

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, January 28, 1937.

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

Prayer by the Rev. Mr. Dunn of Gardiner.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair, with the greatest pleasure, announces the presence of the distinguished gentleman who so ably presided here as Speaker of the House in the Eighty-seventh Legislature, the Honorable Nathaniel Tompkins of Houlton, and will ask the Sergeant-at-Arms to conduct Ex-Speaker Tompkins to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the Honorable Nathaniel Tompkins to a seat beside the Speaker, amid the applause of the House, the members rising.

Papers from the Senate disposed of in concurrence.

From the Senate the following order:

Ordered, the House concurring, that the Secretary of State be directed to furnish each member and officer of the Senate and House with a copy of the latest Maine Register, S. P. 123.

Comes from the Senate, read and passed.

In the House:

Mr. **FLANDERS** of Auburn: Mr. Speaker, I move that the order be indefinitely postponed, and I will make a little explanation.

The best price that the Purchasing Agent has been able to secure on these Registers is six dollars each which would mean an expenditure of some twelve hundred dollars, and I do not believe that this is important enough to spend such a sum. There can be a copy in the Clerk's office and in the Speaker's office for the use of the members; and it is for this reason that I move the indefinite postponement of the order.

The **SPEAKER**: The gentleman from Auburn, Mr. Flanders, moves that this order be indefinitely postponed in non-concurrence. Is the house ready for the question?

A viva voce vote being taken, the order was indefinitely postponed in non-concurrence.

From the Senate: Bill an act changing the time for weir fishing for salmon, H. P. 79, L. D. 34, which was referred to the committee on Sea and Shore Fisheries in the House on January 19.

Comes from the Senate, referred to the committees on Inland Fisheries and Game and Sea and Shore Fisheries jointly in non-concurrence.

In the House, on motion by Mr. Emery of Bucksport, it was voted that the House recede from its former action whereby the bill was referred to the committee on Sea and Shore Fisheries, and unanimous consent was given that gentleman to withdraw the bill.

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

Claims

Resolve in favor of Carol W. Page of East Livermore. (H. P. No. 419) (Presented by Mr. Coolidge of Livermore)

Resolve in favor of L. Edward Bray of Blanchard. (H. P. No. 420) (Presented by Mr. Dean of Greenville)

Resolve in favor of Saul T. Herbert of Dixfield. (H. P. No. 421) (Presented by Mr. Dorr of Mexico)

Resolve in favor of Fred Rowell of Norway. (H. P. No. 422) (Presented by Mr. Dow of Norway)

Resolve in favor of Douglass L. Payson of Camden. (H. P. No. 423) (Presented by Mr. Dwinall of Camden)

Resolve in favor of Donald B. Smith of Bucksport. (H. P. No. 424) (Presented by Mr. Emery of Bucksport)

Resolve in favor of Freeman Howard of East Hiram. (H. P. No. 425) (Presented by Mr. Fadden of Hiram)

Resolve in favor of John Ruggles of Carmel. (H. P. No. 426) (Presented by Mr. Fernald of Levant)

Resolve in favor of Eugene P. Higgins of Bar Harbor. (H. P. No. 427) (Presented by Mr. Hodgkins of Bar Harbor)

Resolve in favor of the town of Temple. (H. P. No. 428) (Presented by Mr. Mosher of Farmington)

Resolve in favor of Frank L. Cunningham of Burnham. (H. P. No. 429) (Presented by Mr. Payson of Brooks)

Resolve in favor of Jason R. Bennett of Locke's Mills. (H. P. No.

430) (Presented by Mr. Thurston of Bethel)

Resolve in favor of the town of Lincoln. (H. P. No. 431) (Presented by Mr. Weatherbee of Lincoln)

Resolve in favor of Dr. Edward T. Walsh. (H. P. No. 432) (Presented by same gentleman)

Resolve in favor of the town of Lincoln. (H. P. No. 433) (Presented by same gentleman)

Resolve to compensate Birch Point Village Corporation for damage to road by State Highway Commission. (H. P. No. 441) (Presented by Mr. Larrabee of West Bath)

Resolve in favor of Gordon & White Garage Co. of Southwest Harbor. (H. P. No. 442) (Presented by Mr. Norwood of Southwest Harbor)

Resolve in favor of John E. Hamblen of McKinley. (H. P. No. 443) (Presented by same gentleman)

Resolve in favor of Felton Kenney of Southwest Harbor. (H. P. No. 444) (Presented by same gentleman)

Resolve in favor of Robert Rich of McKinley. (H. P. No. 445) (Presented by same gentleman)

Inland Fisheries and Game

An act relative to possession of firearms. (H. P. No. 446) (Presented by Mr. Boothby of Shapleigh) (500 copies ordered printed.)

