

MAINE STATE LEGISLATURE

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Legislative Record
OF THE
Eighty-Fifth Legislature

OF THE
STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY
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SENATE

Friday, February 27, 1931

Senate called to order by the President.

Prayer by the Rev. R. H. Moyle of Hallowell.

Journal of yesterday read and approved.

On motion by Mr. Holman of Franklin out of order and under suspension of the rules, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, March 3rd, at four-thirty o'clock in the afternoon.

Sent down for concurrence.

Subsequently the foregoing order came back from the House, read and passed in concurrence.

Papers from the House disposed of in concurrence.

From the House:

The Committee on Taxation on bill, An act relating to taxation of stock of trust and banking companies. (H. P. 135, L. D. 54) reported that the same ought not to pass.

In the House, read and accepted.

In the Senate, on motion by Mr. Aldrich of Sagadahoc, tabled pending acceptance of report in concurrence.

From the House:

The Committee on Agriculture on bill, An act relating to payment of damages done by dogs or wild animals. (H. P. 5, L. D. 149); reported the same in a new draft (H. P. 1171, L. D. 740) under the same title and that it ought to pass.

In the House, read and acceptance, House Amendment "A" to House Paper 1171, L. D. 740 was read and adopted.

In the Senate:

Mr. SLOCUM of Cumberland: Mr. President, I ask that House Amendment "A" be read.

The Secretary read House Amendment "A" to L. D. 740.

Thereupon, on motion by Mr. Towle of Kennebec, the report and Amendment were tabled pending consideration.

House Bills in First Reading

An act to incorporate the city of Belfast School District. (H. P. 625, L. D. 737)

An act to provide a town Council and Manager form of government for the town of Presque Isle, in the County of Aroostook. (H. P. 750, L. D. 272)

An act to increase the salary of the Judge of the Farmington Municipal Court. (H. P. 1179, L. D. 748)

From the House:

The Committee on Pensions on, Resolve providing for an increase in state pension for Emily F. Grotton of Washington (H. P. 634, L. D. 736); reported that the same ought to pass.

In the House, report read and accepted and the resolve was given its first reading.

In the Senate, read and accepted and the resolve given its first reading in concurrence.

Thereupon, on motion by Mr. Farnsworth of Aroostook, the Senate voted to reconsider its action just taken whereby the resolve was given its first reading; and on further motion by the same Senator the Senate voted to reconsider its action just taken whereby the report of the Committee on Pensions was accepted.

Thereupon, on motion by the same Senator the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Bertha M. Spear of West Gardiner (H. P. 637, L. D. 738); reported that the same ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Flora E. Babb of West Gardiner. (H. P. 638, L. D. 739)

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve for a state pension for Roxie C. Harvey, of Belfast (H. P. 221) reported the same in a new draft (H. P. 1172, L. D. 741) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for Henry W. Plummer of Whitefield (H. P. 632) reported the same in a new draft (H. P. 1173, L. D. 742) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Charles S. Follett of Industry (H. P. 633) reported the same in a new draft (H. P. 1174, L. D. 743) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Bertha Gordon of Union (H. P. 635) reported the same in a new draft (H. P. 1175, L. D. 744) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Alden Doe of Washington (H. P. 636) reported the same in a new draft (H. P. 1176, L. D. 745) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Kate Bird of Farmingdale (H. P. 639) reported the same in a new draft (H. P. 1177, L. D. 746) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Pensions on, Resolve providing for a state pension for Ellen Bird of Farmingdale (H. P. 649) reported the same in a new draft (H. P. 1178, L. D. 747) under the same title and that it ought to pass.

In the House, report read and accepted and the resolve given its first reading.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the resolve was recommitted to the Committee on Pensions in non-concurrence.

Sent down for concurrence.

Bills in First Reading

An Act to authorize Edward B. Sawyer et al to construct a fish weir in the tide waters of Chandler Bay in the town of Jonesport, near Bar Island. (S. P. 152, L. D. 774)

An Act to authorize Edward B. Sawyer et al to construct a fish weir in the tide waters of Chandler Bay, in the town of Jonesport, near Moose Ledge. (S. P. 153, L. D. 775)

Committee Reports

Mr. Kitchen from the Committee on Ways and Bridges on "Resolve in favor of the city of Biddeford." (S. P. 251); reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Murchie from 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. D. 384); reported that the same ought to pass.

