

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Wednesday, January 23, 1935.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Webber of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

The following bills and resolves were received and upon recommendation of the committee on Reference of Bills were referred to the following committees:

**Appropriations and Financial Affairs**

Resolve for the publication of the vital records of the town of Phippsburg (H. P. No 317) (Presented by Mr. Allan of Topsham).

Resolve in favor of Fort Knox (H. P. No. 318) (Presented by Mr. Hariman of Prospect).

**Claims**

Resolve to reimburse the town of Pittsfield for support of persons having no known settlement in the State (H. P. No. 319) (Presented by Mr. Cook of Pittsfield).

Resolve in favor of the town of Pittsfield for hospital treatment for Harry Allen (H. P. No. 320) (Presented by same gentleman).

Resolve to reimburse the town of Pittsfield for support of Walter M. Cogswell and family (H. P. No. 321) (Presented by same gentleman).

Resolve in favor of Georgie Bridges of Verona (H. P. No. 322) (Presented by Mr. Devereux of Penobscot).

Resolve in favor of William Arey Heath of Brooksville (H. P. No. 323) (Presented by Mr. Gray of Brooksville).

Resolve to reimburse the town of Eagle Lake for support of Mrs. A. K. P. Farnham, having no settlement in the State (H. P. No. 324) (Presented by Mr. Jandreau of St. Francis).

**Education**

An act relating to the powers and duties of superintendents (H. P. No. 325) (Presented by Mr. Chase of Limington).

(1,000 copies ordered printed).

An act relating to superintendents of schools (H. P. No. 326) (Presented by Mr. Hall of Bar Harbor).

(1,000 copies ordered printed).

An act relating to evening schools (H. P. No. 360) (Presented by same gentleman).

(1,000 copies ordered printed).

An act relating to the exclusion of pupils from school on account of filth or disease (H. P. No. 327) (Presented by Mr. Kendrick of Litchfield).

(1,000 copies ordered printed).

**Inland Fisheries and Game**

An act relative to closed time on deer in York County (H. P. No. 328) (Presented by Mr. Davis of Newfield).

(500 copies ordered printed).

An act relating to number of lines permitted in ice fishing (H. P. No. 329) (Presented by Mr. MacKenzie of Jackman).

(500 copies ordered printed).

An act relating to the taking of cusk (H. P. No. 330) (Presented by Mr. MacKenzie of Jackman).

An act to establish a Game Preserve in the city of Augusta, Kennebec County (H. P. No. 331) (Presented by Mr. Mace of Augusta).

Resolve relating to the taking of alewives from the Bagaduce River (H. P. No. 332) (Presented by Mr. Gray of Brooksville).

(On motion by Mr. Gray of Brooksville 500 copies ordered printed).

**Judiciary**

An act to provide for the temporary filling of vacancies in the office of Sheriff (H. P. No. 333) (Presented by Mr. Hill of South Portland).

(500 copies ordered printed)

An act relating to hit and run drivers (H. P. No. 334) (Presented by Mr. Desmond of Portland)

(500 copies ordered printed)

An act relating to lights on trucks (H. P. No. 335) (Presented by Mr. Webber of Auburn)

(500 copies ordered printed)

An act relating to penalty for second offenders on drunken driving (H. P. No. 336) (Presented by Mr. Donovan of Lewiston)

(500 copies ordered printed)

**Legal Affairs**

An act relating to intoxicated persons (H. P. No. 337) (Presented by Mr. Wright of Monson)

(500 copies ordered printed)

An act relating to employees of the State Liquor Commission (H. P. No. 338) (Presented by same gentleman)

(500 copies ordered printed)

An act relating to hunting on

Sunday (H. P. No. 339) (Presented by Mr. Donovan of Lewiston) (500 copies ordered printed)

An act relating to the Fryeburg Village Fire Corporation (H. P. No. 340) (Presented by Miss Stickney of Brownfield)

(500 copies ordered printed)

An act to extend the rights, powers, and privileges of the Sabattus Water and Sewer District (H. P. No. 341) (Presented by Mr. Campbell of Leeds)

