

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY  
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**SENATE**

Thursday, February 16, 1933.

Senate called to order by the President.

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

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House:

"Resolve relating to rules and regulations on bounties." (S. P. 314, L. D. 522).

(In the Senate on February 8th referred to the Committee on Inland Fisheries and Game.)

In the House, referred to the Committee on Agriculture in non-concurrence.

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

**House Bills in First Reading**

Resolve relating to fishing in Whitney Brook. (H. P. 64, L. D. 34)

An Act relating to fishing in Upper Taylor Brook. (H. P. 118, L. D. 65)

Resolve relating to fishing in McCoslin Brook and Turtle Pond Brook. (H. P. 206, L. D. 113)

Resolve regulating fishing in Round, Ross, Haley and Quimby Ponds. (H. P. 210, L. D. 116)

An Act relating to fishing in Lake Pennesseewassee and Sand Pond. (H. P. 211, L. D. 117)

An Act providing for special terms of the Superior Court. (H. P. 30, L. D. 17)

An Act relating to qualifications of county attorneys. (H. P. 1232, L. D. 640)

An Act relating to appointment of town road commissioners. (H. P. 122, L. D. 72)

An Act relating to the jurisdiction of municipal courts in certain cases. (H. P. 123, L. D. 73)

An Act granting preference to Maine bidders. (H. P. 153, L. D. 85)

An Act permitting small town polls to close at five o'clock in primary elections. (H. P. 612, L. D. 130)

An Act discontinuing publishing lists of costs. (H. P. 614, L. D. 181)

An Act to extend the rights, powers, and privileges of the Sabattus Water and Sewer District. (H. P. 227, L. D. 637)

An Act to extend the charter of the Patten Water and Power Company. (H. P. 652, L. D. 638)

An Act to extend the Charter of the Vanceboro Water Company. (H. P. 924, L. D. 639)

From the House:

The Committee on Inland Fisheries and Game on "An Act closing to all fishing for a period of four years Fish River Falls" (H. P. 203, L. D. 111) reported that the same ought to pass.

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

In the Senate, on motion by Mr. Kitchen of Aroostook, report and bill tabled pending acceptance of the report in concurrence.

From the House:

The Committee on Inland Fisheries and Game on "Resolve regulating fishing in Long Pond or Crescent Lake" (H. P. 209, L. D. 115) 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. Winn of Androscoggin, report and resolve tabled pending acceptance of the report in concurrence.

From the House:

The Committee on Judiciary on bill "An Act to validate a loan negotiated by the City of Lewiston and to authorize said city to issue its bonds in payment therefor" (H. P. 70, L. D. 41) reported the same in a new draft. (H. P. 1233, L. D. 641), under the same title and that it ought to pass.

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

In the Senate, on motion by Mr. Holmes of Androscoggin, report and bill tabled pending acceptance of the report in concurrence.

From the House:

The Committee on Judiciary on bill "An Act relating to the Odd Fellows Home in Maine" (H. P. 216, L. D. 636) reported that the same ought to pass.

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

In the Senate, on motion by Mr. Weatherbee of Penobscot, report

and bill tabled pending acceptance of the report in concurrence.

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

Mr. Harmon of Hancock: Resolve providing state pension for Eva May Snowman, Bar Harbor. (S. P. 423)

Pursuant to the order limiting the reception of private and special legislation to January 31, 1933 the bill was referred to the 87th Legislature.

Sent down for concurrence.

#### Library

Mr. Weymouth of Penobscot: Remonstrance against the recommendation of the Committee on State Budget that no appropriation be made for stipend for free public libraries signed by the President and Trustees of the Brewer Free Public Library Association. (S. P. 418)

Sent down for concurrence.

#### Temperance

Mr. Abbott of York: Remonstrance of Rev. S. E. Leach and 10 others of Kennebunk against the resubmission of the prohibitory amendment. (S. P. 417)

The same Senator: Remonstrance of Mabel W. Burnham and 9 others of Kittery against the resubmission of the prohibitory amendment. (S. P. 419)

Mr. Fernandez of Penobscot: Remonstrance of John J. Martin and 70 others of Bangor against the resubmission of the prohibitory amendment. (S. P. 420)

Sent down for concurrence.

#### Taxation

Mr. Fernandez of Penobscot: Petition of G. G. Comstock and 76 others of Penobscot County in favor of a special tax on the so-called "chain stores." (S. P. 421)

Sent down for concurrence.

