

# 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**

Wednesday, March 8, 1933

Senate called to order by the President.

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

Journal of yesterday read and approved.

At this point the President retired from the Chair and Mr. Kitchen of Aroostook was escorted to the Chair amidst the applause of the Senate.

Papers from the House disposed of in concurrence.

**House Bills in First Reading**

Resolve in favor of Henry McGroty of Farmingdale (H. P. 1502, L. D. 810)

Resolve in favor of Daniel Mahar of Bangor (H. P. 1501, L. D. 809)

Resolve regulating fishing in Worthley Pond in the town of Poland in the County of Androscoggin (H. P. 1462, L. D. 808)

An Act relating to the foreclosure of chattel mortgages (H. P. 346, L. D. 343)

An Act to amend eminent domain statute (H. P. 1009, L. D. 425)

An Act relating to actions by or against executors and administrators (H. P. 1503, L. D. 805)

An Act to provide for the furnishing names of directors, clerk and schedule of property of corporations and in regard to disclosing the affairs of corporations. (H. P. 1120, L. D. 630)

An Act concerning property exempt from attachment and execution. (H. P. 1121, L. D. 629)

An Act relating to suspension of license or certificate of registration if judgment is unsatisfied. (H. P. 1314, L. D. 649)

An Act relating to operation of steam pressure vessels (H. P. 1130, L. D. 592)

An Act relating to Boothbay Harbor Water Company (H. P. 1504, L. D. 807)

An Act to annex certain lands to the town of Otisfield (H. P. 941, L. D. 269)

From the House:

The majority of the Committee on Temperance on "Resolve proposing the repeal of the Twenty-sixth amendment to the Constitution, re-

lating to the manufacture and sale of intoxicating liquors" (H. P. 104, L. D. 56) (Petitions and remonstrances and other papers inclusive) reported that the same ought not to pass.

(Signed)

Farnsworth of Aroostook  
Bissett of Cumberland  
Leathers of Hermon  
Tompkins of Bridgewater  
Bucknam of Portland  
Stover of Pownal  
Littlefield of Alfred

The minority of the same Committee on the same subject reported that the same ought to pass.

(Signed)

McDonald of Washington  
Carter of Fairfield  
Hobbs of Hope.

In the House the Majority Report accepted.

In the Senate:

Mr. WEEKS of Somerset: Mr. President. I move the acceptance of the Majority Report in concurrence.

Thereupon, on motion by Mr. McDonald of Washington, the reports were tabled pending the motion of the Senator from Somerset, Senator Weeks, to accept the Majority Report.

**Bills in First Reading**

Resolve appropriating money to pay the claim of Madawaska Company of Van Buren against the State of Maine. (S. P. 205, L. D. 830)

(On motion by Mr. Viles of Kennebec, tabled pending assignment for second reading.)

An Act relative to the Standish Game Preserve in the town of Standish, Cumberland County. (S. P. 260, L. D. 827)

An Act relative to fishing in the Saco River in the county of York. (S. P. 562, L. D. 828)

An Act relative to hunting licenses for residents, non-residents and fees therefor. (S. P. 563, L. D. 829)

Resolve regulating fishing in York County. (S. P. 564, L. D. 832)

An Act to regulate the speed of motor boats in certain waters in the Belgrade Lakes. (S. P. 565, L. D. 831)

**Reports of Committees**

Mr. Page from the Committee on Legal Affairs on Bill "An Act relating to the Board of Education for the City of Bath" (S. P. 223, L. D. 569) reported that the same ought not to pass.

Mr. Holmes from the Committee

on Judiciary on Bill "An Act penalizing the fraudulent operation of slot machines, coin telephones and other coin receptacles and the manufacture and sale of devices intended to be used in such operation" (S. P. 262, L. D. 390) reported that the same ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Viles from the Committee on State Lands and Forest Preservation on Bill "An Act relating to fire wardens" (S. P. 89, L. D. 102) reported that the same ought to pass.

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

Mr. Abbott from the Committee on Agriculture on Bill "An Act relating to weights and measures" (S. P. 296) reported the same in a new draft (S. P. 568) and that it ought to pass.

Mr. Littlefield from the Committee on Claims on "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) reported the same in a new draft (S. P. 569) under a new title "Resolve to reimburse the City of Bath for support and burial expenses of Mrs. William A. Griffin, formerly a resident of Malaga Island" and that it ought to pass.

Mr. Holman from the Committee on Judiciary on Bill "An Act enabling cities and towns to take advantage of Reconstruction Finance Corporation loans for construction of water works" (S. P. 212, L. D. 279) reported the same in a new draft (S. P. 570) and that it ought to pass.