An act relative to possession of firearms or fishing tackle. (H. P. No. 447) (Presented by Mr. Davis of Brownville) (500 copies ordered printed.)

An act relative to the suspension and revocation of hunting and fishing licenses. (H. P. No. 448) (Presented by Mr. Elliot of Thomaston) (500 copies ordered printed.)

An act relating to trappers' licenses. (H. P. No. 449) (Presented by Mr. Ellis of Castle Hill) (500 copies ordered printed.)

An act relative to revocation of hunting licenses. (H. P. No. 450) (Presented by Mr. Hascall of Monmouth) (500 copies ordered printed.)

An act relative to hunting, definition of. (H. P. No. 451) (Presented by Mr. Higgins of Dennysville) (500 copies ordered printed.)

An act relating to closed time on wild hares and rabbits. (H. P. No. 452) (Presented by Mr. Higgins of Ellsworth by request) (500 copies ordered printed.)

An act relative to possession of fishing gear. (H. P. No. 453) (Presented by Mr. Noyes of Franklin) (500 copies ordered printed.)

An act relative to non-resident guides. (H. P. No. 454) (Presented by Mr. Story of Washburn) (500 copies ordered printed.)

Resolve regulating fishing in certain waters in Franklin and Oxford counties. (H. P. No. 455) (Presented by Mr. Ellis of Rangeley) (500 copies ordered printed.)

Resolve relative to Allen Pond in Greene. (H. P. No. 456) (Presented by Mr. Alden of Auburn)

Resolve relating to smelt fishing in Androscoggin County. (H. P. No. 457) (Presented by same gentleman)

Resolve relative to Pleasant Pond in Turner. (H. P. No. 458) (Presented by same gentleman)

Resolve for screening Pleasant Pond in Turner. (H. P. No. 459) (Presented by same gentleman)

Resolve opening Pleasant and Mud Ponds to fishing. (H. P. No. 460) (Presented by Mr. Allen of Bowdoin)

Resolve opening Wayne Pond to ice fishing on Sundays. (H. P. No. 461) (Presented by Mr. Boucher of Lewiston by request)

Resolve relating to fishing in Moosehead Lake. (H. P. No. 462) (Presented by Mr. Dean of Greenville)

Resolve in favor of Megunticook Lake Anglers' Club. (H. P. No. 463) (Presented by Mr. Dwinall of Camden)

Resolve opening Little Androscoggin River to ice fishing. (H. P. No. 464) (Presented by Mr. Harris of Minot)

Judiciary

An act relating to tie votes in liquor referendum questions. (H. P. No. 465) (Presented by Mr. Elliot of Thomaston) (500 copies ordered printed.)

An act relating to privileges of salesmen. (H. P. No. 466) (Presented by Mr. Ellis of Rangeley) (500 copies ordered printed.)

An act relating to service of precepts. (H. P. No. 467) (Presented by Mr. Hinckley of So. Portland) (500 copies ordered printed.)

An act relating to divorce. (H. P. No. 468) (Presented by Mr. Philbrick of Cape Elizabeth) (500 copies ordered printed.)

An act relating to operators' licenses. (H. P. No. 469) (Presented by same gentleman) (500 copies ordered printed.)

An act relating to complaint in cases of neglect to children. (H. P.

No. 470) (Presented by Mr. Thorne of Madison)

(500 copies ordered printed.)

An act relating to registration of motor vehicles. (H. P. No. 471) (Presented by Mr. Wilkes of Portland)

(500 copies ordered printed.)

Legal Affairs

An act to incorporate the Indian Point Village Corporation. (H. P. No. 472) (Presented by Mr. Buker of Bath by request)

(500 copies ordered printed.)

An act to repeal acts incorporating the town of Freeman. (H. P. No. 473) (Presented by Mr. Ellis of Rangeley)

(500 copies ordered printed.)

