange, have entered into all of our social life and have for a final end, many of them, been buried near Marlboro. They have never had a chance to go across here (indicating) to enjoy very much of the social life there due to the fact that they are obliged to go up around and down to the corner in Hancock, a matter of twelve miles, to vote—practically the only time that they go over there at all. We have been obliged always to build all the roads by which they can get out of their little hamlet at all and now we have built a State-aid road nearly to the line. We have kept our roads up very well, and while I am talking I will say that both Hancock and Lamoine are now free from debt. The valuation down in this little hamlet of Marlboro is \$22,000. The people down there, the majority of them, feel that they should become a part of Lamoine as well as a part of our social existence and they have practically unanimously asked that we change the town line. The proposed change takes the line up the center of Skillings River and meets our line there, giving them this part (indicating) and giving us Marlboro. No organized opposition has been made to this. A few, from sentimental reasons, have

objected. The bill has been reported in "ought to pass" with a referendum giving the towns a chance to vote on it, which would put the matter off two years.

I have lived there in that vicinity for forty-five years. My father formerly lived in Marlboro for a great many years, over thirty years. These people have expressed the desire to come with us and be with us. My father used to say, and we feel now, that with both towns out of debt and no one skipping anything or losing anything to amount to anything, that if they want to come with us they should come. That feeling is expressed in a letter to me from Alfred B. Crabtree, who is President of the Liberty National Bank in Ellsworth and he says: "I have always been and am still in favor of the community called Marlboro becoming a part of Lamoine, as it geographically belongs there. I should not favor a referendum for the reason that it might cause some feeling which I dislike in any town or community."

I will say that Alfred B. Crabtree is one of the largest taxpayers in Hancock. Another letter from a man who was one of the petitioners heading a remonstrance against the reestablishing of the town line between Hancock and Lamoine, says: "I beg to advise all concerned that I signed the petition on insufficient information. I am now convinced that to offer this to a referendum to the respective towns would be a serious mistake. It would surely arouse a bitter feeling that could best be avoided by the referendum's absence."

It is a fact that between the two leading families, for a great many years there has been more or less of a family quarrel in the town of Hancock in regard to the elections of its officials. Neither one have ever allowed that this little hamlet who pay the taxes or their share of the taxes, should hold any town offices. It was practically impossible, as it was geographically situated, for them to do so. Usually they would have an assistant road commissioner there to take care of the roads but ordinarily they had no town offices.

If my word is any good, if my actions in the Legislature for six years are of any consequence, if by living in close proximity to all



of those concerned, by having had their votes, been among them, and knowing what really is the thing that should be done down there, I am entitled to be listened to, I would say that it should be that Marlboro should absolutely go with the town of Lamoine, that a referendum is not necessary, that the matter is of too small moment, that it is interesting only to those people who want to come with us, where we have built their roads, where we have enjoyed their company in our social functions, churches and schools, etc; and if that is true, if what I am telling you here today is true, I make this assertion; that those people actually want to come to Lamoine, that a good part of the town of Hancock want them to come, that Lamoine wants them to come. I believe it is right that they should and I am asking you to allow them to come by striking off from the original bill the referendum.

Mr. LITTLEFIELD of York: Mr. President, I would like to have this matter tabled until Wednesday.

The PRESIDENT: The Senator from York, Senator Littlefield, moves that this matter lie upon the table, the pending question being the adoption of the amendment. Is this the pleasure of the Senate?

The motion to table prevailed.

Mr. DOUGLAS: Mr. President, the vote has been taken and the bill laid upon the table but I am wondering if the Senator from York, Senator Littlefield, would have any reason to take it off tomorrow morning. I intended to leave the matter until tomorrow myself but I thought it would help push things along somewhat if I took it up today and I am wondering if the Senator will take it off tomorrow morning.

Mr. LITTLEFIELD: I will agree, Mr. President, not to block the wheels in any way and not to bother this but I certainly heard the hearing on this matter, and I would like to be enlightened myself a little in the matter, and it seems to me that day after tomorrow being Wednesday, that would be fair.

Mr. DOUGLAS: That is all right, Mr. President. My idea was just to get things along. I am in no particular hurry.

The PRESIDENT: The Chair will state that on Wednesday everything automatically comes off the table. Is there any further business to come before the Senate under orders of the day?

On motion by Mr. Carleton of Sagadahoc

Adjourned until tomorrow morning at ten o'clock.