

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fifth Legislature

OF THE

STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Thursday, January 29, 1931.

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

Prayer by the Rev. Mr. Clifford of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to authorize the Treasurer of State under the direction of the Governor and Council to issue bonds for State Highway construction and reconstruction for the calendar year 1931. (S. P. 254)

Comes from the Senate referred to the committee on Ways and Bridges.

In the House, on motion by Mr. Rounds of Portland tabled pending reference in concurrence.

From the Senate: Resolve in favor of Department of Maine Grand Army of the Republic, H. P. 46, which was referred to the Committee on Appropriations and Financial Affairs in the House January 21,

Comes from the Senate referred to the committee on Military Affairs in non-concurrence.

In the House it was voted to recede and concur with the Senate in the reference of the resolve to the committee on Military Affairs.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 3, at 4:30 o'clock in the afternoon.

Comes from the Senate read and passed.

In the House read and passed in concurrence.

**Messages and Documents from the Executive and Heads of Departments**

**STATE OF MAINE**

Office of the Secretary of State.  
January 27, 1931.

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

Representatives of the Eighty-fifth Legislature of the State of Maine:

I have the honor to transmit herewith certain petitions filed in this office by the Rational Hotel & Restaurant Protective Ass'n. requesting legislation in relation to its industry.

Respectfully yours,  
(Signed) Edgar C. Smith,  
Secretary of State.

Was read and ordered placed on file and sent up for concurrence.

**STATE OF MAINE****DEPARTMENT OF STATE**

Augusta, January 28, 1931

To the President of the Senate and the Speaker of the House of Representatives of the Eighty-fifth Legislature:

I have the honor to herewith transmit the county estimates of the several counties within the State for the years 1931 and 1932, the same having been filed in this office according to the provisions of the Revised Statutes, Chapter 13, Section 67.

(Signed) Edgar C. Smith,  
Secretary of State.

Was read and with accompanying papers referred to the Committee on County Estimates.

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

**Appropriations and Financial Affairs**

By Mr. Smith of Bangor: An act to provide for an Armory Erection Fund. (H. P. 690)

By the same gentleman: Resolve in favor of Bangor Anti-Tuberculosis Association of Bangor, Maine. (H. P. 689)

**Banks and Banking**

By Mr. Smith of Bangor: An act relating to organization of trust companies. (H. P. 691)

(500 copies ordered printed)

By Mr. Soper of Newport: An act relating to qualification of trust company directors. (H. P. 692)

(500 copies ordered printed)

**Claims**

By Mr. Rounds of Portland: Resolve in favor of Edward H. Perkins. (H. P. 693)

By Mr. Bearce of Hebron: Re-

solve in favor of Mrs. A. V. Brown. (H. P. 694)

By Mr. Rounds of Portland: Resolve in favor of Fred E. Peacock of Hallowell. (H. P. 695)

### Education

By Mr. MacPherson of Easton: An act relating to instruction in accident prevention in the public schools. (H. P. 715)

(500 copies ordered printed)

### Indian Affairs

By Mr. Davis of Old Town: An act relating to the Penobscot Tribe of Indians. (H. P. 700)

By the same gentleman: An act relating to the Penobscot Tribe of Indians: (H. P. 701)

### Inland Fisheries and Game

By Mr. Edwards of Bethel: Petition of King Bartlett and 3 others of Greenwood in favor of changing law in regard to fishing in North, South and Round Ponds and Alder River. (H. P. 716)

By Mr. Bearce of Hebron: An act relating to ice fishing in certain waters. (H. P. 696)

(500 copies ordered printed)

By Mr. Lowell of Lincoln: An act relating to fee for game and fur farming license. (H. P. 697)

(500 copies ordered printed)

By Mr. Hathaway of Milo: An act opening Upper Ebemee Pond to ice fishing. (H. P. 698)

(500 copies ordered printed)

By the same gentleman: An act regulating fishing in Little Lyford Pond. (H. P. 699)

(500 copies ordered printed)

