

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

- Page 73—An act to empower the County Commissioners of Hancock County to construct a highway and raise money for the same (S. P. 35, L. D. 11)—Should be (S. P. 35, L. D. 9)
- Page 75—Ordered, that there be printed one thousand additional copies each of L. D. No. 28, H. P. No. 39, and L. D. No. 10, H. P. No. 37—should be L. D. 10, S. P. No. 37.
- Page 105—Resolve in favor of the town of Prescott. (H. P. No. 282)—Should be town of Trescott.
- Page 106—Second resolve in favor of the town of Dixmont (H. P. 401)
- Page 114—Resolve to reimburse the town of Solon for support of Mrs. Ernest Cousins having no known settlement in the state.—Should be Salem.
- Page 120—Resolve to reimburse Hamlin Plantation for support and burial expenses of Ephrem Picard, a State Pauper (H. P. No. 895)—Should be (H. P. No. 805)
- Page 128—Resolve in favor of the town of Atkinson (H. P. No. 876)—Should be (H. P. No. 976)
- Page 129—Second resolve in favor of the town of Cornish to be deleted.
- Page 152—Resolve in favor of E. G. Hodgkins of Carmel, H. P. 364, L. D. 197—should be H. P. 364, L. D. 203.
- Page 152—An act relating to health certificates for teachers and janitors S. P. 207, L. D. 295—Should be S. P. 207, L. D. 395.
- Page 153—An act relating to inland fish and game wardens; powers, duties and service of processes, S. P. 193, L. D. 597—Should be S. P. 193, L. D. 397.
- Page 163—Bill "An Act relating to Stamping of Registered Boilers" (H. P. No. 1132)—Should be (H. P. No. 1131)
- Page 163—Bill "An Act relating to Towns and Town Officers" (H. P. No. 1136)—Should be (H. P. No. 1135)
- Page 184—"An act relating to motor vehicles carrying passengers for hire over regular routes" (S. P. 92, L. D. 105)—Should be (S. P. 92, L. D. 104)
- Page 193—An act relating to motor vehicle lights S. P. 217, L. D. 598—Should be S. P. 217, L. D. 398.
- Page 202—(Presented by Mr. Stevens of Pownal)—Should be Mr. Stover.
- Page 246—An act relating to Board of Censors of Maine Pictures—should read Moving Pictures.
- Page 259—Resolve opening Jaquith Pond in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 260—Ordered, that there be printed 500 more copies of H. P. 1082, L. D. 571—Should be H. P. 1083, L. D. 571.
- Page 267—Resolve in favor of John E. Parker of Windsor, for State pension (H. P. 90, L. D. 672)—Should be (H. P. 99, L. D. 672)
- Page 273—Resolve opening Jacquith Pond, in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 315—(H. P. No. 552) (L. D. No. 231) Resolve relating to rabbit hunting in Vinalhaven—Should be (H. P. No. 552) (L. D. No. 221)
- Page 321—An Act relating to partition of real estate (S. P. 327, L. D. 833)—Should be (S. P. 327, L. D. 533)
- Page 341—An Act permitting Dennis Plourde to Dump Sawdust in Wallagrass Stream—Should be Dennis Plourde.
- Page 343—(H. P. No. 39) (L. D. No. 776)—Should be (H. P. No. 739 (L. D. No. 776)
- Page 343—(H. P. No. 1476) (L. D. No. 778)—Should be (H. P. No. 1486) (L. D. No. 778)
- Page 358—An act to grant a new charter to the city of Rockland, S. P. 486, L. D. 788—Should be S. P. 486, L. D. 798.
- Page 383—An act to amend the banking laws by amending Sec. 91, of Chap. 57 of the Revised Statutes—Should be marked S. P. 548, L. D. 805.
- Page 417—An Act to provide for School Expenses in Towns having a Valuation of Less than \$200,000.00—Should be marked (H. P. 588, L. D. 235)
- Page 437—"An Act to amend Sections 48 to 54 of Chapter 28 of the Revised Statutes" (S. P. 358)—Should read Sections 48 to 51.
- Page 440—Resolve in favor of Henry McCroty of Farmingdale (H. P. 1502, L. D. 810)—Should be Henry McGroty.
- Page 442—Resolve regulating ice fishing in Tacoma Lakes (H. P. 1465, L. D. 736)—Should be (H. P. 1465, L. D. 756)

SENATE

Wednesday, February 1, 1933

Senate called to order by the President.

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

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House:

Bill, An Act to provide for the payment of recount expenses. (H. P. 575).

In the House, referred to the Committee on Appropriations and Financial Affairs.