#### Reports of Committees

Mr. Holmes from the Committee on Judiciary on Bill "An Act relating to town meetings" (S. P. 152, L. D. 168) reported that the same ought not to pass.

Mr. Holman from the same Committee on Bill "An Act to provide for the payment of blanks used in the probate court" (S. P. 163, L. D. 167) reported that the same ought not to pass.

Mr. Farnsworth from the Committee on Legal Affairs on Bill "An Act to extend the charter of Lincoln School District" (S. P. 110) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Page from the Committee on Banks and Banking on Bill "An Act to amend the laws relating to Loan and Building Associations" (S. P. 256, L. D. 386) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to amend the laws relating to Loan and Building Associations" (S. P. 255, L. D. 385) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to amend the laws relating to Loan and Building Associations" (S. P. 254, L. D. 384) reported that the same ought to pass.

Mr. Jackson from the same Committee on Bill "An Act amending the banking law" (S. P. 259, L. D. 389) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to amend the laws relating to Loan and Building Associations" (S. P. 258, L. D. 388) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to permit Loan and Building Associations to borrow money" (S. P. 257, L. D. 387) reported that the same ought to pass.

Mr. Page from the Committee on Legal Affairs on Bill "An Act to provide a town council and manager form of government for the town of Washburn in the county of Aroostook." (S. P. 160, L. D. 164) reported that the same ought to pass.

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

Mr. Weatherbee from the Committee on Public Utilities on Bill "An Act relating to plant railroads and definition thereof" (S. P. 336) reported that the same ought to pass.

Mr. Blaisdell from the Committee on Legal Affairs on Bill "An Act relating to taking of land for park purposes by Parsonsfield-Kezar Falls Village Corporation" (S. P.

225) reported that the same ought to pass.

Mr. McLoon from the Committee on Sea and Shore Fisheries on Bill "An Act regulating the taking of oysters and quahaugs in the town of Harpswell" (S. P. 239) reported the same in a new draft (S. P. 422) and under a new title "An Act regulating the taking of shellfish in the town of Harpswell", and that it ought to pass.

Which reports were read and accepted and the bills laid on the table for printing under joint rule.

### Order

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

Ordered, that a message be sent to the House proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of listening to an address by Louis A. Johnson, National Commander of the American Legion.

The secretary delivered the message.

Subsequently a message was received from the House of Representatives by Mr. Pease, its clerk, announcing that that branch concurred in the proposition of the Senate for a Joint Convention for the purpose of listening to an address by Louis A. Johnson, National Commander of the American Legion.

Thereupon the Senate retired to the Hall of the House of Representatives, where a Joint Convention was formed.

(For report of Joint Convention proceedings see House report.)

### In the Senate

The Senate was called to order by the President.

### Passed to be Engrossed

An Act to open Little Sebago Lake in Cumberland County to ice fishing. (S. P. 61, L. D. 661)

Resolve opening Jaquith Pond, in Brownville, to ice fishing. (S. P. 81, L. D. 660)

An Act relative to the use of pole traps so-called. (S. P. 82, L. D. 662)

An Act appointing a commission on medical education. (H. P. 91, L. D. 60)

An Act relating to the practice of vivisection in schools supported

wholly or in part by public money. (H. P. 217, L. D. 122)

An Act relating to the certificate to be given by the clerk of towns or cities to those declaring intention of marriage. (H. P. 258, L. D. 131)

Resolve authorizing the Commissioner of Health and Welfare to convey and acquire property. (H. P. 641, L. D. 191)

Resolve in favor of George L. Page of Orland, to reimburse him for loss of and damage to property in the construction of a state road in the town of Orland. (H. P. 1226, L. D. 607)

Sent down for concurrence.

### Passed to be Enacted

An Act to amend the charter of Somerset Academy. (S. P. 49, L. D. 393).

An Act relating to costs recoverable in the law court. (S. P. 60, L. D. 57).

An Act to extend charter of Hinckley Development Company. (S. P. 271, L. D. 394).

An Act relating to appointment of agent by non-resident mortgagee. (H. P. 28, L. D. 18).

An Act relating to the Board of Directors of European & North American Railway. (H. P. 159, L. D. 86).

An Act regulating number of voting compartments. (H. P. 1017, L. D. 431).

### Finally Passed

Resolve, relating to fishing in Pleasant Lake, in Island Falls. (H. P. 63, L. D. 33).

Resolve, regulating ice fishing in Mt. Blue Pond. (H. P. 119, L. D. 67).

Resolve, opening Ware Pond to ice fishing. (H. P. 120, L. D. 68).