(500 copies ordered printed)

#### Pensions

Resolve providing for a State pension for Mary Hopkins of Bucksport (H. P. No. 342) (Presented by Mr. Devereux of Penobscot)

Resolve providing for a State pension for Clara Hopkins of Dresden (H. P. No. 343) (Presented by Mr. Stilphen of Dresden)

Resolve in favor of Lettie D. McKinney of Lincolnville (H. P. No. 344) (Presented by Mr. Woodbury of Morrill)

#### State Lands and Forest Preservation

Resolve authorizing the sale of State's interest in certain lands (H. P. No. 345) (Presented by Mr. Noyes of Franklin)

#### Ways and Bridges

Resolve in favor of the town of Winterport (H. P. No. 346) (Presented by Mr. Harriman of Prospect)

Resolve in favor of Winterville Plantation (H. P. No. 347) (Presented by Mr. Jandreau of St. Francis)

Resolve in favor of the town of Anson (H. P. No. 348) (Presented by Mr. Jillson of Anson)

Resolve in favor of the town of Anson (H. P. No. 349) (Presented by same gentleman)

Resolve in favor of the city of Augusta for construction on Weeks' Mills road (H. P. No. 350) (Presented by Mr. Mace of Augusta)

Resolve providing for an appropriation for a cattle pass in New Gloucester (H. P. No. 351) (Presented by Mr. Roach of New Gloucester)

Resolve in favor of the town of Gray (H. P. No. 352) (Presented by same gentleman)

Resolve in favor of the town of North Yarmouth (H. P. No. 353) (Presented by Mr. Seabury of Yarmouth)

Resolve in favor of the town of Yarmouth (H. P. No. 354) (Presented by same gentleman)

Resolve in favor of the town of Wiscasset (H. P. No. 355) (Presented by Mr. Stilphen of Dresden)

Resolve in favor of the city of Calais (H. P. No. 356) (Presented by Mr. Tupper of Calais)

Resolve in favor of the city of Calais (H. P. No. 357) (Presented by same gentleman)

Resolve in favor of the town of Searsmont (H. P. No. 358) (Presented by Mr. Woodbury of Morrill)

Resolve in favor of the town of Belmont (H. P. No. 359) (Presented by same gentleman)

#### Orders

Mr. Hobbs of Hope presented the following order and moved its passage:

Ordered, the Senate concurring, that the President of the Senate, on behalf of the Eighty-seventh Legislature, extend an invitation to Dr. A. W. Manchester, Regional Director of the Land Policy Section of the Agricultural Administration, to address the Legislature in Joint Convention. (H. P. No. 361)

The order received passage and was sent up for concurrence.

Mr. CLARKE of Cooper: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: You may state your question.

Mr. CLARKE: It is simply to correct some remarks that were carried by the different papers under the Associated Press headlines under date of January 17th. The remarks I refer to are these: "It seems to me that it is not in keeping with the proprieties for any member of the Legislature to anticipate the action of any committee and then broadcast it." That is a general criticism of all the members of this Legislature and was not so intended. I will read the words I actually said: "It seems to me that it is against the proprieties and against the ethics of their position for any member of any committee to anticipate in advance and broadcast in public speeches the action of their committees on any bill especially when that bill has not been given a hearing by their committee." Those are the words and I wish a proper correction made. It was not my intention to criticize the Legislature

in general. We all anticipate in advance more or less what the action of a committee may be. It was intended to criticize a certain member only under conditions existing at the time. I thank you.

#### Passed to be Enacted

H. P. No. 95: An act relating to the protection of elk.

(Tabled by Mr. Mace of Augusta, pending passage to be enacted)

From the Senate: Communication from the Executive, out of order and under suspension of the rules, relative to emergency resolve appropriation (S. P. No. 174)

Comes from the Senate referred to the committee on Appropriations and Financial Affairs.

In the House, referred to the committee on Appropriations and Financial Affairs in concurrence.

#### Orders of the Day

Mr. PHILBRICK of Cape Elizabeth: Mr. Speaker, I move that the House reconsider its action of yesterday whereby it voted to have distinctive number plates for the members of the House.