In the Senate, on motion by Mr. Littlefield of York, tabled pending reference in concurrence.

From the House:

Resolve in favor of the estate of Jane Cuffe. (H. P. 346).

Resolve in favor of the estate of Rose Allen. (H. P. 347).

Resolve in favor of the estate of Edward B. Patch. (H. P. 348).

Resolve in favor of the estate of William Walden. (H. P. 349).

Resolve in favor of the estate of Abigail W. Clark. (H. P. 350).

Resolve in favor of the estate of Amy Gore Iasigi. (H. P. 351).

Resolve in favor of the estate of Charles H. Bayley. (H. P. 352).

Resolve in favor of the estate of Solomon Davis. (H. P. 353).

Resolve in favor of the estate of Frank H. Kidder. (H. P. 354).

Resolve in favor of the estate of Morgan Jones. (H. P. 355).

Resolve in favor of the estate of William J. Neuenschwander. (H. P. 356).

Resolve in favor of the estate of Lenore Doster Cooke. (H. P. 357).

Resolve in favor of the estate of Carrie E. Smith. (H. P. 358).

Resolve in favor of the estate of Charles M. Crofoot. (H. P. 359).

Resolve in favor of the estate of Harmon L. Remmel. (H. P. 368).

Resolve in favor of the estate of Luther Kountze. (H. P. 544).

In the House, referred to the Committee on Claims.

In the Senate, on motion by Mr. Weatherbee of Penobscot, tabled pending reference in concurrence.

From the House:

Memorial to the Congress of the

United States urging passage of a Bill "To prevent loss of revenue, to provide employment for American labor, and to maintain the industries and agriculture of the United States against the effects of depreciation in foreign currencies." (H. P. 644).

In the House, read and adopted.

In the Senate:

Mr. HOLMES of Androscoggin: Mr. President, I would like to hear the memorial read.

The Secretary began the reading of the memorial.

Mr. HOLMES: Mr. President, I move that further reading of the memorial be dispensed with and that it lie upon the table until Orders of the Day.

The motion prevailed and the memorial was laid upon the table.

House Bill in First Reading

An Act to extend the Charter of the Quebec Extension Railway Company. (H. P. 77).

Communications

Communication (S. P. 250) from the State Auditor, as follows:

Department of State Auditor
January 31, 1933.

Royden Brown, Esq.
Secretary of the Senate
Augusta, Maine.

Dear Sir:

I am submitting herewith a copy of my report for the eighteen months' period July 1, 1930 to December 31, 1931. This copy is now in the hands of the printer and will probably be published so as to be in the hands of the members of the Legislature in another week.

I am giving you this information so that if an order is passed authorizing the report to be printed you will know that such is now already being done.

Very truly yours,

(Signed) ELBERT D. HAYFORD,
State Auditor.

On motion by Mr. Viles of Kennebec, referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Communication (S. P. 171) from the Secretary of State, as follows:
Department of State
January 31, 1933.

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

Representatives of the Eighty-sixth Legislature:

I have the honor to herewith transmit the county estimates of the several counties within the State for the years 1933 and 1934, the same having been filed in this office according to the provisions of the Revised Statutes, Chapter 13, Section 67.

(Signed) **ROBINSON C. TOBEY**,
Secretary of State.

On motion by Mr. Littlefield of York, referred to the Committee on County Estimates.

Sent down for concurrence.

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

Appropriations and Financial Affairs

Mr. Angell of York: Resolve in favor of the state museum. (S. P. 196).

Mr. Jackson of Sagadahoc: Resolve in favor of the town of Phippsburg. (S. P. 197).

Sent down for concurrence.

Claims

Mr. Jackson of Sagadahoc: Resolve to reimburse the City of Bath for support of Maurice G. McDorr and family, having no known settlement in the State. (S. P. 198).

The same Senator: Resolve in favor of A. L. Dennison of Wilton. (S. P. 199).

The same Senator: Resolve to reimburse the city of Bath for support and burial expenses of William A. Griffin formerly a resident of Malaga Island. (S. P. 200).

Mr. Hathaway of Piscataquis: Resolve to reimburse the town of Guilford for support of James F. Lemar and family, having no known settlement in the State. (S. P. 201).

Mr. Cooper of Waldo: Resolve for payment of medical attendance and hospital bills for Mrs. Mildred Gibbs of Brooks. (S. P. 202).

Mr. Fernandez of Penobscot: Resolve in favor of George E. Widdoes. (S. P. 203).

Mr. Holman of Franklin: Resolve to reimburse the town of Solon for support of Mrs. Ernest Cousins, having no known settlement in the State. (S. P. 204).

