

# 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

Wednesday, March 4, 1931.

Senate called to order by the President.

Prayer by the Rev. A. W. Brown of Gardiner.

Journal of yesterday read and approved.

Mr. PAGE of Somerset: Mr. President, there are in the possession of the Secretary of the Senate certain papers with a communication from the Governor which in my opinion, should be acted on at once, and I move that the rules be suspended and that the communication be read at this time.

Thereupon, the rules were suspended and the Secretary read the following communication out of order:

**STATE OF MAINE**

Office of the Governor

Augusta, March 3, 1931

To the Honorable Senate and House of Representatives:

It gives me great pleasure to transmit herewith a communication from an ex-Governor. The substance of his letter is generous proof of his devotion to the State and his thoughtfulness for mankind of this generation and of those to follow throughout the ages.

I have expressed to him such appreciation as was within my power and I know that you will take the opportunity to perfect that expression by prompt action.

Respectfully submitted,

(Signed) Wm. Tudor Gardiner.

March third, 1931.

To

Hon. William Tudor Gardiner, Governor,

and the Senate and House of Representatives of the State of Maine:

It long has been my ambition to have the State of Maine own Mt. Katahdin, for to my mind that mountain is the grandest and most beautiful of all the natural attractions of our State.

Beginning as a member of the House of Representatives, continuing through my service as Senator and Governor, and later as a pri-

vate citizen I have consistently maintained my interest in this region and expect some day to see my ambition realized. It has been necessary to overcome many obstacles and some are yet to be surmounted, but time and patience aid a good cause and I am confident of the outcome.

Some time ago I acquired an undivided three-eighths (3-8) interest in an area comprising sixteen (16) square miles in Township three(3), Range nine (9), Piscataquis County, within which lies Mt. Katahdin, having purchased the same from the Great Northern Paper Company, whose officials showed a fine public spirit in their willingness to aid me in carrying out my plans.

It was my hope by this time to have acquired the remaining undivided five-eighths (5-8) of this area, but this has not yet been accomplished. I, however, shall continue my efforts to obtain the outstanding interest in order to give it to the State at some future date.

The problem that thus confronted me was whether at once to donate to the State my three-eighths (3-8) interest, or wait until the remaining portion is acquired. Owing to the uncertainty of life, and being apprehensive lest something might happen to thwart my plans, I have decided to offer at this time to convey my interest in this mountain area as a gift to the State of Maine, and ask that it be accepted by Act of the Eighty-Fifth Legislature in accordance with the terms of the Act of Acceptance submitted herewith.

The only requests that I have to make in connection with this gift are that, in so far as can legally be done with an undivided interest, the donated area forever be used for public park and recreational purposes, forever be left in the natural wild state, forever be kept as a sanctuary for wild beasts and birds, that no roads or ways for motor vehicles shall hereafter be constructed thereon or therein, and that I be allowed to retain, during my lifetime, the right to determine, and to place whatever markers or inscriptions shall be maintained or erected on or within the donated area herein offered to the State.

In making this gift I desire to show to the people of my native

State my appreciation of the honors they conferred upon me in the years gone by.

Percival Proctor Baxter

Mr. PAGE: Mr. President, within the confines of Township 3, Range 9, Piscataquis County, lies what is probably one of the most beautiful sections of our State. Within this area is Mt. Katahdin, Chimney Pond, Abol Stream, several ponds and mountain trails. This large tract of land in this Township, which has been purchased by one of our most distinguished citizens who now wishes to convey the same to the State of Maine, is to be forever kept in its natural state as a bird sanctuary and game preserve for the benefit and use of this and future generations, and therefore, I ask unanimous consent under suspension of the rules, that the bill an act permitting the State of Maine to accept the gift of our former Governor, Percival P. Baxter, be received and without reference to a committee, be given its several readings and passed to be engrossed.

Thereupon, under suspension of the rules, the communications were accepted and placed on file.

Sent down for concurrence.

On motion by Mr. Page of Somerset, out of order and under suspension of the rules, unanimous consent was given to that senator to introduce bill, "An act accepting from Percival Proctor Baxter a deed of gift of a portion of Mount Katahdin" (S. P. 528); and on further motion by the same senator the bill was given its two several readings and passed to be engrossed.

Sent down for concurrence.

