

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, March 5, 1931.

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

Prayer by the Rev. Mr. Manning of Augusta.

Journal of the previous session read and approved.

From the Senate: Report of the committee on Public Health on bill an act to provide for the payment of an annual license fee by apothecaries and for the disposition of fees received by the Commissioners of Pharmacy (S. P. 18) reporting that legislation thereon is inexpedient as subject matter is covered by other legislation.

Comes from the Senate read and accepted.

In the House, on motion by Mr. Bennett of Presque Isle, report tabled pending acceptance in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act to incorporate the Maine Heating Corporation, S. P. 209, L. D. 774.

Comes from the Senate report read and accepted and the bill passed to be engrossed.

In the House, on motion by Mr. Robie of Westbrook, tabled pending acceptance of the report in concurrence.

Senate Bills in First Reading

S. P. 522, L. D. 785: An act to extend charter of Hinckley Development Company authorizing construction of a scenic highway in Piscataquis county.

S. P. 66, L. D. 46: An act relative to tuition in secondary schools.

S. P. 78, L. D. 90: An act relating to hunting with jacklights.

S. P. 87, L. D. 99: An act to incorporate the Pistol Stream Dam Company.

S. P. 401, L. D. 475: An act relating to tax on gasoline.

The following petitions and remonstrance were received, and, up-

on recommendation of the committee on reference of bills, were referred to the following committees:

By Mr. Sargent of Brewer: Remonstrance of Louis Miller of Brewer and 29 others against H. P. 1192, an act providing for sentences and the imposition thereof (H. P. 1261)

Was read and ordered placed on file.

Legal Affairs

By Mr. Gagnon of Van Buren: Petition signed by Carl A. Richards of Van Buren and 15 others in favor of liberalizing the Sunday Blue Laws (H. P. 1236)

By the same gentleman: Petition signed by Leo J. Gagnon, Van Buren and 35 others in favor of same (H. P. 1237)

By Mr. Breen of Lewiston: Petition signed by Stephen H. Crowley of Lewiston and 41 others in favor of same (H. P. 1238)

By Mr. Pratt of Turner: Petition signed by C. W. Verrill of West Minot and 37 others in favor of same (H. P. 1239)

By Mr. Wallingford of Auburn: Petition signed by Robert R. Goddard of Auburn and 42 others in favor of same (H. P. 1240)

By Mr. Hobbs of Hope: Petition signed by Roy K. Hobbs of Hope and 76 others in favor of same (H. P. 1241)

By the same gentleman: Petition signed by Virgil E. Goodrich of Harmony and 16 others in favor of same (H. P. 1242)

By Mrs. Morey of Lewiston: Petition signed by Florence Brown of Lewiston and 43 others in favor of same (H. P. 1243)

By Mr. Lizotte of Lewiston: Petition signed by Leo Gauvin of Lewiston and 35 others in favor of same (H. P. 1244)

By the same gentleman: Petition signed by Edward J. Hudon of Lewiston and 55 others in favor of same (H. P. 1245)

By Mr. Gauvin of Lewiston: Petition signed by Conrad Nadeau of Lewiston and 35 others in favor of same (H. P. 1246)

By the same gentleman: Petition signed by Marguerite Burke Girouard of Lewiston and 42 others in favor of same (H. P. 1247)

By Mr. Hamel of Lewiston: Pe-

tion signed by Victorien Gauvin of Lewiston and 42 others in favor of same (H. P. 1248)

By the same gentleman: Petition signed by Joseph A. Vallieres of Lewiston and 40 others in favor of same (H. P. 1249)

By Mr. Thomas of Harpswell: Petition of E. F. Black of Bailey Island and 35 others in favor of same (H. P. 1250)

By the same gentleman: Petition of Orrin L. Johnson of Bailey Island and 16 others in favor of same (H. P. 1251)

Judiciary

By Mr. Hobbs of Hope: Petition of J. L. Paquin and 10 others of Thomaston in favor of a referendum on the Knox Water District charter (H. P. 1252)

By the same gentleman: Petition of N. J. Anzalone and 4 others of Thomaston in favor of same (H. P. 1253)