(On motion by Mr. Holmes of Androscoggin, tabled pending acceptance)

Mr. Viles from the Committee on State Lands and Forest Preservation on "Resolve naming that portion of Township 3, Range 9, W. E. L. S., Piscataquis County, 5,960 acres, donated to the State by Percival Proctor Baxter "Baxter State Park" (S. P. 46) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act relating to the pay of those drafted to fight fires" (S. P. 90) reported that the same ought to pass.

Mr. Page from the same Committee on "Resolve authorizing release of State's interest in certain lands"

(S. P. 241) reported that the same ought to pass.

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

The majority of the Committee on Judiciary on Bill "An Act to regulate the distribution of public funds to hospitals" (S. P. 109, L. D. 208) reported that the same ought not to pass.

(Signed) Weeks of Somerset  
Holman of Franklin  
Farris of Augusta  
Eldridge of Eastport  
Fernald of Winterport  
Tompkins of Houlton

The minority of the same Committee on the same subject reported that the same ought to pass in a new draft.

(Signed) Holmes of Androscoggin  
Laughlin of Portland  
Goudy of So. Portland  
Hill of South Portland

(On motion by Mr. Robie of Cumberland, the bill and reports were tabled pending acceptance of either report and especially assigned for Wednesday, March 15th and 500 copies of the new draft ordered printed).

### Passed to be Engrossed

An Act relating to the War Bond Sinking Fund (S. P. 549, L. D. 816).

An Act to revise the laws relating to Sea and Shore Fisheries (S. P. 550, L. D. 815).

An Act to revise the Municipal Court Chapter of the Revised Statutes (S. P. 551, L. D. 814).

(At this point the President resumed the Chair, Mr. Kitchen retiring amidst the applause of the Senate).

An Act relative to the apportionment of state aid to agricultural societies (S. P. 552, L. D. 817).

An Act relating to transportation of poultry (S. P. 553, L. D. 813).

Sent down for concurrence.

Resolve in favor of Herbert McDaniel of Somerville (H. P. 428, L. D. 780).

Resolve providing for an increase in state pension for Olive E. Brann of Augusta (H. P. 649, L. D. 781).

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

Resolve relating to ice fishing in Long Pond (H. P. 749, L. D. 256).

Resolve providing for an increase

in state pension for Harry E. Troop of Pittston (H. P. 889, L. D. 783).

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

Resolve providing for a state pension for Harrison B. Bowley, Jr., of Rockport (H. P. 897, L. D. 782).

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

Resolve providing for a state pension for Addie L. Wakefield of Saco (H. P. 900, L. D. 784).

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

Resolve providing for a state pension for Frank C. Davis of Jefferson (H. P. 901, L. D. 785).

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

Resolve providing for a state pension for Nellie E. Hatch of Monmouth (H. P. 911, L. D. 786).

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

Resolve providing for a state pension for Eva E. Binford of Portland (H. P. 912, L. D. 787).

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

Resolve providing for a state pension for Clara M. Ware of Pittston (H. P. 918, L. D. 788).

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

Resolve in favor of Ernest C. Brown of Gorham (H. P. 1389, L. D. 694).

An Act relating to Ogunquit Beach District (H. P. 1487, L. D. 779).

Resolve providing for a state pension for Sidney Potter of Gardiner (H. P. 1488, L. D. 789).

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

Resolve providing for a state pension for Charles Dowling Kidder of Otisfield (H. P. 1489, L. D. 790).

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

Resolve providing for a state pension for Joseph B. Pelletier of Winterville Plantation (H. P. 1490, L. D. 791).

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

Mr. WEEKS of Somerset: Mr. President, may I ask the Senator from Cumberland, Senator Robie, if he will state some definite day of assignment for the State Pension resolves just tabled?

Thereupon, on motion by Mr. Robie of Cumberland, the resolves relating to State Pensions just tabled by him were especially assigned for Wednesday, March 15th.

### Passed to be Enacted

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

An Act repealing obsolete law. (S. P. 71, L. D. 500)

An Act to revise penalty provisions in Chapter 72. (S. P. 72, L. D. 502)

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

An Act to amend the laws relating to loan and building associations. (S. P. 254, L. D. 384)

An Act to amend the laws relating to loan and building associations. (S. P. 255, L. D. 385)

An Act to amend the laws relating to loan and building associations. (S. P. 256, L. D. 386)

An Act to amend the laws relating to loan and building associations. (S. P. 258, L. D. 388)

An Act amending the banking law. (S. P. 259, L. D. 389)

An Act relating to the Odd Fellows' Home of Maine. (H. P. 216, L. D. 636)

An Act relating to quarantine of indigent cases. (H. P. 226, L. D. 127)

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

An Act permitting small town polls to close at five o'clock in primary elections. (H. P. 612, L. D. 180)