### Judiciary

By Mr. Burkett of Portland: An act to create Juvenile Courts and to define their jurisdiction. (H. P. 720)

(1000 copies ordered printed)

By Mr. Ellis of Rangeley: An act to amend Sec. 60 of Chapter 29 relating to dealer's registration under the motor vehicle law. (H. P. 702)

500 copies ordered printed)

By Mr. Patterson of Freeport: An act to extend the time for the display and use of motor vehicle license tags. (H. P. 703)

(500 copies ordered printed)

By Mr. Rounds of Portland: An act authorizing the City Council of the city of Portland to pay to Samuel S. Gilbert certain money

paid by him to the city through error. (H. P. 704)

By Mr. Rounds of Portland by request: An act relating to patients in insane hospitals. (H. P. 705)

### Legal Affairs

By Mr. Rounds of Portland: An act to incorporate the Sebasco Mosquito Abatement District. (H. P. 706)

(500 copies ordered printed)

By Mr. Sturtevant of Livermore Falls: An act to amend the charter of the Livermore Falls Municipal Court. (H. P. 707)

### Public Health

By Mr. Rounds of Portland: An act relating to the extermination of mosquitoes. (H. P. 708)

(500 copies ordered printed)

### Salaries and Fees

By Mr. Jacobs of Auburn: An act relating to the salary of the County Commissioners of Androscoggin County (H. P. No. 709)

By Mr. Bowers of Portland: An act to increase the salary of the Commissioner of Inland Fisheries and Game (H. P. No. 710)

### Taxation

By Mr. Picher of Waterville: An act relating to taxation of shares of stock of trust and banking companies (H. P. No. 711)

(500 copies ordered printed)

By Mr. Rounds of Portland: An act relating to taxation of vessels and barges (H. P. No. 712)

(500 copies ordered printed)

### Ways and Bridges

By Mr. Edwards of Bethel: Petition of selectmen of Albany and 56 others of Bethel, Albany and Norway in favor of appropriation to be expended on State Aid Highway in Albany (H. P. No. 717)

By the same gentleman: Petition of E. F. Coburn and 27 others of Andover in favor of improving Lake Road (H. P. No. 718)

By the same gentleman: Petition of James W. Ring and 21 others in favor of improving road in Greenwood (H. P. No. 719)

By Mr. Ellis of Rangeley: Resolve in favor of the town of Freeman for a road (H. P. No. 713)

By Mr. Blanchard of Phillips: Resolve in favor of the town of Strong for a road (H. P. No. 714)

**ORDERS**

Mr. Fernald of Winterport presented the following order and moved its passage:

WHEREAS Charles J. Bullock, the President of the Harvard Economic Society, is one of the outstanding authorities on economics and income and property taxation, AND WHEREAS the members of the House have many problems in regard to taxation to consider,

AND WHEREAS an address on the relation of public expenditure to taxation with special reference to problems in the State of Maine would be helpful to the House:

ORDERED, that the Speaker of the House extend an invitation to the Honorable Charles J. Bullock to address the House on Friday, February 27, on the matter of the relation of public expenditures to taxation.

AND IT IS FURTHER ORDERED, that the sum of fifty dollars be paid out of the appropriation for legislative expenses to the Honorable Charles J. Bullock to defray the expenses of his trip to Maine.

Mr. BURKETT of Portland: Mr. Speaker, I move that the order be tabled.

Mr. FERNALD: Mr. Speaker, may I request, through the Chair, that the gentleman fix a date definitely for the consideration of the order?

The SPEAKER: It is not a customary request. The gentleman from Portland (Mr. Burkett) may do as he likes.

Thereupon the House voted to table the order, pending passage.

**Reports of Committees**

Mr. Burkett from the Committee on Judiciary reported ought not to pass on bill an act relating to false alarm of fire (H. P. No. 10) (L. D. No. 17)

Mr. Farris from same Committee reported same on bill an act relating to enginemen, fires, and prevention of fires (H. P. No. 9) (L. D. No. 16)

Reports read and accepted and sent up for concurrence.