By the same gentleman: Petition of N. F. Andrews and 4 others of Thomaston in favor of same (H. P. 1254)

By the same gentleman: Petition of Charles S. Hall and 300 others in favor of same (H. P. 1255)

By the same gentleman: Petition of H. G. Ingraham and 19 others in favor of same (H. P. 1256)

By the same gentleman: Petition of F. O. Bartlett and 23 others in favor of same (H. P. 1257)

By the same gentleman: Petition of Carl W. Simmons and 23 others in favor of same (H. P. 1258)

By the same gentleman: Petition of Walter Dorgan and 46 others in favor of same (H. P. 1259)

Pensions

By Mr. Stern of Biddeford: Petition of Jas. Cassidy of Lewiston and 64 others in favor of Old Age Pension Bill (H. P. 1260)

By Mr. Thomas of Harpswell: Petition of Luther G. Nason of Lewiston and 25 others in favor of same (H. P. 1262)

Orders

On motion by Mr. Ford of Brooklin, it was

Ordered, that the use of the hall of the House be granted to the Maine Veteran Legislators' Association after the session Wednesday, March 11, until 1.30 o'clock in the

afternoon, for the purpose of holding a meeting of the association.

Reports of Committees

Mr. Ashby from the Committee on Interior Waters reported ought not to pass on bill an act to render unlawful to build any obstruction on Long lake at Naples (H. P. 1123)

Mr. White from the Committee on Library reported same on resolve for the purchase of Ward's Syllabus-Digest of the Maine Reports (H. P. 626)

Mr. Bennett from the Committee on Public Health reported same on bill an act relating to vital statistics (H. P. 985) (L. D. 506)

Reports read and accepted and sent up for concurrence.

Mr. Smith from the Committee on Claims on resolve in favor of the town of St. Albans (H. P. 789) reported same in a new draft (H. P. 1263) under same title and that it ought to pass.

Mr. Robie from the Committee on Interior Waters on bill an act to authorize the construction of a wharf in Long Lake (H. P. 111) (L. D. 79) reported same in a new draft (H. P. 1264) under same title and that it ought to pass.

Mr. Blaisdell from the Committee on Legal Affairs on bill an act relative to the taxation of motor vehicles (H. P. 603) (L. D. 162) reported same in a new draft (H. P. 1265) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. White from the Committee on Library on resolve for the purchase of "Bibliography of Maine Imprints" (H. P. 841) reported same in a new draft (H. P. 1266) under same title and that it ought to pass.

(Tabled by Mr. Carleton of Portland pending acceptance of report)

Mr. White from the Committee on Library reported ought to pass on resolve providing for purchase of two hundred copies of Maine Province and Court Records, Vol. II (H. P. 627)

Mr. CARLETON of Portland: Mr. Speaker I move that that lie on the table.

Mr. SCATES of Westbrook: Will the gentleman assign a date for hearing?

The SPEAKER: The gentleman

may reply if he wishes, through the Chair.

Mr. CARLETON: There are other bills coming in and we would like to take care of all of them in our Appropriations' Committee in one block. They will be taken care of all right but it would be better to have this one lie on the table until Wednesday when we will be able to handle a lot of these bills together. Is this satisfactory to the gentleman?

Mr. SCATES: It is perfectly satisfactory, Mr. Speaker.

The motion prevailed and the report was tabled pending acceptance.

Mr. White from the Committee on Library reported ought to pass on resolve to preserve the early vital records of the city of Westbrook, H. P. 628.

(On motion by Mr. Carleton of Portland, tabled pending acceptance of the report.)

Mr. Hiscock from the Committee on Interior Waters reported ought to pass on bill an act to authorize the Standish Fish Hatchery and Fur Farm, Inc., to control Horse Pond Stream and Mink Brook. (H. P. 612, L. D. 212)

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned.

Mr. Webster from the Committee on Public Health reported ought to pass on bill an act to register and license persons in the practice of barbering and to create a Board of Barber Examiners (H. P. 127) (L. D. 52)

(On motion by Mr. Pratt of Turner tabled pending acceptance of the report.)

First Reading of Printed Bills

(H. P. 1234) (L. D. 800) An act to incorporate the Vanceboro Water and Power Company.

