

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

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

Monday, April 1, 1929.

Senate called to order by the President.

Prayer by the Rev. L. D. Porter of Gardiner.

Journal of previous session read and approved.

From the House: Bill, an act to re-establish the town line between the towns of Hancock and Lamoine (S. P. 675) (S. D. 337) which was passed to be engrossed as amended by Senate Amendment A in the Senate March 20th.

Comes from the House, Senate Amendment A adopted in concurrence; House Amendment A indefinitely postponed; House Amendment B adopted, and the bill passed to be engrossed as amended by Senate Amendment A and by House Amendment B in non-concurrence.

In the Senate: On motion by Mr. Douglas of Hancock, the Senate voted to recede and concur with the House with the adoption of House Amendment B; and the bill as amended by Senate Amendment A and House Amendment B was passed to be engrossed.

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

Appropriations and Financial Affairs

By Mr. Harriman of Kennebec: Resolve in favor of Edith Bissett. (S. P. 755)

By the same Senator: Resolve in favor of Donald Giddings. (S. P. 756)

By Mr. Mitchell of Aroostook: Resolve in favor of Paul M. Devine, Clerk of Committee on Sanatoriums. (S. P. 757)

By Mr. Murchie of Washington: Resolve in favor of Donald Giddings. (S. P. 758)

By the same Senator: Resolve in favor of Earle R. Hayes, Clerk of Committee on Salaries and Fees. (S. P. 759)

By Mrs. Pinkham of Aroostook: Resolve in favor of Charles F. Marble. (S. P. 760)

Sent down for concurrence.

Orders

On motion by Mr. Mitchell of Aroostook, it was

Ordered, that there be printed five hundred extra copies of bill "An act to incorporate the Fish River Power and Storage Company." (S. P. 178) (S. D. 78)

Bills in First Reading

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) (S. D. 400)

Resolve appropriating money to aid in the screening of the outlet of Lake Webb, in Franklin County. (S. P. 271) (S. D. 401)

An act relating to hunting with dogs in Verona. (S. P. 272) (S. D. 402)

An act relating to the use and operation of motor vehicles on the highways. (S. P. 742) (S. D. 399)

(On motion by Mr. Littlefield of York, tabled pending second reading.)

An act to amend the act defining the term "securities" under the "Blue Sky Law." (S. P. 748) (S. D. 403)

Resolve in favor of James H. Kerr of Rumford. (S. P. 749) (S. D. 404)

An act to amend Section 98 of Chapter 16 of the Revised Statutes of the State of Maine on State aid to academies. (S. P. 750) (S. D. 405)

An act to create the Port of Portland Authority. (S. P. 751) (S. D. 406)

(On motion by Mr. Minott of Cumberland, tabled pending second reading.)

Reports of Committees

Mr. Murchie from the Committee on Salaries and Fees, on bill an act to amend Section 34 of Chapter 117 of the Revised Statutes relative to salary of State Highway Commission (S. P. 603) (S. D. 264) reported that the same ought not to pass, as legislation thereon is inexpedient.

(On motion by Mr. Carlton of Sagadahoc tabled pending acceptance of the report.)

The Committee on Judiciary, on bill an act to revise the Workmen's Compensation Act (S. P. 576) (S. D. 273) reported the same in a new draft, under the same title (S. P. 761) and that it ought to pass.

Mr. Weeks from the Committee on Military Affairs, on resolve in favor of Memorial for Major General Henry Knox (S. P. 6) (S. D. 5) reported the same in a new draft, under title of resolve in favor of Memorial at Thomaston, Maine, for Major General Henry Knox (S. P. 762) and that it ought to pass.

Mr. Crosby, from the same Committee, on bill an act relating to application for soldiers bonus (S. P. 314) (S. D. 115) reported the same in a new draft, under the same title (S. P. 763) and that it ought to pass.

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

Mr. Bragdon, from the Committee on Agriculture, submitted its final report.

Mr. Mitchell, from the Committee on Insane Hospitals, submitted its final report.

Mr. Harriman, from the Committee on Labor, submitted its final report.

Mr. Nickerson, from the Committee on Pensions, submitted its final report.

Mr. Murchie, from the Committee on Salaries and Fees, submitted its final report.

Mr. Mitchell, from the Committee on State Sanatoriums, submitted its final report.

Mr. Harriman, from the Committee on State School for Boys, State School for Girls, and State Reformatories, submitted its final report.

Mr. Leland from the Committee on Towns, submitted its final report.

The reports were severally read and accepted.

Sent down for concurrence.