An act relative to the Maine Unitarian Association. (H. P. No. 474) (Presented by Mr. Murchie of Calais)

(500 copies ordered printed.)

An act relating to the charter of Bridgton Center Village Corporation. (H. P. No. 475) (Presented by Mr. Pike of Bridgton)

(500 copies ordered printed.)

An act to provide a Town Council and Manager Form of Government for the town of Bridgton. (H. P. No. 476) (Presented by same gentleman)

(1000 copies ordered printed.)

An act to provide a Manager Form of Government for the town of Milo in the county of Piscataquis. (H. P. No. 477) (Presented by Mr. Peakes of Milo)

(1250 copies ordered printed.)

Library

Resolve for the purchase of copies of the "Traditions and Records of Brooksville, Maine." (H. P. No. 478) (Presented by Mr. Barter of Stonington)

Resolve in favor of purchase of copies of "History of Oxford County." (H. P. No. 479) (Presented by Mr. Dow of Norway)

Resolve for the purchase of "The History of Morrill, Maine." (H. P. No. 480) (Presented by Mr. Woodbury of Morrill)

Pensions

Resolve providing for a State pension for Milton I. Sprague of Waldoboro. (H. P. No. 481) (Presented by Mr. Carleton of Alna)

Resolve granting teacher's pension to Orrie Thistlewood Palmer of East Machias. (H. P. No. 482) (Presented by Mr. Dennison of E. Machias)

Resolve providing for a State pension for Lucy M. Judkins of Norridgewock. (H. P. No. 483) (Presented by Mr. Everett of Norridgewock)

Resolve providing for a State pension for Margaret Everett of Fort Fairfield. (H. P. No. 484) (Presented by Mr. Findlen of Fort Fairfield)

Resolve providing for a State pension for Lola B. Goodwin of Skowhegan. (H. P. No. 485) (Presented by Mr. Hinman of Skowhegan)

Resolve in favor of Martha Ellis of Windham. (H. P. No. 486) (Presented by Mr. Martin of Oakland)

Resolve providing for a State pension for Florence E. Colbeth of Exeter. (H. P. No. 487) (Presented by Mr. Merrill of Stetson)

Resolve providing for a State pension for Frank H. Gowen of South Portland. (H. P. No. 488) (Presented by Mr. Richardson of So. Portland)

Public Utilities

An act to consolidate the Houlton Water Company and the Houlton Sewerage Company and for other purposes. (H. P. No. 489) (Presented by Mr. Packard of Houlton)

(500 copies ordered printed.)

An act relating to the regulation of wires. (H. P. No. 490) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed.)

Salaries and Fees

An act to increase the amount to be paid for clerk hire in the office of the Register of Deeds in the county of Knox. (H. P. No. 491) (Presented by Mr. Crockett of North Haven)

(500 copies ordered printed.)

An act relating to salary of clerks in office of Register of Deeds in Oxford County. (H. P. No. 492) (Presented by Mr. Dow of Norway)

(500 copies ordered printed.)

An act relating to the salary of the sheriff of Androscoggin County. (H. P. No. 493) (Presented by Mr. Harris of Minot)

(500 copies ordered printed.)

An act relating to Northern Cumberland Municipal Court. (H. P. No. 494) (Presented by Mr. Pike of Bridgton)

(500 copies ordered printed.)

Sea and Shore Fisheries

An act limiting the catching of crabs. (H. P. No. 495) (Presented by Mr. Paul of Portland)

(500 copies ordered printed.)

An act relating to the propaga-

tion and cultivation of clams and quahaugs. (H. P. No. 496) (Presented by Mr. Richardson of So. Portland by request)

(500 copies ordered printed.)

An act relating to scallops. (H. P. No. 497) (Presented by same gentleman)

(500 copies ordered printed.)

Taxation

An act to repeal "An act to tax games of skill." (H. P. No. 498) (Presented by Mr. Hinckley of So. Portland)

(500 copies ordered printed.)

An act relating to the exemptions of estates from taxation. (H. P. No. 499) (Presented by Mr. Paul of Portland by request)

(500 copies ordered printed.)

