

# 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**

Thursday, February 28, 1935.

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

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

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

S. P. 455, L. D. 654: An act relative to incorporating the master, wardens and members of the Grand Lodge of Maine.

S. P. 454, L. D. 652: An act relating to incorporation of the officers and members of the Grand Royal Arch Chapter of Maine.

The SPEAKER: The Chair wishes to announce at this time the appointment under the order of yesterday of the Honorable Henry Vaughan of South Berwick as delegate to the Second Interstate Assembly of American legislators, being held in Washington today.

The following communication: (H. P. No. 1514)

**OFFICE OF REVISOR OF STATUTES  
AUGUSTA**

February 27, 1935.

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

Sirs:—

I would advise that at least ten days before the time limit for introduction of resolves expired Miss Stickney, Mr. Ellis and Mr. Newton left in the office of the Revisor of Statutes data from which to draft the following resolves:

Resolve in favor of the town of Denmark

Resolve relating to the road in Oquossoc

Resolve in favor of the town of Readfield

It is no fault of the proponents that these resolves were not properly before the Legislature within the time limit. I have handed them to the Clerk of the House.

Respectfully submitted,

(Signed) SMITH DUNNACK,  
Revisor of Statutes.

On motion by Mr. Scates of Westbrook, read and ordered placed on file.

Mr. SCATES: Mr. Speaker in view of the communication from the Revisor of Statutes, I would move that the rules be suspended and that these three resolves be received.

The motion prevailed, and unanimous consent was given for the introduction of the following three resolves, which were referred to the committee on Ways and Bridges:

Resolve relating to the road in Oquossoc (H. P. No. 1516) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of the town of Denmark (H. P. No. 1515) (Presented by Miss Stickney of Brownfield)

Resolve in favor of the town of Readfield (H. P. No. 1517) (Presented by Mr. Newton of Readfield)

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

**Education**

Petition of Florence R. Trefether, of Eliot and 151 others in favor of L. D. 56 relating to Educational Program (H. P. No. 1518) (Presented by Mr. Burnham of Kittery)

Petition of Annie L. Worth of Brewer and 109 others in favor of same (H. P. No. 1519) (Presented by Mr. Churchill of Brewer)

Petition of Ray S. Mitchell of Fairfield and 56 others in favor of same (H. P. No. 1520) (Presented by Mr. Davis of Fairfield)

Petition of C. Wm. McClintock of Fairfield and 33 others in favor of same (H. P. No. 1526) (Presented by same gentleman)

Petition of Charles F. Emerson of Hampden and 127 others in favor of same (H. P. No. 1521) (Presented by Mr. Leonard of Hampden)

Petition of Esther M. Giles of Boothbay and 42 others in favor of same (H. P. No. 1522) (Presented by Mr. Lewis of Boothbay)

Petition of Rose D. Pelletier of Van Buren and 220 others in favor of same (H. P. No. 1523) (Presented by Miss Smith of Van Buren)

Petition of Edith F. Charles of Fryeburg and 22 others in favor of same (H. P. No. 1524) (Presented by Miss Stickney of Brownfield)

Petition of Fred Mahoney of Woodland and 46 others in favor of

same (H. P. No. 1525) (Presented by Mr. Story of Washburn)

Fowles of Randolph  
Hammond of Strong  
—of the House.

### Orders

On motion by Mr. Russ of Woodstock, it was

Ordered, that there be printed 500 additional copies of H. P. 40, L. D. 13, an act relating to snow removal on R. F. D. routes.

### Reports of Committees

Majority Report of the Committee on Legal Affairs reporting ought not to pass on bill an act creating a State Lottery Commission (H. P. No. 147) (L. D. No. 49)

Report was signed by the following members:

Mr. Blaisdell of Hancock  
Miss Martin of Penobscot  
Messrs. Pinansky of Cumberland  
—of the Senate.

Higgins of Ellsworth  
Burnham of Kittery  
Chase of Baring  
Chase of Sebec  
Davis of Fairfield

—of the House.

Minority report of same Committee reporting ought to pass on same bill.