Passed to be Engrossed

An act relating to the salary of the Judge of Probate in the county of Aroostook. (H. P. 618) (H. D. 742)

An act relating to the salary of the Municipal Court Recorder of Sanford. (H. P. 695) (H. D. 743)

An act relating to Penobscot Council Incorporated, Boy Scouts of America, Bangor and Brewer, Maine. (H. P. 865) (H. D. 761)

An act providing for the distribution of national forest funds received from the United States. (H. P. 1042) (H. D. 333)

An act relating to the removal of snow from highways and town ways. (H. P. 1223) (H. D. 408)

An act relating to equal school privileges for all pupils. (H. P. 1383) (H. D. 463)

An act defining the crime of burglary with explosives and providing the punishment therefor. (H. P. 1433) (H. D. 494)

An act increasing the salary of the County Attorney of Waldo County. (H. P. 1441) (H. D. 744)

An act to authorize the city of Lewiston to issue its bonds to the amount of \$51,000 to refund its bonds now outstanding and maturing in the year 1930. (H. P. 1474) (H. D. 516)

An act relative to attachment of property mortgaged or pledged. (H. P. 1488) (H. D. 523)

An act relative to interest and mortgages on loans on personal property. (H. P. 1489) (H. D. 524)

An act to amend chapter 162 of the Public Laws of 1927 as applied to the War Bond Sinking Fund. (H. P. 1523) (H. D. 546)

(On motion by Mr. Oakes of Cumberland, tabled pending second reading)

An act with reference to tuberculous prisoners. (H. P. 1572) (H. D. 579)

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. 1660) (H. D. 695)

An act to create the Department of Finance. (H. P. 1666) (H. D. 735)

Mr. HARRIMAN of Kennebec: Mr. President, I move that the bill be tabled pending passage to be engrossed in non-concurrence.

Mr. SPEAR of Cumberland: Mr. President, may I ask the Senator, through the Chair, to assign a date.

Mr. HARRIMAN: I will assign it for Wednesday next, Mr. President.

The motion to table and assign prevailed.

An act making it unlawful to deposit sawdust in the limits of the highway. (H. P. 1683) (H. D. 745)

An act relating to the salary of the sheriff of Oxford County. (H. P. 1684) (H. D. 746)

An act relating to the salary of the County Commissioners in Oxford County. (H. P. 1685) (H. D. 747)

An act relating to the salary and

clerk hire of the Register of Probate in Aroostook County. (H. P. 1686) (H. D. 748)

(On motion by Mr. Bragdon of Aroostook, tabled pending passage to be engrossed)

An act relating to the Western Washington Municipal Court. (H. P. 1687) (H. D. 749)

Resolve in favor of screening Whetstone Pond, or Sylvan Lake so called. (H. P. 1690) (H. D. 750)

An act relating to the regular sessions of County Commissioners of Hancock County. (H. P. 1691) (H. D. 751)

An act relating to the time and place of holding the Commissioners' Court in York County. (H. P. 1692) (H. D. 752)

An act relating to the consolidation of corporations. (H. P. 1693) (H. D. 753)

Resolve to modify the conditions of the gift from B. C. Jordan to the State of Maine for the purpose of encouraging cultivation of forests. (H. P. 1694) (H. D. 754)

Resolve to pay certain deficiencies. (H. P. 1695) (H. D. 755)

Resolve in favor of H. E. Houdlette, administrator of the estate of Benjamin Owens Emmons, late of Richmond, county of Sagadahoc, deceased. (H. P. 1696) (H. D. 756)

(On motion by Mr. Oakes of Cumberland, tabled pending passage to be engrossed)

Resolve in relation to the completion of the seventh revision of the general and public laws and appointing a commissioner therefor and a commission. (H. P. 1697) (H. D. 757)

Resolve in favor of Edward J. Carroll and Alice Janet Carroll. (H. P. 1698) (H. D. 766)

(On motion by Mr. Martin of Kennebec, tabled pending passage to be engrossed.)

Resolve appropriating money for payment of expenses of Tancerede Morin, an employee of the State Highway Commission. (H. P. 1700) (H. D. 767)

Resolve in favor of Frank E. Downs. (H. P. 1701) (H. D. 768)

(On motion by Mr. Oakes of Cumberland, tabled pending second reading)

An act in relation to the Maine School for the Deaf. (H. P. 1703) (H. D. 762)

An act in relation to the State Military and Naval Children's Home. (H. P. 1704) (H. D. 764)

An act to simplify Procedure in Municipal or Police Courts. (H. P. 1705) (H. D. 765)

An act relating to the establishment of residence for certain purposes. (H. P. 1706) (H. D. 763)

(On motion by Mr. Crosby of Penobscot, tabled pending passage to be engrossed).

