

# 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

**SENATE**

Tuesday, January 13, 1931.

Senate called to order by the President.

Prayer by the Rev. W. P. Bradford of Hallowell.

Journal of Thursday, January 8, read and approved.

The President laid before the Senate the following bills and resolves which were referred to this Legislature by the last preceding legislature.

**Appropriations and Financial Affairs**

An Act relating to the Payment of Succession taxes. (H. P. 1148, H. D. 367-1929).

Sent down for concurrence.

**Claims**

Resolve in favor of O. B. Frost Company of Augusta, Maine. (H. P. 766, H. D. 233-1929).

Resolve in favor of O. B. Frost Company of Augusta, Maine. (H. P. 765, H. D. 232-1929).

Resolve in favor of the Town of Exeter for Compensation for Disbursements. (H. P. 230, H. D. 73-1929).

Resolve in favor of the town of Stetson. (H. P. 782, H. D. 214-1929).

Resolve, to Reimburse Reed Plantation for support of D. S. Farrar, a person having no known settlement in the State. (H. P. 785, H. D. 251-1929).

Resolve, in favor of the town of Danforth, for reimbursement. (S. P. 264, S. D. 134-1929).

Sent down for concurrence.

**Inland Fisheries and Game**

Resolve in favor of a fish screen being placed at the outlet of Eastern Grand Lake Stream, at Forest City Plantation, Washington County. (S. P. 275-1929)

An Act to amend Chapter 331 of the public laws of 1929. (From the Special session, 1930)

Sent down for concurrence.

An Act to revise, codify and simplify the fishing laws applying to inland waters. (From the Special Session, 1930).

One thousand copies ordered printed.

Sent down for concurrence.

**Judiciary**

Resolve, Proposing an Amendment to the Constitution Relating to the Sessions of the Legislature. (S. P. 650, S. D. 298-1929)

An Act Relating to Voting by Persons Physically Incapaciated. (H. P. 1213, H. D. 411-1929)

Sent down for concurrence.

**Legal Affairs**

An Act to Provide Better government for the town of Mount Desert and correct an error. (S. P. 439-1929)

Sent down for concurrence.

**Library**

Resolve for the purchase of a monograph on the geology, conchology and botany of Maine. (S. P. 313-1929)

Sent down for concurrence.

**Public Health**

An Act with reference to Tuberculous Prisoners. (H. P. 1572, H. D. 420-1929)

An Act relating to a filtering plant or system for the Portland Water District. (S. P. 237, S. D. 102-1929)

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. (H. P. 1571, H. D. 578-1929)

**Public Buildings and Grounds**

Resolve for the erection of an entrance gate to the State Park in commemoration of the one hundredth anniversary of the laying of the corner stone of the State House (H. P. 877, H. D. 290-1929)

Sent down for concurrence.

**Taxation**

An Act relating to the assessment and collection of inheritance taxes. (S. P. 877, H. D. 290-1929)

Sent down for concurrence.

**Ways and Bridges**

An Act to incorporate the Penobscot River Bridge Company. (H. P. 1768-1929)

An Act in favor of the Jackman-Rockwood road. (S. P. 9, from the Special session, 1930).

An Act to amend section forty-three of chapter 23 of the Revised Statutes relating to the Mill Tax Highway Fund. (From the Special session, 1930)

Sent down for concurrence.

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

#### Public Utilities

Mr. Page of Somerset: An act to amend Chapter Forty-four of the Private and Special Laws of Eighteen Hundred Eighty-seven entitled an Act to incorporate the Skowhegan Water Company, as amended by Chapter One Hundred Fifty-four of the Private and Special Laws of Nineteen Hundred Seventeen. (S. P. 1)

Sent down for concurrence.

#### Judiciary

Mr. Page of Somerset: An act concerning the licensing of Motor Vehicle Junk Yards. (S. P. 2) (500 copies ordered printed.)

Sent down for concurrence.

#### Orders

On motion by Mr. Weeks of Somerset, it was

Ordered, that all bills, resolves, orders, petitions and memorials for introduction in the Senate be placed in the hands of the Secretary of the Senate not later than four o'clock of the day preceding their introduction.