(H. P. 1235) (L. D. 801) An act to increase the salary of the Treasurer of Washington County.

Passed to be Engrossed

(S. P. 208) (L. D. 152) An act to incorporate the Blueberry Farm Water Company of Camden.

(S. P. 496) (L. D. 717) An act extending charter of the Madawaska Water Company.

(S. P. 521) (L. D. 765) An act to extend the rights, powers and privileges of the Sabattus Water and Sewer District.

(H. P. 91) (L. D. 62) An act re-

lating to red, silver, silver black, or black foxes.

(H. P. 93) (L. D. 64) An act relating to pools at State Fish Hatcheries and Feeding Stations.

(H. P. 95) (L. D. 66) An act relating to licenses issued by the Department of Inland Fisheries and Game.

(H. P. 182) (L. D. 132) An act prohibiting the shooting of wild birds and waterfowl on Simpson's Pond in Roque Bluffs.

(H. P. 183) (L. D. 133) An act relating to the taking of smelts in the tributaries of Three Mile Pond.

(Tabled by Mr. Farris of Augusta pending third reading).

(H. P. 185) (L. D. 135) An act relating to fishing in the Big Magalloway River.

(H. P. 186) (L. D. 136) An act relating to trapping on the Rangeley Game Preserve.

(H. P. 188) (L. D. 138) An act to regulate fishing in Swift River Tributaries.

(H. P. 189) (L. D. 139) An act closing Dry Pond to hunting.

(H. P. 191) (L. D. 141) An act to close Duck Pond, known as Meeting House Pond, and Sprague's Pond, in Phippsburg, to ice fishing.

(H. P. 409) (L. D. 195) An act closing the tributaries of Thomas Pond to all fishing.

(H. P. 549) (L. D. 183) An act regulating fishing in Round Mountain Lake.

(H. P. 551) (L. D. 185) An act regulating fishing in Leeman Brook, or Ladd Brook, so-called, in Abbot.

(H. P. 552) (L. D. 186) An act opening Ladd Brook to fishing.

(H. P. 554) (L. D. 188) An act relating to fishing in Swan Lake.

(H. P. 572) (L. D. 789) An act to change the names of certain waters in Piscataquis County.

(H. P. 702) (L. D. 229) An act to amend Sec. 60 of Chapter 29 relating to dealer's registration under the motor vehicle law.

(H. P. 963) (L. D. 454) An act amending the statute of limitations in certain actions.

(H. P. 986) (L. D. 507) An act relating to apothecaries and the sale of poisons.

(H. P. 500) (L. D. 786) Resolve in favor of the town of Danforth.

(H. P. 516) (L. D. 787) Resolve in favor of the town of Stetson.

(H. P. 1199) (L. D. 788) Resolve in favor of Frank Moulton of Alfred.

Passed to be Enacted

(S. P. 1) (L. D. 712) An act to amend Chapter 44 of the Private and Special Laws of 1887, entitled an act to incorporate the Skowhegan Water Company, as amended by Chapter 154 of the Private and Special Laws of 1917.

(S. P. 269) (L. D. 241) An act relating to the issuance of stock by public utilities corporations for organization purposes.

Finally Passed

(S. P. 145) (L. D. 725) Resolve providing for an increase in State pension for Lorenzo D. Wright of Fairfield.

(S. P. 497) (L. D. 727) Resolve providing for a State pension for Susie W. Morse of Auburn.

(S. P. 498) (L. D. 728) Resolve providing for a State pension for Hesnyn York of Freedom.

(S. P. 499) (L. D. 729) Resolve providing for a State pension for Florence H. Baker of Liberty.

(S. P. 500) (L. D. 730) Resolve providing for a State pension for Lottie McFarland of Searsmont.

(S. P. 501) (L. D. 731) Resolve providing for a State pension for Nellie E. Turner of Auburn.

(H. P. 49) (L. D. 700) Resolve in favor of the town of Frankfort.

Passed to be Enacted

(S. P. 246) (L. D. 726) An act relating to the construction of a road in the town of Guilford.

(S. P. 507) (L. D. 734) An act to amend an act incorporating Alna Lodge.