An act relating to the appointment of Public Administrators. (H. P. 1707) (H. D. 770)

An act concerning the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto. (S. P. 31) (S. D. 23)

(On motion by Mr. Slocum of Cumberland, tabled pending passage to be engrossed)

Resolve to aid in rebuilding the road in township No. 10, Hancock County. (S. P. 183) (S. D. 385)

Resolve in favor of the State Reformatory for Men. (S. P. 198) (S. D. 213)

Resolve providing for a state pension for Eva J. Rundlette of Augusta. (S. P. 318) (S. D. 393)

An act relating to the protection of children. (S. P. 725) (S. D. 386)

Resolve proposing an amendment to Article IX of the Constitution authorizing the issuing of bonds to be used for the purpose of building a bridge across the Penobscot River, to be known as the Waldo-Hancock Bridge. (S. P. 730) (S. D. 387)

An act relating to marriage licenses. (S. P. 735) (S. D. 388)

An act to provide for relief of needy dependents of disabled veterans of World War. (S. P. 736) (S. D. 389)

(On motion by Mr. Spear of Cumberland, tabled pending passage to be engrossed)

An act making it unlawful for any person while upon any public highway, to endeavor by words, gestures or in any other way, to beg, invite or secure transportation in any motor vehicle not engaged in passenger carrying for hire, and providing a penalty therefor. (S. P. 737) (S. D. 390)

(On motion by Mr. Bragdon of Aroostook, tabled pending passage to be engrossed)

Resolve proposing an amendment to the Constitution to provide for filling Councillor vacancies. (S. P. 738) (S. D. 391)

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. 741) (S. D. 395)

(On motion by Mr. Leland of Piscataquis, tabled pending passage to be engrossed)

An act to authorize the county commissioners for the county of Washington to create a sinking fund for the purpose of retiring bonds issued in accordance with the terms of chapter 88 of the Private and Special Laws of 1927. (S. P. 743) (S. D. 396)

An act relative to certification of cases to the Law Court. (S. P. 744) (S. D. 397)

An act relating to exemptions from taxation. (S. P. 745) (S. D. 398)

An act to provide for an issue of State Highway and Bridge Bonds and for authorizing transfer of a portion of the tax on internal combustion engine fuel. (S. P. 754) (S. D. 407)

Passed to be Enacted

An act to place the administration of the affairs of the Indian Tribes under the Department of Forestry. (H. P. 1275) (H. D. 432)

An act to incorporate "Madawaska Water Company. (H. P. 1643) (H. D. 668)

Orders of The Day

On motion by Mr. Mitchell of Aroostook, the Senate voted to reconsider its former action whereby an act relative to tuberculous prisoners (H. D. 579) was passed to be engrossed in concurrence; and on further motion by the same Senator the bill was tabled pending passage to be engrossed in concurrence.

On motion by Mr. Bragdon of Aroostook, the Senate voted to take from the table an act relating to the salary and clerk hire of the Register of Probate in Androscoggin County (H. D. 748) tabled by that Senator earlier in today's session pending passage to be engrossed in concurrence; and on further motion by the same Senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Crosby of

Penobscot, the Senate voted to take from the table an act relative to eminent domain for electric power companies (H. D. 673) tabled on March 29th by that Senator pending passage to be engrossed in concurrence.

Mr. CROSBY of Penobscot: Mr. President, I now move that this bill be passed to be engrossed.

Mr. SLOCUM of Cumberland: Mr. President, I wish to register myself in opposition to the passage to be engrossed.

The PRESIDENT: The Senator from Penobscot, Senator Crosby, now moves that the bill be passed to be engrossed.

A viva voce vote being had The bill was passed to be engrossed in concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to reconsider its action taken earlier in today's session, whereby resolve appropriating money for payment of expenses of Tancerede Morin, an employee of the State Highway Commission (H. D. 767) was passed to be engrossed in concurrence; and on further motion by the same Senator the resolve was tabled pending passage to be engrossed in concurrence.

On motion by Mr. Page of Somerset, the Senate voted to take from the table an act relating to license fees for small loan agencies (S. D. 300) tabled on March 27th by that Senator pending passage to be engrossed; and that Senator offered Senate Amendment A and moved its adoption:

"Senate Amendment A to Senate Paper 649, entitled "An Act Relating to Small Loan Agencies.