An act relating to licenses for retail stores. (H. P. No. 500) (Presented by Mr. Wilkes of Portland)

(500 copies ordered printed.)

Ways and Bridges

Resolve in favor of the town of Oxford. (H. P. No. 379) (Presented by Mr. Dow of Norway)

Resolve in favor of the town of Hope. (H. P. No. 380) (Presented by Mr. Dwinall of Camden)

Resolve in favor of the town of Cushing. (H. P. No. 381) (Presented by Mr. Elliot of Thomaston)

Resolve in favor of the town of South Thomaston. (H. P. No. 382) (Presented by same gentleman)

Resolve in favor of the town of Rangeley. (H. P. No. 383) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of the town of Rangeley. (H. P. No. 384) (Presented by same gentleman)

Resolve in favor of the town of Bucksport. (H. P. No. 385) (Presented by Mr. Emery of Bucksport)

Resolve in favor of the town of Penobscot. (H. P. No. 386) (Presented by same gentleman)

Resolve in favor of the town of Dedham. (H. P. No. 387) (Presented by same gentleman)

Resolve in favor of the town of Orland. (H. P. No. 388) (Presented by same gentleman)

Resolve in favor of the town of Bucksport. (H. P. No. 389) (Presented by same gentleman)

Resolve in favor of the town of Hermon. (H. P. No. 390) (Presented by Mr. Leonard of Hampden)

Resolve in favor of the town of Glenburn. (H. P. No. 391) (Presented by same gentleman)

Resolve in favor of the town of

Hermon. (H. P. No. 392) (Presented by same gentleman)

Resolve in favor of the town of Hampden. (H. P. No. 393) (Presented by same gentleman)

Resolve in favor of the town of Milford. (H. P. No. 394) (Presented by Mr. Martin of Milford)

Resolve in favor of the town of Orono. (H. P. No. 395) (Presented by same gentleman)

Resolve in favor of the town of Newport. (H. P. No. 396) (Presented by Mr. Merrill of Stetson)

Resolve in favor of the town of Rome. (H. P. No. 397) (Presented by Mr. Newton of Readfield)

Resolve in favor of the town of Peru. (H. P. No. 398) (Presented by Mr. Parsons of Hartford)

Resolve in favor of the town of Buckfield. (H. P. No. 399) (Presented by same gentleman)

Resolve in favor of the town of Hartford. (H. P. No. 400) (Presented by same gentleman)

Resolve in favor of the town of Troy. (H. P. No. 401) (Presented by Mr. Payson of Brooks)

Resolve in favor of the town of Jackson. (H. P. No. 402) (Presented by same gentleman)

Resolve in favor of the town of Bridgton. (H. P. No. 403) (Presented by Mr. Pike of Bridgton)

Resolve in favor of the town of Gilead. (H. P. No. 404) (Presented by Mrs. Thurston of Bethel)

Resolve in favor of the town of Newry. (H. P. No. 405) (Presented by same member)

Resolve in favor of the town of Albany. (H. P. No. 406) (Presented by same member)

Resolve in favor of the town of Bethel. (H. P. No. 407) (Presented by same member)

Resolve in favor of the town of Greenwood. (H. P. No. 408) (Presented by same member)

Resolve in favor of the town of Mars Hill. (H. P. No. 409) (Presented by Mrs. Weed of Monticello)

Resolve in favor of the town of Blaine. (H. P. No. 410) (Presented by same member)

Resolve in favor of the town of Lincoln. (H. P. No. 411) (Presented by Mr. Weatherbee of Lincoln)

Resolve in favor of the town of Burlington. (H. P. No. 412) (Presented by same gentleman)

Resolve in favor of the town of Enfield. (H. P. No. 413) (Presented by same gentleman)

Resolve in favor of the town of Lowell. (H. P. No. 414) (Presented by same gentleman)

Resolve in favor of the town of Lowell. (H. P. No. 415) (Presented by same gentleman)

Resolve in favor of the town of Lowell. (H. P. No. 416) (Presented by same gentleman)

Resolve in favor of the town of York. (H. P. No. 417) (Presented by Mr. Young of Old Orchard Beach)

Resolve in favor of the town of Kennebunkport. (H. P. No. 418) (Presented by same gentleman)

Resolve in favor of the town of Waterford. (H. P. No. 434) (Presented by Mr. Dow of Norway)