Mr. Weatherbee of Penobscot: Resolve appropriating money to pay the claim of Madawaska Company

of Van Buren against the State of Maine. (S. P. 205).

The same Senator: Resolve in favor of American Mutual Liability Insurance Company of Boston in the Commonwealth of Massachusetts. (S. P. 206).

Sent down for concurrence.

Education

Mrs. Gay of Lincoln: An Act relating to health certificates for teachers and janitors. (S. P. 207).

Mr. McDonald of Washington: Resolve in favor of Washington Academy. (S. P. 209).

The same Senator: Resolve in favor of Washington Academy, East Machias. (S. P. 210).

Mr. Jackson of Cumberland: An Act relative to the conveyance of pupils. (S. P. 208).

(500 copies of last bill ordered printed).

Sent down for concurrence.

Inland Fisheries and Game

Mr. Schnurle of Cumberland: An Act providing for the establishment of a state experimental fur farm. (S. P. 145).

The same Senator: An Act relative to the taking of smelts in Panther Pond in the county of Cumberland. (S. P. 148).

The same Senator: An Act relative to closed time daily bag limits and transportation of wild hares and rabbits. (S. P. 172).

The same Senator: An Act relative to fishing for gain and hire prohibited; exceptions, penalty. (S. P. 173).

The same Senator: An Act relative to transportation of deer within State. (S. P. 174).

The same Senator: An Act relative to the visiting and setting of traps. (S. P. 175).

The same Senator: An Act relating to fur farms. (S. P. 176).

The same Senator: An Act relative to falsely assuming to be a game warden. (S. P. 177).

Mr. Angell of York: An Act relative to fishing in the Mousam River. (S. P. 178).

The same Senator: An Act relative to open season on cock pheasants in the county of York. (S. P. 179).

The same Senator: An Act relative to fishing in the Saco River in the county of York. (S. P. 180).

The same Senator: An Act relative to the fishing for white perch in Little River in the towns of Old Orchard Beach and Scarborough in the

counties of York and Cumberland. (S. P. 181).

The same Senator: An Act relative to the taking of smelts in the York River in the towns of York and Elliott in York County. (S. P. 182).

The same Senator: An Act relating to fishing on Soper Brook, Jordan Pond and Duck Pond in Townships 3, Range 11 and 4, Range 11 W. E. L. S., County of Piscataquis. (S. P. 183).

The same Senator: An Act relative to fishing in Dole's Pond and Boyd's Pond in the town of Limington in the county of York. (S. P. 184).

The same Senator: An Act relating to fishing regulated in Milliken's Mill Pond and tributaries thereto in the town of Old Orchard Beach. (S. P. 185).

The same Senator: An Act relative to the pollution of waters of Chase's Pond. (S. P. 186).

The same Senator: An Act relating to the legal length of trout in lakes and ponds in York County. (S. P. 187).

The same Senator: An Act relating to fishing in Lone Pond in the town of Waterboro in the county of York. (S. P. 188).

The same Senator: An Act relative to the open season on brooks in the town of York in York County. (S. P. 189).

Mr. Jackson of Sagadahoc: An Act relating to the West Bath Game Preserve. (S. P. 190).

Mr. Blaisdell of Hancock: Resolve providing for a survey of proposed game preserve in Hancock County. (S. P. 191).

The same Senator: Resolve relating to fishing in Demyers Brook. (S. P. 192).

Mr. Harmon of Hancock: An Act relating to inland fish and game warden powers, duties and service of processes. (S. P. 193).

Mr. Harmon of Hancock: An Act relative to hunting licenses for residence, non-residents and fees therefor. (S. P. 194).

Mr. Bissett of Cumberland: An Act to revise the fish and game law in regard to rules and regulations. (S. P. 195).

(500 copies of last two bills ordered printed).

Sent down for concurrence.

Judiciary

Mr. McLoon of Knox: An Act to grant a new charter to the city of Rockland. (S. P. 211).

Mr. Fernandez of Penobscot: An Act to authorize the Old Town Herbert Gray School District to refund any of its bonds falling due in the years 1933 and 1934. (S. P. 215).

The same Senator: An Act to confer additional rights and powers upon East Branch Improvement Company, a corporation incorporated by a special act by the Legislature approved March 18, 1903. (S. P. 216).

Mr. Harmon of Hancock: An Act relating to motor vehicle lights. (S. P. 217).

Mr. Hathaway of Piscataquis: An Act to amend an act to incorporate the Guilford and Sangerville Water District. (S. P. 218).

Mr. Holman of Franklin: An Act to incorporate Sandy River Log Driving Company. (S. P. 219).