(H. P. 212) (L. D. 122) An act to amend the charter of the city of Portland.

(H. P. 571) (L. D. 701) An act to amend the charter of the Big Black River Dam Company.

(H. P. 582) (L. D. 702) An act to enlarge the powers of Richardson Wharf Company.

(H. P. 584) (L. D. 704) An act relating to the property of extinct or disbanded Universalist churches, parishes or societies.

(H. P. 602) (L. D. 205) An act to amend the charter of the city of Saco.

(H. P. 620) (L. D. 705) An act to authorize the city of South Portland to pass ordinances to regulate cemeteries and burials.

(H. P. 707) (L. D. 720) An act to amend the charter of the Livermore Falls Municipal Court.

(H. P. 919) (L. D. 397) An act relative to the apportionment of State aid to agricultural societies.

(H. P. 1132) (L. D. 707) An act to legalize and make valid certain doings of the Cumberland Bar Association.

Finally Passed

(S. P. 75) (L. D. 513) Resolve providing for the payment of certain amounts due exhibitors at the Central Maine Fair Association in 1929, on account of State stipend.

(H. P. 69) (L. D. 698) Resolve in favor of the town of Stockton Springs.

Orders of the Day

On motion by Mrs. Morey of Lewiston, it was voted to take from the table the 14th unassigned matter, bill an act relating to the salary of the County Commissioners of Androscoggin County, H. P. 1144, L. D. 721, tabled by that member, March 4, pending second reading.

Mrs. MOREY: Mr. Speaker and members of the House: Having heard from members of my constituency matters in favor of indefinitely postponing, I move to indefinitely postpone this bill.

Mr. JACOBS of Auburn: Mr. Speaker, in the earlier days of this session it was my privilege, by request, to present this bill to the House. It concerns Androscoggin county only, and yet it has to be ratified by this body. It refers to an increase of salary of the county commissioners of Androscoggin county. This matter was brought to the attention of the entire delegation of Androscoggin county before it was presented to the committee on Salaries and Fees, and we unanimously, without any opposition, voted to increase the salary of the Chairman of this county commission. We decided not to raise the salary of the other two members. When this went to the Salaries and Fees committee, having had its hearing properly before that Committee, they voted unanimously to increase the salary of the chairman of the county commissioners and not the other two members.

As it now stands before the House, we are voting on the increase of salary of the Chairman of

the county commissioners of Androscoggin county. It was not my purpose, and I did not feel it necessary, to speak before the House on this question after the entire delegation had passed upon it unanimously and the Salaries and Fees committee had unanimously voted that it ought to pass; but certain factors have come into it since that make it necessary to defend this bill which I presented, in fairness to all, and especially to the Chairman of this commission who devotes his entire time to the work of the county commissioners of Androscoggin county. Not only that, but he is custodian and caretaker of the buildings of Androscoggin county, and as you all may know, we have court in those buildings almost every month in the year and it is necessary for someone to look after them. This duty is delegated by the county commissioners to the Chairman.

In all the offices of Androscoggin county—there are five which I can mention—the average salary is \$1,980.00, including the county attorney, register of probate, county treasurer and the register of deeds. Also these offices carry clerk hire averaging \$1,300 to each office. There is no clerk hire in the office of the county commissioners—they do their own work. They handle a business of \$17,500,000 yearly in that office, and I believe it is only fair that the chairman of this Board of County Commissioners should have a salary commensurate with his job to which he devotes the entire time. There will be no extra tax upon the citizens and voters of Androscoggin county on account of this five hundred dollar raise. I think this is only fair to him and to those who are sponsoring this bill, and I object, Mr. Speaker, to having this bill indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the member from Lewiston, Mrs. Morey, to indefinitely postpone. Are you ready for the question?

A viva voce vote being taken, the motion to indefinitely postpone failed of passage.

On motion by Mr. Jacobs, the bill had its second reading and tomorrow assigned.

On motion by Mr. Blodgett of Bucksport, it was voted to take from the table the third unassigned matter, House report, ought to pass in new draft of the committee on Claims on resolve in favor of Horace Kelley, H. P. 522, new draft, H. P. 1200, tabled by that gentleman, March 3, pending acceptance of the report; and on further motion by the same gentleman the resolve and report were recommitted to the committee on Claims.