On motion by Mr. Southard of Kennebec, it was

Ordered, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hearings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing forty-eight hours previous to the time when said rooms are to be used for that purpose.

Sent down for concurrence.

On motion by Mr. Page of Somerset, it was

Ordered, that the Secretary of the Senate be instructed to purchase, for the use of the Senate, one copy of Reed's Parliamentary Rules.

On motion by Mr. Aldrich of Sagadahoc, it was

Ordered, that the Department of Education shall be allowed the use of the Senate Chamber Friday, January 30, 1931, for the examination for Superintendents of Schools.

On motion by Mr. Southard of Kennebec, it was

Ordered, that the Senate Chamber be made available, for its regular biennial meeting, of the Maine State Bar Association, to be held at two-thirty o'clock in the afternoon of January 21st next.

#### Orders of the Day

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table the order relating to a telephone contract, introduced by the Senator from Oxford, Senator Wheeler, and tabled by the Senator from Cumberland, Senator Spear, on January 7th, pending passage.

Thereupon, Mr. Spear of Cumberland presented the following amendment:

"Senate Amendment A to Senate Order for joint telephone committee, presented January 7th, 1931. The Senate order relative to telephone service is hereby amended by striking out in the sixth line thereof the first word 'with', and inserting in place thereof the word 'concerning', and by adding at the end of the order the word 'only'; so that the order as amended shall read as follows: 'Ordered, the House concurring, that a joint committee consisting of two members on the part of the Senate, with such as the House may join, be appointed with full authority to make a contract with the New England Telephone and Telegraph Company for telephone service for the members and officers of the Eighty-fifth Legislature concerning matters connected with their official duties only.'"

Mr. MURCHIE of Washington: Mr. President, I offer Senate Amendment A to Senate Amendment A:

"Senate Amendment A to Senate Amendment A to joint order for telephone service. Amend Senate Amendment A by adding thereto the words, 'and said contract shall be so drawn as to specify that no call shall be made thereunder until the Legislator placing such call shall file with the operator an affidavit to be drawn according to such form as may be prepared by the Attorney General, making oath that such call is in his opinion essential to the transaction of the business of the state.'"

The PRESIDENT: The question

before the Senate is upon the adoption of Senate Amendment A to Senate Amendment A.

Mr. KITCHEN of Aroostook: Mr. President, do I understand from that order that we are allowed telephone service for official business only in connection with our state legislative business?

The PRESIDENT: The Chair so understands the order and if the senator desires the Secretary will read the order.

Mr. KITCHEN: In other words, Mr. President, if I wish to communicate with my men in Aroostook County in regard to the sale of potatoes or as to how my cows are coming along, or if I wish to talk with my beautiful daughter in Presque Isle some evening, would I be violating a Senate rule?

The PRESIDENT: Possibly the Senator from Cumberland, Senator Spear, can answer the question.

Mr. SPEAR of Cumberland: Mr. President, the object of the order is for legislative and public business only.

Mr. KITCHEN: Mr. President, with all due respect to the Senator from Cumberland (Senator Spear) it seems to me that this amendment is nothing more than a gesture. I move the indefinite postponement of both amendments.

Mr. MURCHIE: Mr. President, I shall be glad to second that motion and I will say in explanation of my amendment that it is offered only for the purpose of carrying into effect the intention of the Senator from Cumberland, Senator Spear, if his order is to be adopted. If we are to pass an order that says the telephone service is to be used in the State's business only let us make sure that anybody who violates the terms of the order can be punished as for perjury.

The PRESIDENT: The question before the Senate is upon the motion to indefinitely postpone Senate Amendment A to Senate Amendment A.

Mr. MURCHIE: Mr. President, I understood the Senator's motion to be that both the amendment and the amendment to the amendment be indefinitely postponed.

The PRESIDENT: The Chair intended to give the motions separately but would be pleased to put the motion as the Senator wishes.