Report was signed by the following members:

Messrs. Donahue of Biddeford  
Sawyer of Brunswick

—of the House.

(On motion by Mr. Donahue of Biddeford, bill and reports tabled, pending acceptance of either report)

Majority Report of the Committee on Salaries and Fees reporting ought to pass on bill an act relating to the fees of jurors (H. P. No. 314) (L. D. No. 75)

Report was signed by the following members:

Messrs. Fernald of Waldo  
—of the Senate.

Roach of New Gloucester  
Seabury of Yarmouth  
Miss Smith of Van Buren  
Messrs. Churchill of Brewer  
Crowell of Weston

—of the House.

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. Cowan of Lincoln  
Fernald of York  
—of the Senate.

(On motion by Mr. Flanders of Auburn, bill and reports tabled, pending acceptance of either report)

Mr. Patterson from the Committee on Appropriations and Financial Affairs on bill an act relating to the Hancock-Sullivan Bridge (H. P. No. 1116) (L. D. No. 307) reported that same be referred to the Committee on Ways and Bridges.

Report read and accepted and the bill referred to the Committee on Ways and Bridges and sent up for concurrence.

Mr. Willey from the Committee on Judiciary reported ought not to pass on bill an act relating to sheriffs (H. P. No. 1217) (L. D. 445)

Mr. Hammond from the Committee on Salaries and Fees reported same on bill an act relating to clerk hire in county offices (H. P. No. 1191) (L. D. No. 393)

Reports read and accepted and sent up for concurrence.

Mr. Sewall from the Committee on Appropriations and Financial Affairs on resolve in favor of Samuel Dana, Representative of the Passamaquoddy Tribe of Indians (H. P. No. 1442) reported same in a new draft (H. P. No. 1527) under same title and that it ought to pass.

Same gentleman from same Committee on resolve in favor of John S. Nelson, Representative of the Penobscot Tribe of Indians (H. P. No. 1444) reported same in a new draft (H. P. No. 1528) under same title and that it ought to pass.

Mr. Chase of Baring from the Committee on Legal Affairs on bill an act to amend the city charter of Bangor (H. P. No. 845) (L. D. No. 290) reported same in a new draft (H. P. No. 1529) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Chase of Baring from the Committee on Legal Affairs reported ought to pass on bill an act to repeal the organization of the plantation of Lang (H. P. No. 600)

Report read and accepted and the bill ordered printed under the Joint Rules.

Mr. Roach from the Committee on Salaries and Fees reported ought to pass on bill an act relating to Clerk hire in county offices in Ox-

ford County (H. P. No. 702) (L. D. No. 222)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

**First Reading of a Printed Resolve**

H. P. 1486, L. D. 667: Resolve in favor of William C. Boyles of Castle Hill.

**Passed to be Engrossed**

(H. P. No. 435) (L. D. No. 659) An act relating to taking of white fish in Mattawamkeag Lake.

(H. P. No. 605) (L. D. No. 161) An act relative to the Aroostook Valley Railroad Company.

(H. P. No. 856) (L. D. No. 248) An act relating to leases, consolidations and mortgages by public utilities.

(H. P. No. 857) (L. D. No. 249) An act providing penalties for boarding freight trains without right.

(H. P. No. 858) (L. D. No. 250) An act relating to wilful or malicious injury to property of any railroad.

(H. P. No. 1181) (L. D. No. 387) An act relating to the counting and sealing of ballots.

(H. P. No. 1308) (L. D. No. 567) An act relating to equalization of tuition expenses.

(H. P. No. 566) (L. D. No. 660) Resolve relative to closing Pettengill Stream.

(H. P. No. 568) (L. D. No. 661) Resolve relative to closing Cary Brook to all fishing.

(H. P. No. 571) (L. D. No. 662) Resolve relative to fishing in the river between Mooselucmeguntic Lake and Upper Richardson Lake.

(H. P. No. 574) (L. D. No. 663) Resolve relating to muskrats in Morrill Mill Pond.

(H. P. No. 1487) (L. D. No. 664) Resolve appropriating money to complete the fish way at Aroostook Falls.