An Act relating to the South Portland Municipal Court. (H. P. 843, L. D. 420)

An Act relating to appeals in non-support cases. (H. P. 884, L. D. 353)

An Act relating to bail in municipal courts. (H. P. 1008, L. D. 352)

An Act authorizing cremation of bodies of the dead. (H. P. 1064, L. D. 492)

An Act relating to Judges of Probate. (H. P. 1231, L. D. 684)

### Finally Passed

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

Resolve providing for a state pension for Mary A. Leighton of Gardiner. (H. P. 74, L. D. 670)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Augusta O. Goodwin of Augusta. (H. P. 75, L. D. 671)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve relating to smelt fishing in East Machias. (H. P. 80, L. D. 42)

Resolve in favor of John E. Parker of Windsor for state pension. (H. P. 99, L. D. 672)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for William H. Rankin of Winterport. (H. P. 385, L. D. 673)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Susie E. Simmons of Belfast. (H. P. 570, L. D. 674)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve in favor of the Monson Rod and Gun Club. (H. P. 606, L. D. 675)

Resolve relating to ice fishing in Webber Pond and Three Mile Pond. (H. P. 1304, L. D. 652)

Resolve providing for an increase in state pension for Eva J. Rundlette of Readfield. (H. P. 1306, L. D. 676)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Cassie E. Spencer of Winterport. (H. P. 1307, L. D. 677)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Frank F. Clark of Gardiner. (H. P. 1308, L. D. 679)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pen-

sion for Mary L. Merrill of Gardiner. (H. P. 1309, L. D. 678)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Meretta McFarland of Augusta. (H. P. 1310, L. D. 680)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve providing for a state pension for Agnes Gilson of Gardiner. (H. P. 1311, L. D. 681)

(On motion by Mr. Robie of Cumberland, tabled pending final passage and especially assigned for Wednesday, March 15th.)

Resolve relating to the taking of smelts from certain waters of Penobscot Bay, Blue Hill Bay and Union River. (H. P. 1379, L. D. 686)

### Orders of the Day

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, An Act to Transfer Law Relating to the Courts to the Court Chapter (S. P. 65) (L. D. 498), tabled by that Senator on March 1st pending enactment; and on further motion by that Senator the bill was passed to be enacted.

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, An Act to Transfer Section Eight of Chapter 157 to Chapter 33, (S. P. 68) (L. D. 503), tabled by that Senator on March 1st pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, House Report from the Committee on Education, "Ought Not to Pass" on An Act Relating to Changes in Location of any School Legally Established, (H. P. 1086) (L. D. 575), tabled by that Senator on March 3rd pending consideration.

Mr. WEEKS of Somerset: Mr. President, I now yield to the Senator from Lincoln, Senator Gay.

Thereupon, on motion by Mrs. Gay of Lincoln, the bill was recommitted to the Committee on Education, in concurrence.

Mr. COOPER of Waldo: Mr. President, I would like to take from

the table the 6th unassigned matter on today's calendar and I wish to say in regard to it that I am attempting no discourtesy to the Senator from Somerset, Senator Page, in taking this from the table. I think the President, Senator Murchie, will bear me out and the Secretary, Mr. Brown, will remember that Senator Page wished me to take this from the table at this time.

The PRESIDENT: The Chair will state that yesterday the Senator from Somerset, Senator Page, when he found that he had to leave Augusta and could not be present today, requested the Chair and the Secretary to see that this matter was taken from the table and turned over to the Senator from Waldo, Senator Cooper, for whom the Senator from Somerset, Senator Page, tabled it.

Thereupon, on motion by Mr. Cooper of Waldo, the Senate voted to take from the table, An Act relating to use of automobiles in Islesboro (H. P. 19, L. D. 7), tabled by the Senator from Somerset, Senator Page, on March 2nd pending first reading; and on further motion by the same Senator the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, Majority and Minority Reports from the Committee on Taxation on An Act for the Taxation of Billboards and the Regulation and Control of Outdoor Advertising, Majority Report, "Ought Not to Pass"; Minority Report, "Ought to Pass", (H. P. 37) (L. D. 23), tabled by that Senator on March 3rd pending acceptance of either report.

Mr. LITTLEFIELD of York: Mr. President, I now yield to the Senator from Penobscot, Senator Fernandez.

Thereupon, on motion by Mr. Fernandez of Penobscot, the Majority Report, "Ought Not to Pass", was accepted in concurrence.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table, Joint Order, Relative to H. P. 815, Resolve to Reimburse the Town of Livermore for Hospital Treatment of Archie Millett, (H. P. 1507), tabled by that Senator on March 3rd pending

passage; and on further motion by the same Senator, the Order received passage in concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act Relative to Interest on Taxes, (S. P. 352) (L. D. 510), tabled by that Senator on March 3rd pending second reading; and on further motion by the same Senator, the bill was given its second reading.