Mr. BISSETT of Cumberland: Mr. President, may I ask whether it is in order that a few words may be said in regard to this matter at this time?

The PRESIDENT: The Senator may so proceed.

Mr. BISSETT: Mr. President, as a Senator from Cumberland County I certainly think that this is one of the greatest things that has happened for a long time and I believe that if we had more such public spirited men who would take a like pride in our fair State it would be a grand thing. I know that I am heartily in accord, and undoubtedly so is every citizen in this state, with this gift that the ex-Governor has given, and we all

hope that this will become one of the greatest scenic and most picturesque places in the State of Maine.

Mr. PAGE: Mr. President, I would like to inquire whether or not the communications just read have been sent to the House? If not, I would move that they be transmitted to the House by special messenger.

The PRESIDENT: The Chair will state that both communications and the bill have been sent to the House.

Papers from the House disposed of in concurrence.

From the House:

An act to increase maximum and minimum rates under the Workmen's Compensation Act. (H. P. 982, L. D. 503)

(In the House, referred to the Committee on Labor, on February 11th).

(In the Senate, referred to the Committee on Judiciary in non-concurrence, on February 26th).

In the House, that body insisted on its former action whereby the bill was referred to the Committee on Labor.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled pending consideration.

From the House, the following order:

Ordered, the House concurring, that for the purpose of facilitating the business of the 85th legislature and of providing for fair consideration in the separate Houses of resolves carrying the appropriation of money for special purposes all committees having under consideration resolves available for report in blanket form are hereby requested and instructed to report in blanket form on or before Thursday, March 19th all Resolves now before them which have been heard and considered, and

Further Ordered, that all such committees be requested to make their reports on such resolves as cannot be then reported so that each separate item may be separately considered.

(In the Senate read and passed, February 25th).

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Leland of Piscataquis, the Senate

voted to recede and concur with the House in the indefinite postponement of the order.

From the House:

The Committee on Public Health on bill "An act to regulate the practice of the system, method, or science of healing known as Naturopathy, and to create a Board of Examination and Registration for those desiring to practice the same and providing penalties for violation of this act" (H. P. 126, L. D. 51); reported legislation inexpedient.

In the House, the bill was substituted for the report and the bill was passed to be engrossed on March 3rd.

In the Senate, on motion by Mrs. Carter of Androscoggin, tabled pending consideration.

#### House Bills in First Reading

An act in regard to qualifications of teachers. (H. P. 1186, L. D. 771)

An act to designate certain waters of the Kennebec river as Wyman Lake. (H. P. 1131, L. D. 706)

An act relating to probation officers for Cumberland County. (H. P. 1187, L. D. 772)

An act providing appeals in certain tax cases. (H. P. 1188, L. D. 773)

An act relating to Hancock County Publishing Company. (H. P. 817, L. D. 769)

An act to amend An act to incorporate the city of Brewer High School District. (H. P. 613, L. D. 213)

An act relating to Mount Hope Cemetery Corporation. (H. P. 827, L. D. 770)

An act relating to the counting and sealing of ballots. (H. P. 835, L. D. 317)

An act relating to removal of patients from state hospitals when requested; towns may become liable for support on failure to remove. (H. P. 974, L. D. 495)

An act relating to catching smelts in Salt Pond in the towns of Bluehill, Sedgwick and Brooklin. (H. P. 133, L. D. 767)

An act relating to lobster fishing in waters adjacent to Criehaven. (H. P. 663, L. D. 768)

An act relating to the exemptions of estates from taxation. (H. P. 997, L. D. 439)

#### Bills in First Reading

Resolve in favor of the town of Stetson. (S. P. 4, L. D. 793)

An act relating to deer on Mount Desert Island, and in certain other localities. (S. P. 108) (L. D. 791)

An act relating to fishing in Long Lake, Kennebec County. (S. P. 185, L. D. 795)

An act to regulate fishing in Moose Horn Lake, formerly known as Shaw Pond, in Somerset county. (S. P. 188 L. D. 792)

An act to amend and extend the charter of Kennebec Reservoir Company. (S. P. 192, L. D. 796)

Resolve in favor of John T. Pratt. (S. P. 523, L. D. 794)

Resolve in favor of Coyt Ingraham of Knox (S. P. 524, L. D. 793)

#### Passed to be Enacted

(Out of order and under suspension of the rules).