Mr. McCart from the committee on Judiciary reported ought not to pass on bill an act relating to offense against habitations and other buildings (H. P. No. 3) (L. D. No. 2)

(Tabled by Mr. Hussey of Augusta pending acceptance of the report)

**ORDERS OF THE DAY**

On motion by Mr. Hawkes of Richmond the House voted to reconsider its action of yesterday whereby H. P. 529, resolve providing for a State pension for Addie A. Williams of Bowdoin was referred to the committee on Education; and on further motion by the same gentleman, the resolve was referred to the committee on Pensions.

On motion by Mr. Morin of Brunswick the House voted to reconsider its action of yesterday whereby House Paper 465, resolve in favor of the Brunswick Hospital for treatment and medical attendance for William P. Gourley, a State pauper, was referred to the committee on Appropriations and Financial Affairs; and on further motion by the same gentleman, the resolve was referred to the committee on Claims.

Mr. FARRIS of Augusta: Mr. Speaker, I move that we reconsider our action of yesterday whereby we referred House Paper 642, resolve in favor of Rena Cooley, to the committee on Pensions.

The SPEAKER: The Chair will inform the gentleman that those papers are not in the possession of the House as yet.

On motion by Mr. Rounds of Portland, it was voted that 1000 copies of Senate Paper 254, an act to authorize the Treasurer of State under the direction of the Governor and Council to issue bonds for State highway construction and reconstruction for the calendar year 1931 be printed.

On motion by Mr. McCart, it was voted to take from the table House Paper 161, resolve in favor of the Commissioners of Pharmacy.

Mr. MCCART: Mr. Speaker, I yield to the gentleman from Portland, Mr. Carleton.

Mr. CARLETON: Mr. Speaker, I now ask leave to withdraw my motion to indefinitely postpone this resolve.

Leave being granted, on motion

by the same gentleman the resolve was referred to the committee on Appropriations and Financial Affairs.

On motion by Mr. Owen of Vassalboro, the House voted to reconsider its action whereby Senate Paper 96, an act to prevent the polluting of the waters of the West Basin of China Lake, tabled by that gentleman yesterday, pending reference in concurrence; and on further motion by the same gentleman, the bill was referred to the committee on Public Health in concurrence.

Mr. BLAISDELL of Franklin: Mr. Speaker, I move for leave, under suspension of the rules, to introduce a joint resolution.

The motion prevailed.

Mr. BLAISDELL: I now move, Mr. Speaker, that this joint resolution lie upon the table and be specially assigned for next Wednesday, February 4, and that it be not read. I can say, Mr. Speaker, that next Wednesday there will be placed on each member's desk a complete copy of the resolution, and the purpose of not reading it at this time is the length of it, and to avoid labor to the Clerk.

The motion prevailed, and the resolution was tabled and specially assigned for Wednesday, February 4, without reading.

On motion by Mr. Burkett of Portland, it was voted to take from the table Joint Order relative to investigation of State Hospitals, tabled by that gentleman January 27, pending passage.

Mr. BURKETT: Mr. Speaker, when I tabled that order on January 27th, I thought I was doing a favor to the gentleman from Portland, Mr. Rounds, who introduced it. We, in Portland, know personally the unfortunate gentleman who has been deluging the House with letters about the Insane Hospitals, and for him we have nothing but sympathy. He is a man who at one time occupied a high position in this State, and who, because of illness and family troubles, is now in the condition indicated by the letter which he has sent here. I have no desire to stop any investigation of insane hospitals if anyone in the House has any evidence at all that

one is needed. I have talked with quite a number of the members of the House, and it seemed to me that the orderly and sane way to proceed in this investigation, in view of the source of the evidence that has been presented was to refer the order to the committee on Insane Hospitals, and let that committee advertise a hearing on the order—I understand that is the proper procedure—and have a hearing where any evidence may be presented. If the committee then felt that there was enough evidence to justify the investigation called for in the order, the committee could report back that the order ought to pass and a committee of investigation could then be appointed. That seemed to me then, and does now, the orderly and proper way to proceed if we are going to do anything more on it at all; and I therefore move that the order be referred to the committee on Insane Hospitals.