Thereupon, Mr. Littlefield of York offered Senate Amendment "A" and moved its adoption.

"Senate Amendment 'A' to S. P. 352, L. D. 510, An Act Relative to Rate of Interest on Taxes, is hereby amended by striking out in said bill the words 'eight percent' and substituting in place thereof the words 'six percent'."

Thereupon, on motion by Mr. Kitchen of Aroostook, the bill and amendment were laid upon the table pending the motion of Mr. Littlefield of York to adopt Senate Amendment "A".

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act Relative to Collection of Taxes, (S. P. 353) (L. D. 511), tabled by that Senator on March 3rd pending second reading; and on further motion by the same Senator the bill was given its second reading.

Thereupon, Mr. Littlefield of York offered Senate Amendment "A" and moved its adoption.

"Senate Amendment 'A' to S. P. 353, L. D. 511, entitled An Act Relating to Collection of Taxes, is hereby amended by striking out wherever it appears in said bill the words 'eight percent' and inserting in place thereof the words 'six percent'."

Thereupon, on motion by Mr. Kitchen of Aroostook, the bill and amendment were laid upon the table pending the motion of Mr. Littlefield of York to adopt Senate Amendment "A".

On motion by Mr. Holmes of Androscoggin, the Senate voted to take from the table, Senate Report from the Committee on Judiciary, "Ought to Pass" on An Act to Repeal the Organization of the Plantation of Chesuncook, (S. P. 108), tabled by that Senator on February 28th pending acceptance of the report;

and on further motion by the same Senator, the report of the committee "ought to pass" was accepted; and the bill was laid upon the table for printing under the joint rules.

Mr. HOLMES of Androscoggin: Mr. President, I rise to make an inquiry. The 17th unassigned matter on our calendar, Resolve relating to fishing in Whitney Brook, Legislative Document 34, appears on the calendar as having been tabled by me. I should like to ask the Chair to ascertain from the Secretary whether or not that is a misprint, a mistake.

The PRESIDENT: It is the recollection of the Chair that an order was prepared to be presented by the Senator from Androscoggin, Senator Holmes, which was later changed, because of the absence of the Senator from Androscoggin, Senator Holmes, to the Senator from Androscoggin, Senator Winn. It now improperly appears on the calendar in the name of the Senator from Androscoggin, Senator Holmes.

This is an enactor which was recalled from the office of the Governor at the request of the Secretary to the Governor.

Mr. HOLMES: I understand and thank the Chair.

The PRESIDENT: Since this matter appears on the calendar in the name of the Senator from Androscoggin, Senator Holmes, will that Senator be willing to move reconsideration so that this resolve may be again finally passed and presented to the Governor?

Thereupon, on motion by Mr. Holmes of Androscoggin, the rules were suspended and the Senate voted to reconsider its former action whereby this resolve was finally passed.

The PRESIDENT: The Chair will state that this resolve was omitted from those signed by the Governor before he departed for Washington and the Secretary to the Governor advised that the Governor intended to sign the resolve. It was recalled from the Governor's office in

order that it might not become a law without his signature.

Thereupon, on further motion by Mr. Holmes of Androscoggin, the resolve was again finally passed.

On motion by Mr. Viles of Kennebec, the Senate voted to take from the table, Resolve appropriating money to pay the claim of Madawaska Company of Van Buren against the State of Maine (S. P. 205, L. D. 830), tabled by that Senator earlier in today's session pending assignment for second reading; and on further motion by the same Senator the resolve was tomorrow assigned for second reading.

On motion by Mr. Kitchen of Aroostook, the Senate voted to take from the table, An Act relative to rate of interest on taxes (S. P. 352, L. D. 510), tabled by that Senator earlier in today's session pending motion by Mr. Littlefield of York to adopt Senate Amendment "A."

Thereupon, Senate Amendment "A" was adopted and the bill was given its second reading and passed to be engrossed as amended by Senate Amendment "A."

Sent down for concurrence.

On motion by Mr. Kitchen of Aroostook, the Senate voted to take from the table, An Act relative to collection of taxes (S. P. 353, L. D. 511), tabled by that Senator earlier in today's session pending motion by Mr. Littlefield of York to adopt Senate Amendment "A."

Thereupon, Senate Amendment "A" was adopted and the bill was given its second reading and passed to be engrossed as amended by Senate Amendment "A."

Sent down for concurrence.

The PRESIDENT: Is there anything further to come before the Senate this morning?

On motion by Mr. Fernandez of Penobscot,

Adjourned until tomorrow morning at ten o'clock.