**Passed to be Enacted**

(S. P. No. 189) (L. D. No. 225) An act relating to certain implements and devices prohibited in fishing; penalty.

(S. P. No. 239) (L. D. No. 637) An act to validate the organization of Colby Light & Power Company, and the issuance of its stock.

(S. P. No. 453) (L. D. No. 636) An act to validate the organization

of Caribou Water, Light and Power Company, and to enlarge its purposes.

(H. P. No. 601) (L. D. No. 644) An act relating to temporary loans by Penobscot County Commissioners.

**Finally Passed**

(S. P. No. 146) (L. D. No. 487) Resolve regulating fishing in Greeley Pond.

(H. P. No. 9) (L. D. No. 645) Resolve in favor of O. L. Veague of Castine.

(H. P. No. 567) (L. D. No. 646) Resolve relative to closing Goddard Brook, Little.

(H. P. No. 569) (L. D. No. 648) Resolve relative to closing Goddard Brook, Big.

(H. P. No. 1439) (L. D. No. 649) Resolve in favor of Havener Webster of Orland.

(H. P. No. 1441) (L. D. No. 650) Resolve for screening Thompson Lake in the county of Oxford.

**Orders of the Day**

On motion by Mr. Willey of Fal-mouth, it was voted to take from the table the fourth unassigned matter, bill an act to tax games of skill, H. P. 1415, L. D. 633, tabled by that gentleman on February 20 pending third reading.

The same gentleman offered House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 1415, L. D. 633, bill an act to tax games of skill.

Amend said bill by striking out the following words after the word "be" in next to the last line of Section 8: "added to and shall constitute a part of the general fund," and inserting in place thereof the following: 'shall be credited to the old age pension fund and used for the purpose of carrying out the provisions of chapter 267 of the public laws of 1933.'

Mr. WILLEY: Mr. Speaker, this measure came into this House with the unanimous ought to pass report from the committee on Taxation. This measure, without the adoption of this amendment, provides for a ten dollar tax on each and every so-called game of skill within this State. It was developed at the hearing that there now exists in play in this State over ten thousand of these machines, and that tax, together with a twenty-five dollar tax

on every distributor of these so-called games of skill, would yield to the State annually approximately \$115,000.

We have been born into a world in which for more than one hundred years the inhabitants have passed their lives guided largely by habit and tradition. During each generation a few individuals have been inclined to break away from the established standards of thought and action, and it is with these few that we associate the forward movements in Humanity's struggle with the conditions of life. We are impelled by circumstances to recognize a great change in our economic condition. We are compelled to recognize the bold fact that we must do something for our aged. Our resources are limited, and thus limited must be our action, but we can at least show our good intention by setting up this revenue received from property heretofore tax free as the beginning of an old age pension fund; and I again urge the adoption of this amendment.

On motion by Mr. Mason of Mechanic Falls, the bill and amendment were tabled pending adoption of House Amendment A.

On motion by Mr. Richardson of South Portland, it was voted to take from the table the fourteenth unassigned matter, bill an act to make valid the doings of the Harrison Water Company and to define and confirm its powers, H. P. 606, L. D. 178, tabled by that gentleman February 27th, pending third reading; and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed.

On motion by Mr. Flanders of Auburn, it was voted to take from the table the first unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act creating a Public Bequest Commission, H. P. 104, L. D. 32, tabled by that gentleman February 13th, pending acceptance of the report; and on further motion by the same gentleman the bill was recommitted to the committee on Legal Affairs for further consideration.

On motion by Mr. Leonard of Hampden, it was voted to take from the table the fifth unassigned matter, final report of the committee on Federal Relations, tabled by that gentleman February 22 pending acceptance.

Mr. LEONARD: Mr. Speaker, in explanation I would state that we only had one bill before this committee and we thought there would be no more; so we rendered a final report, the effect of which would be to dissolve the committee. The Speaker now informs me that there may be other bills to come before us, and I therefore move that this report be recommitted to the committee for further consideration.

The motion prevailed and the report was recommitted to the committee on Federal Relations in non-concurrence.

On motion by Mr. Martin of Oakland,

Adjourned until ten o'clock tomorrow morning.