Mr. Holman from the Committee on Legal Affairs on bill An act to incorporate the Blueberry Farm Water Company at Camden, Maine, (S. P. 208, L. D. 152); reported that the same ought to pass.

Which reports were read and accepted, the bills read once and tomorrow assigned for second reading.

Mr. Crosby from the same Committee on bill An act to incorporate the Maine Heating Corporation. (S. P. 209); reported that the same ought to pass.

Which report was read and accepted and the bill laid upon the table for printing under the joint rules.

Mr. Small from the Committee on Public Health on bill An act to prevent the polluting of the waters of the West Basin of China Lake. (S. P. 96, L. D. 116); reported that the same ought to pass.

Which report was read and ac-

cepted, the bill read once and tomorrow assigned for second reading.

Mr. Kitchen from the Committee on Ways and Bridges on bill An act to extend charter of Hinckley Development Company authorizing construction of a scenic highway in Piscataquis County. (S. P. 259, L. D. 154); reported the same in a new draft (S. P. 522) under the same title and that it ought to pass.

Which report was read and accepted and the new draft laid upon the table for printing under the joint rules.

Passed to be Engrossed

An act to increase the amount to be paid for clerk hire in the office of the Register of Deeds in the county of Cumberland. (H. P. 227, L. D. 718)

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

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

An act relative to the apportionment of State Aid to Agricultural Societies. (H. P. 919, L. D. 397)

An act increasing the amount to be paid for clerk hire in the office of the Recorder of the Municipal Court of the city of Portland. (H. P. 1145, L. D. 722)

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

An act relating to examination of insane convicts. (S. P. 268, L. D. 240)

An act relating to a state aid road in the town of Sangerville. (S. P. 341, L. D. 759)

An act relating to salary of Superintendent of State School for Boys. (S. P. 370, L. D. 760)

An act relating to the State School for Girls. (S. P. 518, L. D. 762).

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

Resolve in favor of State School for Boys. (S. P. 519, L. D. 763)

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

An act relating to the State School for Boys. (S. P. 520, L. D. 764)

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

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

(On motion by Mr. Greenleaf of Androscoggin, tabled pending second reading)

Passed to be Enacted

An act to incorporate the Federal Employees' Credit Union of Maine. (S. P. 165, L. D. 477)

An act relating to the April term of the Superior Court for Penobscot County. (S. P. 196, L. D. 583)

An act relating to the removal of unworthy attorneys. (S. P. 197, L. D. 582)

An act to extend the charter granted to the Sandy River and Rangeley Lakes Railroad Company. (S. P. 198, L. D. 584)

An act changing the charter of the Fort Kent Water Company. (S. P. 201, L. D. 585)

(On motion by Mr. Kitchen of Aroostook, tabled pending passage to be enacted.)

An act increasing the capital stock of the Frontier Water Company. (S. P. 202, L. D. 586)

An act relating to the Seal Cove Water Company. (S. P. 203, L. D. 587)

An act to extend the charter of the Quebec Extension Railway Company. (H. P. 4, L. D. 394)

An Act to provide for the general up-keep, enlargement, and betterment of the Law Library in the county of Androscoggin. (H. P. 200, L. D. 554)

An Act relating to certified copies of certain records in County of Aroostook. (H. P. 203, L. D. 145)

An Act to increase the powers of the Fort Kent Village corporation. (H. P. 216, L. D. 125)

An Act to extend the charter granted to the Union Terminal Company. (H. P. 580, L. D. 555)

An Act relating to the right of Warren Memorial Foundation to hold property. (H. P. 583, L. D. 556)

An Act additional to the Acts which constitute the charter of Colby college, formerly Colby University. (H. P. 595, L. D. 203)

An Act to repeal section two of chapter ten of the Private and Special Acts of eighteen hundred eighty seven. (H. P. 596, L. D. 204)

An Act relating to the Bangor

Theological Seminary. (H. P. 621, L. D. 538)