### (Emergency Measure)

Resolve, relating to ice fishing in Eagle, Square and St. Froid Lakes. (H. P. 121, L. D. 69).

On motion by Mr. Weeks of Somerset, tabled pending final passage.

### Orders of the Day

On motion by Mr. Jackson of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby, An Act granting preference to Maine bidders (H. P. 153, L. D. 85) was given

its first reading in concurrence; and on further motion by the same Senator the bill was laid upon the table pending first reading

On motion by Mr. Bissett of Cumberland, the Senate voted to take from the table, An Act relating to salaries for persons receiving pay from the United States Government (H. P. 1152, L. D. 601), tabled by that Senator on February 14th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary in non-concurrence.

Sent down for concurrence.

On motion by Mr. Harmon of Hancock, the Senate voted to take from the table, Senate report from the Committee on Judiciary "Ought not to pass" on An Act relating to pedestrians on State highways (S. P. 73, L. D. 59), tabled by that Senator on February 10th pending acceptance of the report; and on further motion by the same Senator the report of the Committee "Ought not to pass" was accepted.

Sent down for concurrence.

On motion by Mr. Angell of York, the Senate voted to take from the table, An Act relating to beautification of landscapes and roadsides (S. P. 355), tabled by that Senator on February 8th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Towns.

Sent down for concurrence.

On motion by Mr. Angell of York, the Senate voted to take from the table, Resolve relating to rules and regulations on bounties (S. P. 314, L. D. 522), tabled by that Senator earlier in today's session pending reference; and on further motion by the same Senator the Senate voted to recede and concur with the House in referring the resolve to the Committee on Agriculture.

On motion by Mr. Kitchen of Aroostook, the Senate voted to take from the table, An Act relating to the issuance of highway bonds (S. P. 359), tabled by that Senator on February 8th pending reference.

Mr. KITCHEN of Aroostook: Mr. President, I wish to ask unanimous

consent of the Senate to withdraw this bill and by way of explanation I will say that by pre-arrangement with the House Chairman of the Committee on Ways and Bridges, Mr. Jones, it was agreed that he was to introduce the bill relative to the issuance of the highway bonds. As the time limit for introducing bills approached I was unable to get in touch with Mr. Jones and I was not certain whether or not he had presented his bill. Consequently as a precaution I put in this bill which is identical with the bill which came before the Senate this morning and was referred to the Committee on Ways and Bridges. I therefore ask unanimous consent to withdraw this bill as it was simply presented as a matter of precaution.

Unanimous consent to withdraw the bill was granted.

Sent down for concurrence.

On motion by Mr. Robie of Cumberland, the Senate voted to take from the table, An Act in relation to the investigation and prevention of fires and dangerous conditions in or near buildings or other structures (H. P. 1144, L. D. 597), tabled by that Senator on February 15th pending reference in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

On motion by Mr. Blaisdell of Hancock, the Senate voted to take from the table, An Act prohibiting the baiting of wild ducks in Hancock County (H. P. 1097, L. D. 642), tabled by that Senator on February 15th pending reference.

Mr. BLAISDELL of Hancock: Mr. President, with the full knowledge and consent of the author and those interested in the bill, I now move the indefinite postponement of the bill.

The motion prevailed and the bill was indefinitely postponed without reference to a committee, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Viles of Kennebec, the Senate voted to take from the table, An Act relating to board of censors of moving pictures (H. P. 1138, L. D. 563), tabled by that Senator on February 14th pending reference.

Mr. VILES of Kennebec: Mr.

President, with the knowledge and consent of Representative Piper who originally introduced this bill in the House, I move that it be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed without reference to a committee, in non-concurrence.

Sent down for concurrence.

#### (Emergency Measure)

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table emergency Resolve, relating to ice fishing in Eagle, Square and St. Froid Lakes (H. P. 121, L. D. 69), tabled by that Senator pending final passage.

Mr. WEEKS of Somerset: Mr. President, I now move that this resolve be finally passed.

The PRESIDENT: The Senator

from Somerset, Senator Weeks, moves that this resolve be finally passed. Being an emergency measure it requires the affirmative vote of two-thirds of the entire membership of the Senate.

A division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed the resolve was finally passed.

The PRESIDENT: Is there any further business to come before the Senate under Orders of the Day? Is there anything more that can be taken from the table and sent along its course today?

On motion by Mr. Bartlett of Oxford,

Adjourned, until tomorrow morning at ten o'clock.