"Amend by striking out all after the enacting clause and inserting in place thereof the following:

"Amend Section one of Chapter Two hundred and ninety eight of the Public Laws of Nineteen hundred and seventeen by striking out from the thirteenth, fourteenth and fifteenth lines the following: 'the sum of fifty dollars as an annual license fee and in full payment of all expenses of examinations under and administration of this act' and inserting in place thereof the following: 'an annual license fee as follows: if no loans have been made or if the average amount of

the loans outstanding during the preceding year ending November thirty, has not exceeded twenty thousand dollars, a fee of one hundred dollars, and for every additional twenty thousand dollars, or fraction thereof, an additional fee of fifty dollars, so that said section as amended shall read as follows:

"Sec. 1. No person, copartnership or corporation shall engage in the business of making any loan of money, credit, goods or choses in action in the amount or to the value of three hundred dollars, or less, whether secured or unsecured, and charge, contract for or receive a greater rate of interest than twelve per centum therefor, without first obtaining a license from the state bank commissioner. Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business, of the applicant, and if the applicant is a copartnership, of every member thereof, or if a corporation, of every officer thereof; also the county and municipality, with street and number, if any, where the business is to be conducted. Every such applicant, at the time of making such application shall pay to the bank commissioner an annual license fee as follows if no loans have been made or if the average amount if the loans outstanding during the preceding year ending November thirty, has not exceeded twenty thousand dollars, a fee of one hundred dollars, and for every additional twenty thousand dollars, or fraction thereof, an additional fee of fifty dollars. The applicant shall also, at the same time, file with the bank commissioner a bond in which the applicant shall be the obligor, in the sum of one thousand dollars with one or more sureties to be approved by said bank commissioner; which bond shall run to the bank commissioner of the State of Maine for the use of the state and of any persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall be conditioned that said obligor will conform to and abide by each and every provision of this act and will pay to the state and to any such person or persons, any and all moneys that may become due or owing to the state and to such person or persons from

said obligor, under and by virtue of the provisions of this act. If in the opinion of the bank commissioner, the bond shall at any time appear to be insecure or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars satisfactory to the bank commissioner shall be filed, and upon failure of the obligor to file such additional bond, the license shall be revoked by the bank commissioner."

Mr. PAGE of Somerset: Mr. President, I might say that this amendment is offered rather than committing the bill to the Committee on Banks and Banking, and is done with the understanding of all the members of that committee.

The PRESIDENT: The Chair will say that the amendment is quite voluminous. Does the Senator wish to have it read?

Mr. PAGE: Mr. President, I might explain, perhaps. The bill as drawn in the first instance, Senate Document 300, called for a license fee on small loan agencies of \$150 regardless of the size. At the hearing before the Banks and Banking Committee the question was discussed as to whether or not it would be advisable to make a license fee on a sliding scale depending upon the total loans outstanding and this amendment is drawn to accomplish that purpose. Instead of having a fixed \$150 fee, as the original Senate document called for, it starts with \$50 and works up according to the loans outstanding; the larger the loan agency the more license fee they have to pay.

Thereupon, Senate Amendment A was adopted and the bill as so amended was passed to be engrossed.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, resolve in regard to the National Encampment of the G. A. R. (H. D. 643) tabled on March 27th by that Senator pending motion to indefinitely postpone House Amendment A in non-concurrence.

Mr. SPEAR of Cumberland: Mr. President, I tabled this bill in order to try and fairly apportion the money that was to be allotted to the various military matters that were coming along and I think that this has been done satisfactorily to

all concerned. For that reason I trust that the motion to indefinitely postpone House Amendment A will not prevail. If this amendment is adopted it will mean that the original bill of fifteen thousand will stand.

The PRESIDENT: The question before the Senate is upon the motion of the Senator from Cumberland, Senator Slocum, that House Amendment A be indefinitely postponed.

A viva voce vote being had

The motion to indefinitely postpone House Amendment A was lost.

Thereupon, the resolve received its first reading.

On motion by Mr. Spear of Cumberland, the rules were suspended and the resolve was given its second reading; and on further motion by the same Senator House Amendment A was adopted and the resolve as so amended was passed to be engrossed in concurrence.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table, an act to provide for the exportation of surplus power, (S. D. 44), tabled by that Senator on March 29th, pending passage to be engrossed; and on further mo-

tion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table, an act to reimburse the judge of the municipal court of Caribou for clerk hire, (H. D. 237), tabled by that Senator on March 29th pending passage to be enacted; and on further motion by the same Senator, the Senate reconsidered its action whereby this bill was passed to be engrossed in concurrence.

Mr. Weatherbee then offered Senate Amendment A and moved its adoption. "Senate Amendment A. House Document No. 237 is hereby amended by striking out the words 'and directed' in the second line of said bill."

Senate Amendment A was adopted, and the bill as so amended was passed to be engrossed, in non-concurrence.

The PRESIDENT: Is there anything else that any Senator feels can be taken from the table at this time?

On motion by Mr. Campbell of Washington

Adjourned until tomorrow morning at ten o'clock.