Mr. Littlefield of York: An Act to authorize the Treasurer of State to make payment of the share of the State in the reconstruction of Cascade Bridge in the town of Old Orchard. (S. P. 220).

Mr. Viles of Kennebec: An Act relating to corporations for the protection and development of forests. (S. P. 221).

Mr. Weatherbee of Penobscot: An Act to amend Section 94 of Chapter 96 of the Revised Statutes. (S. P. 222).

Mr. Schnurle of Cumberland: An Act enabling cities and towns to take advantage of Reconstruction Finance Corporation Loans for construction of Waterworks. (S. P. 212).

The same Senator: An Act enabling cities and towns to take advantage of Reconstruction Finance Corporation Loans for construction of sewerage works. (S. P. 213).

Mr. Weeks of Somerset: An Act relating to the taking of testimony. (S. P. 214).

(500 copies of the last three bills ordered printed).

Legal Affairs

Mr. Jackson of Sagadahoc: An Act relating to a board of education for the city of Bath. (S. P. 223).

(On motion by Mr. Jackson of Sagadahoc, tabled pending reference).

The same Senator: An Act to amend the Charter of the City of Bath. (S. P. 224).

(On motion by Mr. Jackson of Sagadahoc, tabled pending reference).

Mr. Littlefield of York: An Act relating to taking of land for park

purposes by Parsonsfield Kezar Falls Village Corporation. (S. P. 225).

The same Senator: An Act relating to exemption of property from attachment. (S. P. 226).

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

The same Senator: An Act relating to terms of office of County Commissioners. (S. P. 227).

The same Senator: An Act amending the Workmen's Compensation Act. (S. P. 228).

Mr. Weatherbee of Penobscot: An Act to repeal acts incorporating the town of Kingman. (S. P. 229).

Mr. Weatherbee of Penobscot: An Act to incorporate the Town of Lincoln School District. (S. P. 230).

Sent down for concurrence.

Maine Publicity

Mr. Viles of Kennebec: An Act designating a certain road as 'The Arnold Trail'. (S. P. 231).

Sent down for concurrence.

Mercantile Affairs and Insurance

Mr. Story of Aroostook: An Act to incorporate the Mutual Insurance Companies Trust Company of Presque Isle. (S. P. 232).

Sent down for concurrence.

Pensions

Mr. Bissett of Cumberland: An Act relating to police pensions in the City of Portland. (S. P. 233).

Mr. Cooper of Waldo: Resolve providing for a state pension for Hattie Boynton of Montville. (S. P. 234).

The same Senator: Resolve providing for a state pension for Cora Boynton of Montville. (S. P. 235).

The same Senator: Resolve providing for a state pension for Valdimir B. Jones of Waldo. (S. P. 236).

The same Senator: Resolve providing for a state pension for Elida F. Whitcomb of Montville. (S. P. 237).

Mrs. Gay of Lincoln: Resolve in favor of a state pension for Mrs. Alida Poland of Round Pond. (S. P. 238).

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Jackson of Cumberland: An Act regulating the taking of oysters and quahaugs in the town of Harpswell. (S. P. 239).

Sent down for concurrence.

State Lands and Forest Preservation

Mr. Angell of York: An Act relating to open season on fishing in York County. (S. P. 240).

Mr. Page of Somerset: Resolve

authorizing release of State's interest in certain lands. (S. P. 241).
Sent down for concurrence.

Ways and Bridges

Mr. Farnsworth of Aroostook: Resolve in favor of the town of Caribou. (S. P. 242).

Mr. Hathaway of Piscataquis: Resolve in favor of repairs on road leading from Kidney Pond in Piscataquis County towards the Great Northern Paper Company road at Sourdnahunk Stream. (S. P. 243).

Mr. Jackson of Sagadahoc: Resolve to aid in rebuilding and widening the Preston Bridge, so-called, in the town of Arrowsic. (S. P. 244).

The same Senator: Resolve in favor of the Birch Point Village Corporation. (S. P. 245).

The same Senator: Resolve in favor of the town of West Bath. (S. P. 246).

Mr. Littlefield of York: Resolve in favor of the town of Kennebunk. (S. P. 247).

The same Senator: Resolve in favor of the town of Kennebunk. (S. P. 248).

Mr. Schnurle of Cumberland: Resolve in favor of the town of Gray. (S. P. 249).

Sent down for concurrence.

Orders of the Day

On motion by Mr. Holmes of Androscoggin, the Senate voted to take from the table, Memorial to the Congress of the United States urging the passage of a bill (H. P. 644), tabled by that Senator earlier in today's session pending consideration.