Mr. MURCHIE: I would infinitely prefer it, Mr. President, because if

the amendment is to be adopted I would like to press the amendment to the amendment.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Kitchen, that both Senate Amendment A and Senate Amendment A to Senate Amendment A be indefinitely postponed.

The motion to indefinitely postpone prevailed.

Mr. SLOCUM of Cumberland: Mr. President, I move that we adopt the order.

Mr. ALDRICH of Sagadahoc: Mr. President, do I understand that there is on the table also at the present time a House order relative to this matter which has been passed in the House.

The PRESIDENT: The Senator is correct.

Mr. ALDRICH: Then, Mr. President, I would like to inquire whether or not the order which is now before us is similar in tenor to the order which was passed in the House.

The PRESIDENT: The Chair believes that they are exactly similar.

Mr. SLOCUM: Mr. President, I beg leave to withdraw my motion on the Senate order.

The PRESIDENT: The Senator from Cumberland, Senator Slocum, asks unanimous consent to withdraw his motion.

Unanimous consent was given.

The PRESIDENT: And the situation now is that the House order still remains upon the table.

Mr. ALDRICH: The Senate order is before us in some way, Mr. President?

The PRESIDENT: It is.

Mr. ALDRICH: I move, Mr. President, that the Senate order be indefinitely postponed.

The motion prevailed.

Mr. FOSTER of Hancock: Mr. President, I would like to inquire the status of the telephone orders both in the House and in the Senate at the present time.

The PRESIDENT: The Chair will state that the order introduced in the Senate has just been indefinitely postponed. The order introduced in the House was read and passed in the House on January 7th and is now upon the table in the Senate.

Mr. FOSTER: Mr. President, I would like to inquire as to the prop-

er motion to expedite this matter and get it out of the way. We have wasted parts of two days here fooling with this telephone proposition and if we are going to hurry this session through we shouldn't waste any more time on it. Is there any way that this matter may be disposed of?

The PRESIDENT: The Chair will state that the matter is now upon the table on motion of the Senator from Cumberland, Senator Spear.

Thereupon, on motion by Mr. Spear of Cumberland, the Senate voted to take from the table the House order relative to telephone service; and that Senator yielded the floor to the Senator from Cumberland, Senator Slocum.

Thereupon, on motion by Mr. Slocum of Cumberland the order was passed in concurrence.

On motion by Mr. Aldrich of Sagadahoc, the Senate voted to take from the table, the order relative to legislative index, tabled by that Senator on January 7th, pending passage.

Mr. ALDRICH of Sagadahoc: I will move, Mr. President, to indefinitely postpone that order, if it is the one which provides for the printing of the index. I may say in that connection that I am advised that the information which we received the other day that the expense of the printing of this index is approximately \$9,000 is correct and while the index itself may be a valuable thing I have been unable to find anyone who has ever paid any attention to the printed copy and it therefore seems as though that is a place where some money can be saved, and in the expectation that we will pass the other order which is on the table, I move

that this one be indefinitely postponed.

The motion prevailed.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table the Senate order with reference to the indexing of bills, resolves and their history, tabled by that Senator on the last legislative day, pending passage.

Mr. SLOCUM of Cumberland: Mr. President, this order does not order printing. The other one did. This order will allow any member of the Legislature to obtain the information necessary as to the history of any bill or resolve from the Document Clerk, but it specifically prohibits printing and any member of the Legislature who wishes to receive such information may get it from the Document Clerk. This order is one that I feel sure should have passage. I now yield to the Senator from Cumberland, Senator Spear.

Mr. SPEAR of Cumberland: Mr. President, if this is the order that I think it is, it provides for indexing by the Document Clerk in the document room and will not involve any extra money. Therefore, Mr. President, I move that it receive a passage.

The motion prevailed.

The PRESIDENT: The Chair will now appoint upon the joint committee called for in the order for telephone service recently passed, the Senator from Cumberland, Senator Slocum, and the Senator from Hancock, Senator Foster.

On motion by Mr. Bissett of Cumberland,

Adjourned until tomorrow morning at ten o'clock.