Mr. ROUNDS of Portland: Mr. Speaker, I presented that order and I will admit that it came from a man whom I considered somewhat off in his mind; but since I presented that order I have found, not only from one but from a dozen different sources, that there has been cruelty over there at the insane hospital. I do not lay it to any one man. I do not think Dr. Tyson knew about it. I will say, after all the things I heard, that I do not want the committee to go over there and have a supper and then come back and tell us that there is no fault to find with the insane hospital. Let us have a thorough investigation of the insane hospital.

I hold in my hand a letter from a former patient—and I have a number of them sent to me since I introduced the order:

"Rep. Rounds,  
State House  
Augusta, Maine.

Dear Mr. Rounds:

I do wish something might be done in regards to investigation of Augusta State Hospital.

I, too, was a patient there and I was ill treated, half starved and neglected by Dr. Tyson. Dr. Tyson tightened my nerve centers in such a way that it has taken Dr. Wescott of Portland almost two years to right the condition. It is something criminal the way Dr. Tyson allows things to go on.

The food couldn't be much worse if they tried to have it worse. They have a dietitian but her menus are

for the doctors and nurses dining rooms, the menus for the patients never change. I was beaten in the face by an attendant; the attendant was discharged, but the nurse is still there, her name is Miss Cleo Thompkins. I have seen patients dragged by their hair across the ward and one patient, her name was Mrs. Langley, was kicked in the abdomen by five nurses and attendants at the same time. Nothing whatever was ever done about this. This is something I saw, not something some one told me about.

Dr. Tyson goes on the wards only when he is absolutely obliged to do so. Sometimes there are stretches of three months at a time when patients do not see him, and when he finally does come, he will not listen to a word of complaint from any of the patients.

Dr. Tyson discharged me as a patient, when only partially recovered, in a few months, I was in great physical and mental suffering. I telephoned to Dr. Tyson, also a friend of mine telephoned to him, and he only laughed at us for our trouble. Please do something for those unfortunate patients at the State Hospital if you possibly can.

Very truly,

MRS. FLORENCE FRENCH.

P. S. There is plenty of evidence if a person looks for it, the nurses and attendants are hired, not to talk, but to keep silent. Is there anything that I can do about these cruelties? It is time they stopped or was investigated. Dr. Tyson admits that he does not enjoy going near his patients."

The SPEAKER: The Chair would suggest that the motion before the House is on the reference of the order, and it would hardly seem advisable to introduce matter which should properly come before a committee on hearing. Does the gentleman object to the reference of the order?

Mr. ROUNDS: Mr. Speaker, I object to the reference of the order. I think it should be referred to a committee named by the Speaker, which I know would be fair to everyone. Therefore, I oppose the motion to refer it to the committee on Insane Hospitals.

The SPEAKER: The question before the House is on the reference of this order to the committee on Insane Hospitals.

Mr. FARRIS of Augusta: Mr. Speaker, I agree with Representative Burkett that this order should be referred to our regular committee on Insane Hospitals for the reason that it carries an appropriation of two thousand dollars for the purpose of having a special investigation, and I do not believe that the facts at this time warrant such an investigation. It seems to me that a hearing before the hospital committee, before which the Board of Trustees could appear as well as Dr. Tyson and any employees of the hospital, ought to be sufficient to properly take care of this matter, and I am in favor of the motion of the gentleman from Portland (Mr. Burkett).

Mr. JACK of Lisbon: Mr. Speaker, I second the motion of the gentleman from Portland, Mr. Burkett. I think that in these matters we should proceed in an orderly way, and apparently this is the orderly way, and with the least amount of friction and expense to the State.

The SPEAKER: Is the House ready for the question?

The question being called for, a viva voce vote was taken, and the motion to refer the Joint Order to the committee on Insane Hospitals prevailed.

On motion by Mr. Breen of Lewiston,

Adjourned until next Tuesday afternoon, February 3rd, at 4.30 o'clock.