Mr. HOLMES of Androscoggin: Mr. President, I will presently make a motion so that I may not be speaking at random, but what the motion will be will necessarily depend upon what enlightenment the Chair can give me. I wish to say that after having read this memorial through I find that the main point is this, that it proposes that this Legislature memorialize the Congress in favor of the passage of a certain bill which has been introduced into the present session of the Congress by Congressman Samuel B. Hill of Washington, being numbered H. R. 13999, the official title of which is as follows: "A bill, to prevent loss of revenue, to provide employment for American labor, and to maintain the industries and agriculture of the United States against the effects of de-

preciation in foreign currencies." The rest of the proposed memorial, however, does not give any inkling of what the terms of Congressman Hill's bill is and I am therefore asking the Chair to enlighten me as to what the terms of that bill are which it is proposed to commit this Legislature in favor of. I am sorry to say that from general information I am unable to determine.

The PRESIDENT: The Chair will state with equal regret that he is unable to give the information to the Senator from Androscoggin (Senator Holmes). In a general way it is the understanding of the Chair that the bill pending in Congress, and which is supposed to be before Congress for action today, seeks to impose a differential which will increase the duties on imports coming from countries whose money is depreciated and will more nearly make the existing tariff correspond with the rates established by Congress. That may or may not be accurate but it is the understanding of the Chair.

Mr. HOLMES: I thank the Chair for the information. I had an idea that that was the bill on general lines and I wish to say that personally I do not feel like voting to commit this Legislature to a bill on a disputed subject pending in Congress and that I feel that the Legislature—it is now for action in the Senate—that the Legislators ought to fully understand what they are doing before they commit the Legislature of Maine to a bill embodying a disputed question. (I am going to make a motion, Mr. President, in a few minutes.) For instance, from what I have read I understand that there are opponents to the bill who argue that the exports and imports of the country have decreased during the past year and a half, since about the time when so many countries began going off the gold standard led by Great Britain, and that that indicates that depreciation in currency has not been the cause of bad times or increasing bad times, that if depreciation of currency was a help to those countries that are off the gold basis, the imports to our country would increase. This I am not proposing as an argument; I am only indicating that there are arguments against the bill. Therefore, I believe that this Legislature should be fully informed

and should give the matter consideration before committing itself.

I therefore move, Mr. President, that the memorial be referred to the Committee on Federal Relations for a public hearing.

Thereupon, on motion by Mr. Weeks of Somerset, the memorial was laid upon the table pending reference to the Committee on Federal Relations.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table the several resolves relating to the estates of deceased persons (House papers numbers 346 to 359 inclusive and 368 and 544), tabled by that Senator earlier in today's session pending reference in concurrence.

Mr. WEATHERBEE of Penobscot: Now, Mr. President, these resolves aggregate in dollars and cents approximately seventy thousand dollars. These estates attempt to collect from the State of Maine that amount of money which was paid by them to the State of Maine under a state law which has since been declared unconstitutional by the United States Supreme Court. I was informed by the attorney who represents the several claimants that owing to the financial condition of the State of Maine at this time he would be satisfied if the Committee on Claims should refer these several resolves to the next Legislature. His desire was to file the claims at this session so that it might not appear that he was not diligent in asking for reimbursements.

Now, to save the cost of publication of the notices and the trouble of a hearing I am going to move that these several resolves be referred to the Eighty-seventh Legislature in non-concurrence with the action of the House.

The motion prevailed and the several resolves were referred to the Eighty-seventh Legislature in non-concurrence.

Sent down for concurrence.

The PRESIDENT: Is there anything further to come before the Senate? Is there any member of the Senate who has any matter on the table which can be taken off the table and advanced at this time? The Chair wishes once more to urge speed. Last Thursday we organized the force to assist in the revival of the statutes and succeed-

ed, I believe, in getting all matters of private and special legislation which were pending, drafted. Those have now been introduced.

If the members of the Senate and House agree with those in the Senate and House offices the recess this week will be from Friday noon until Tuesday morning in order that the members of the Legislature may be in their seats Tuesday morning and that next week the committees may have three full afternoons for hearings. The only way that we can make progress is by getting in our bills in time for hearings and by holding our hear-

ings. Every committee chairman is of course a member of the Senate. I wish to urge that at your meetings this afternoon you arrange for hearings on as many bills as possible next week out of the three afternoons, Tuesday afternoon, Wednesday afternoon and Thursday afternoon, that we may meet hereafter four days a week and make progress.

On motion by Mrs. Gay of Lincoln.

Adjourned, until tomorrow morning at ten o'clock.