Resolve in favor of the town of Chester. (H. P. No. 435) (Presented by Mr. Haskell of Lee)

Resolve in favor of the town of Springfield. (H. P. No. 436) (Presented by same gentleman)

Resolve in favor of the town of Prentiss. (H. P. No. 437) (Presented by same gentleman)

Resolve in favor of the town of Holden. (H. P. No. 438) (Presented by Mr. Ryder of Orrington)

Resolve in favor of the town of Clifton. (H. P. No. 439) (Presented by same gentleman)

Resolve in favor of the town of Lisbon. (H. P. No. 440) (Presented by Mr. Plummer of Lisbon)

On motion by Mr. Ellis of Rangeley, the House voted to reconsider its action whereby it referred resolve to compensate Birch Point Village Corporation for damage to road by State Highway Commission, H. P. 441, to the Committee on Claims; and on further motion by the same gentleman the resolve was tabled pending reference to a committee.

Reports of Committees

Mr. Philbrick from the Committee on Judiciary on bill an act to consolidate the Houlton Water Company and the Houlton Sewerage Company and for other purposes (H. P. No. 75) (L. D. No. 31) reported that same be referred to the Committee on Public Utilities.

Mr. Bird from the Committee on Judiciary reported ought not to pass on bill an act permitting the State to be sued for refund of inheritance taxes. (S. P. No. 27)

Mr. Weatherbee from same Committee reported same on bill an act to incorporate the Maine Holding and Acceptance Corporation. (H. P. No. 3) (L. D. No. 1)

Reports read and accepted and sent up for concurrence.

Mr. Noyes from the Committee on Inland Fisheries and Game on bill an act relating to open season on fur-bearing animals (H. P. No. 31) (L. D. No. 16) reported same in a new draft (H. P. No. 501) under same title and that it ought to pass.

Report read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Boothby from the Committee on Inland Fisheries and Game reported ought to pass on resolve to regulate fishing in Sebago Lake in the county of Cumberland (H. P. No. 74) (L. D. No. 30)

Mr. Noyes from same Committee reported same on a resolve relating to fishing in Pushaw Stream Inlet. (H. P. No. 73) (L. D. No. 29)

(Tabled by Mrs. Latno of Old Town, pending acceptance of the report.)

Mr. Chase from the Committee on Legal Affairs reported ought to pass on bill an act authorizing the city of Bangor to pay a pension to William T. Pierce. (H. P. No. 37) (L. D. No. 22)

Mr. Paul from same Committee reported same on bill an act relating to town meetings in Bar Harbor. (H. P. No. 13) (L. D. No. 10)

Reports read and accepted and the bills and resolve having already been printed, the bills were read twice under suspension of the rules, the resolve read once under suspension of the rules, and the next legislative day assigned.

Passed to be Enacted (Emergency Measure)

H. P. 378, L. D. 103: An act to amend section 1 of an Initiated Act approved by the people at the General Election held September 14, 1936, relating to the General Highway Fund, and to authorize certain temporary use of said fund.

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. Is the House ready for the question? 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 being had, One hundred thirty-five voting in the affirmative, 135 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

Paper from the Senate (out of order and under suspension of the rules):

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 2nd, 1937, at 4:30 o'clock in the afternoon (S. P. 124)

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: Ordered, the House concurring, that 500 additional copies be printed of S. P. 71, L. D. 47, an act relating to safety of highways.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Orders of the Day

The SPEAKER: The Chair will call attention of the members to the joint closing order, adopted at the commencement of the session, under which the time for reception of bills of a private and special nature was limited to February 4th. All bills of that nature to be presented must

be introduced by that date. If any members have questions as to whether or not their particular measures are of a private or special nature, the Revisor of the Statutes, the Clerk or the Speaker will be glad to offer suggestions.

Recess

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Ellis.

On motion by Mr. Ellis, the House voted to reconsider its action whereby it passed the order for adjournment in concurrence; and on further motion by the same gentleman the order was temporarily tabled.

Recess

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the joint order fixing the time to which the Senate and House shall adjourn; and on further motion by the same gentleman the order was passed in concurrence.

On motion by Mr. Flanders of Auburn,

Adjourned until Tuesday, February 2nd, at 4:30 P. M.