An Act authorizing the payment of an annuity by the city of Portland to Rosa B. Reidy. (H. P. 622, L. D. 557)

An Act to provide a better government for the town of Bar Harbor. (H. P. 624, L. D. 537)

An Act to amend the charter of the President and Trustees of Colby College. (H. P. 1042, L. D. 558)

Finally Passed

Resolve in favor of granting teacher's pension to Cora B. Crabtree of Vinalhaven. (H. P. 1043, L. D. 559)

Resolve granting teacher's pension to Mrs. Susan Pope of Westbrook. (H. P. 1044, L. D. 560)

Orders of the Day

Mr. CROCKETT of York: Mr. President, I should like to inquire if Legislative Document 376, An Act relating to regulation of loans by trust companies, has been returned to the Senate.

THE PRESIDENT: The Chair will advise that it is now in the custody of the Senate.

Thereupon, on motion by Mr. Crockett of York, the rules were suspended and the Senate voted to reconsider its former action where-by this bill was passed to be engrossed. That Senator then offered the following amendment; and moved its adoption:

"Senate Amendment 'A' to S. P. 353, L. D. 376, An act relating to regulation of loans by trust companies. Amend said act by adding thereto the following: Section 2, Section 78, Chapter 57 of the Revised Statutes is hereby amended by striking out the word 'twenty-five' in the twenty-first line of said section and inserting in lieu thereof the word 'fifteen' so that said section as amended shall read as follows:

"Section 78. No trust company shall make any loan to any of its directors, officers, agents, or to any other person in its employ, or on which any such director, officer, agent, or employee is an endorser, guarantor, or surety, or to any firm or business syndicate of which such director, officer, agent, or employee is a member or to any person or on the endorsement or guar-

anty of any person who is a partner of, or member of a business syndicate with, such director, officer, agent, or employee or to any corporation of which any such director, officer, agent, or employee is a director, officer, superintendent, or manager, until the proposition to make such loan shall have been submitted by the person desiring the same to the board of directors of such company, or to the executive committee thereof, if any, and accepted and approved by a majority of the entire membership of such board or committee; provided, however, that no director of such company who is interested in said loan in any of the above capacities, or who is connected or associated with the borrower in any of the above ways, shall be regarded as voting the affirmative on such loan. For the purposes of this section each renewal shall be considered as an original loan. Such approval, if the loan is made, shall be spread upon the records of the company; and this record shall, in every instance, give the names of the directors authorizing the loan. Nothing in this section or section seventy-seven shall make it unlawful for a trust company to give any person, firm, syndicate, or corporation a line of credit to an amount not exceeding fifteen per cent of its total capital, unimpaired surplus and net undivided profits, subject to the several restrictions as to percentage of entire board and right of interested persons to vote on same contained in said sections. The records of the company shall show how every director voted on the same, and when such line of credit is given, the treasurer or other authorized officer may pay out loans in accordance therewith without further approval. A line of credit so given shall expire in

six months unless renewed in the same manner in which it is originally given. No loan shall hereafter be made to the treasurer, assistant treasurer, or any employee of the company upon the security of corporation stocks as collateral; provided, however, that this provision shall not apply to the renewal of existing loans."

Mr. CROCKETT: Mr. President, I will say that this simply corrects a technical error and makes Section 78 conform to Section 79 which was previously passed to be engrossed. It changes the word "twenty-five" in this Section to "fifteen" so that it will conform to previous legislation. I now move that it be passed to be engrossed as amended.

Mr. SLOCUM of Cumberland: Mr. President, may I inquire through the Chair if this is an amendment to Legislative Document 376.

The PRESIDENT: The Senator from Cumberland (Senator Slocum) is correct.

Mr. SLOCUM: I move that five hundred copies be ordered printed and that this document lie upon the table pending printing.

The PRESIDENT: The motion before the Senate is upon the adoption of Senate Amendment "A" to Legislative Document 376 and the Senator from Cumberland, Senator Slocum, moves that this amendment lie upon the table, and that five hundred copies be printed, pending the adoption of Senate Amendment "A". Is this the pleasure of the Senate?

The motion to table prevailed.

On motion by Mr. Spear of Cumberland,

Adjourned until next Tuesday afternoon at four-thirty o'clock.