A viva voce vote being taken, the motion to reconsider failed of passage.

On motion by Mr. Gray of Brooksville the House voted to reconsider its action earlier in this session whereby it referred H. P. 332, resolve relating to the taking of alewives from the Bagaduce river to the committee on Inland Fisheries and Game; and on further motion by the same gentleman the resolve was referred to the committee on Sea and Shore Fisheries.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the second unassigned matter, an act relating to the discharge of firearms across highways while hunting, H. P. 302, L. D. 76, tabled by that gentleman January 22, pending reference; and on further motion by the same gentleman the bill was referred to the committee on Inland Fisheries and Game.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the third unassigned matter, an act relating to intoxicated persons carrying loaded guns while hunting, H. P. 303, L. D. 77, tabled by that gentleman January 22,

pending reference; and on further motion by the same gentleman the bill was referred to the committee on Inland Fisheries and Game.

Mr. HILL of South Portland: Mr. Speaker, in view of the request of His Excellency, the Governor, that we should act today on the proposed legislation for the relief of the poor, I move that the House now recess until 4:30 this afternoon.

The motion prevailed and the House so recessed.

#### AFTERNOON SESSION

4.30 P. M.

The Speaker in the Chair.

The Speaker announced the appointment of the following members on House Order passed yesterday relative to special number plates for members of the House: Messrs. Jilson of Anson, Sleeper of Rockland and Gibbons of Portland.

#### Orders

(Out of order)

On motion by Mr. Richardson of South Portland, it was

Ordered, that the use of the hall of the House be granted on the evening of February 14th for debate on the Townsend plan for old age pensions.

On motion by Mrs. Currier of Bangor, it was

Ordered, that the State Federation of Women's Clubs shall be allowed the use of the hall of the House on Friday, January 25, 1935 for their annual meeting.

(House at Ease)

Paper from the Senate, out of order, under suspension of the rules.

Report of the Committee on Appropriations and Financial Affairs on Communication from Governor Louis J. Brann suggesting and recommending the immediate passage of emergency relief legislation, reporting a bill (S. P. No. 177) under title of "An act permitting the State to render aid to persons in organized and unorganized territory" and that it "Ought to pass"

Comes from the Senate the report read and accepted and the bill given its several readings under suspension of the rules and passed to be engrossed.

Report read and accepted in con-

currence, and the bill given its first two readings.

Mr. TUPPER of Calais: Mr. Speaker, I would like to say that the committee has considered this matter carefully. They think that an emergency does exist and they voted unanimously to pass it. It seems that the E. R. A. have changed their methods of relief and are not starting any new projects at this time. Instead of that they are distributing direct relief to employables, that is, people able to work but who have no employment. Now our Health and Welfare Department, under Mr. Leadbetter, has authority at present to take care of State paupers only, and this leaves the class of people called unemployables with no relief available. That class consists of cripples, widows, children, old people and people who cannot work, and there is no arrangement under our relief system to take care of them. Each town will be audited or a statement given that can be looked over by Mr. Leadbetter and compared with the statements of Mr. McDonough of the E. R. A.

Perhaps some other member of the committee would like to say something besides myself.

Mr. THOMPSON of Belfast: Mr. Speaker, this would apply only to those towns which are financially unable to take care of their own

poor. I do not think the gentleman from Calais (Mr. Tupper) brought that point out.

Thereupon, on motion by Mr. Tupper of Calais, the rules were suspended, the bill given its third reading and passed to be engrossed in concurrence.

(House at ease)

The SPEAKER: Is it the pleasure of the House to take up out of order a bill on its passage to be enacted?

**Passed to Be Enacted**

(Emergency Measure)

(S. P. 177). An act permitting the State to render aid to persons in organized and unorganized territory.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of the House. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division was had.

One hundred and fifty voting in the affirmative, and none in the negative, the bill was passed to be enacted.

On motion by Mr. Eveleth of Portland,

Adjourned until ten o'clock tomorrow morning.