On motion by Mr. Drisko of Jonesboro, it was voted to take from the table the fifth unassigned matter, Senate report ought to pass, of the committee on Sea and Shore Fisheries on bill an act to authorize Edward B. Sawyer et al to construct a fish weir in the tidewaters of Chandler Bay in the town of Jonesport, near Moose Ledge, S. P. 153, L. D. 775, which came from the Senate read and accepted and the bill passed to be engrossed and which in the House was tabled March 4 by Mr. Drisko of Jonesboro, pending acceptance of the report in concurrence.

On further motion by the same gentleman the report was accepted in concurrence, and the bill had its two several readings and tomorrow assigned.

On motion by Mr. Drisko of Jonesboro, it was voted to take from the table the sixth unassigned matter, Senate report, ought to pass, of the committee on Sea and Shore Fisheries on bill an act to authorize Edward B. Sawyer et al to construct a fish weir in the tidewaters of Chandler Bay in the town of Jonesport, near Bar Island, S. P. 152, L. D. 774, which came from the Senate report read and accepted and the bill passed to be engrossed and which in the House was tabled March 4 by Mr. Drisko of Jonesboro, pending acceptance of the report in concurrence.

On further motion by the same gentleman the report was accepted in concurrence, and the bill had its two several readings and tomorrow assigned.

On motion by Mr. Sturtevant of Livermore Falls, it was voted to take from the table the seventh unassigned matter, bill an act relating to regulation of loans by

trust companies S. P. 353, L. D. 376, which was passed to be engrossed in the House February 25th, and which came from the Senate passed to be engrossed as amended by Senate Amendment A, L. D. 776, in non-concurrence, and which in the House was tabled March 4 by Mr. Sturtevant, pending reconsideration.

On motion by Mr. Sturtevant the House voted to reconsider its action whereby this bill was passed to be engrossed. On further motion by the same gentleman Senate Amendment A was adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

On motion by Mr. Scates of Westbrook, it was voted to take from the table the ninth unassigned matter, House report ought to pass in new draft, of the committee on Judiciary on bill an act relating to primary nominations, H. P. 202, L. D. 144, new draft, H. P. 1233, tabled by that gentleman March 4, pending acceptance of the report; and on further motion by the same gentleman the report was accepted and the bill laid on the table for printing under the Joint Rules.

On motion by Mr. Jack of Lisbon it was voted to take from the table the fourth unassigned matter, Senate report ought to pass, of the committee on Judiciary on bill an act relating to Secretary of State authorized to destroy records more than two years old S. P. 362, L. L. 384, which came from the Senate the report read and accepted and the bill passed to be engrossed, and which in the House was tabled by Mr. Jack, March 4 pending acceptance of the report in concurrence.

On further motion by the same gentleman the report was accepted in concurrence, and the bill had

its two several readings and tomorrow assigned.

On motion by Mr. Carleton of Portland, it was voted to take from the table the tenth unassigned matter, bill an act relating to salary of Superintendent of State School for Boys, S. P. 370, L. D. 790, tabled by that gentleman, March 4, pending third reading; and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed.

On motion by Mr. Farris of Augusta, it was voted to take from the table House Paper 183, L. D. 133 relating to taking smelts from the tributaries of Three Mile Pond, tabled by that gentleman earlier in the session; and the same gentleman offered House Amendment A and moved its adoption, as follows:

House Amendment A to House Paper 183, L. D. 133 entitled an act relating to the taking of smelts in the tributaries of Three Mile Pond.

Legislative Document 133 is hereby amended by striking out all of said bill and substituting in place thereof the following:

"Section 21 of Chapter 38 of the Revised Statutes is hereby amended by adding after the word 'thirty-four' in the twenty-eighth line on Page 662 of the Revised Statutes, the following words: 'except that it shall be lawful to fish therein for smelts in accordance with the general law of the State.'"

Thereupon Amendment A was adopted and the bill had its third reading, and was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Graves of Mount Desert

Adjourned until tomorrow morning.