An act accepting from Percival Proctor Baxter a deed of gift of a portion of Mt. Katahdin. (S. P. 528)

On motion by Mr. Page of Somerset, that senator was given unanimous consent to introduce, out of order and under suspension of the rules, the following order:

Ordered, the House concurring, that the message of Percival P. Baxter to Governor Gardiner, the Senate and House and Representatives, be printed in the Acts and Resolves of 1931 and that five hundred copies be printed for distribution to members of the Legislature.

Sent down for concurrence.

The PRESIDENT: The Senate will take a short recess while the Secretary presents the bill just passed to be enacted to the Governor.

#### After Recess

The Senate was called to order by the President.

#### Committee Reports

Mr. Story from the Committee on Public Health, on bill "An act to provide for the payment of a license fee by apothecaries and for the disposition of fees received by the Commissioners of Pharmacy" (S. P. 18); reported that legislation thereon is inexpedient, as subject matter is covered by other legislation.

Mr. Wheeler from the Committee

on Salaries and Fees on bill "An act relating to the salary of the Judge of the Newport Municipal Court" (S. P. 223); reported that the same ought not to pass.

The same senator from the same committee on bill "An act to increase the salary of the county Treasurer of Penobscot county" (S. P. 335); reported that the same ought not to pass.

The same senator from the same Committee on bill "An act to change the salary of the clerk of courts for Penobscot county" (S. P. 104); reported that the same ought not to pass.

(On motion by Mr. Weatherbee of Penobscot, tabled pending acceptance).

Mr. Campbell from the Committee on Sea and Shore Fisheries on bill "An act to prohibit the taking of clams in the shores or flats within the town of Scarborough" (S. P. 225); reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Greenleaf from the Committee on Public Health on bill "An act relating to dental hygienist and appropriation and contributions for dental hygienist service by towns, individuals, and organizations" (S. P. 218, L. D. 153); reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

#### Passed to be Engrossed

An act relating to the towns of Lincoln and Enfield. (H. P. 138, L. D. 754)

An act to amend an act to supply the town of Bucksport with water. (H. P. 574, L. D. 196)

An act relating to appointment of receivers; attachments dissolved. (H. P. 908, L. D. 362)

An act relative to vacating location of streets. (H. P. 956, L. D. 447)

An act relating to prosecutions and violations of the liquor law. (H. P. 959, L. D. 450)

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

An act relating to the care of children of women committed to the reformatory for women. (H. P. 1180, L. D. 756)

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

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

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

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

An act to incorporate the Maine Heating Corporation. (S. P. 209, L. D. 774)

An act authorizing towns to raise money for repairing and building academies. (S. P. 281, L. D. 248)

(On motion by Mr. Weatherbee of Penobscot, tabled pending second reading).

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

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

An act to extend charter of Hinckley Development Company, authorizing construction of a scenic highway in Piscataquis County. (S. P. 522, L. D. 775)

#### Orders of the Day

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table, An act relating to the liability of Insurance Companies (S. P. 494), tabled by that Senator on February 18th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary and 500 copies ordered printed.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, 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 (L. D. 718), tabled by that Senator on February 27th pending second reading; and on further motion by the same Senator the bill was given its second reading and was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, 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 (L. D. 722), tabled by that Senator on February 27th pending second reading; and

on further motion by the same Senator the bill received its second reading and was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. St. Clair of Knox, the Senate voted to take from the table, An act relating to descriptive roadside signs, (H. P. 1168), tabled by that Senator on February 25th pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Maine Publicity, in concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An act relating to tax on gasoline (L. D. 475), tabled by that Senator earlier in today's session pending second reading; and on further motion by the same Senator, the bill received its second

reading and was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Greenleaf of Androscoggin, the Senate voted to take from the table, An act to change the name of Soward Island to Treasure Island (L. D. 713), tabled by that Senator on February 26th, pending first reading; and on further motion by the same Senator, the bill received its first reading.

Sent down for concurrence.

The PRESIDENT: There are still several matters on the table pending reference to a committee. Could any of these be disposed of at this time?

On motion by Mr. Bissett of Cumberland,

Adjourned until tomorrow morning at ten o'clock.