

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

Tuesday, February 9, 1937.

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

Prayer by the Rev. Mr. Barnard of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act relative to pensions for members of the police force in the town of Houlton, S. P. 205.

Comes from the Senate, referred to the committee on Pensions.

In the House, on motion by Mr. Ellis of Castle Hill, the bill was referred to the committee on Pensions in concurrence, and 500 copies ordered printed.

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 in favor of Kenney Bros. Inc., of Portland. (H. P. No. 1085) (Presented by Mr. Brown of Eagle Lake)

(500 copies ordered printed.)

Resolve in favor of the town of Eagle Lake. (H. P. No. 1086) (Presented by same gentleman)

(500 copies ordered printed.)

Resolve appropriating money to build fishway on Meduxnekeag River. (H. P. No. 1087) (Presented by Mrs. Weed of Monticello)

(500 copies ordered printed.)

Claims

Resolve in favor of William N. Harnett of Cornish. (H. P. No. 942) (Presented by Mr. Batchelder of Parsonsfield)

Resolve in favor of John W. Garner of Kezar Falls. (H. P. No. 943) (Presented by the same gentleman)

Resolve in favor of Edward Cote of Biddeford. (H. P. No. 944) (Presented by Mr. Belanger of Biddeford by request)

Resolve in favor of the Paine Private Hospital, Bangor, for treatment of Joseph Casey, having no known settlement in the State. (H. P. No. 945) (Presented by Mr. Brown of Bangor)

Resolve in favor of Chas. B. Morrill of Alna. (H. P. No. 946) (Presented by Mr. Carleton of Alna)

Resolve in favor of the town of Frankfort. (H. P. No. 947) (Presented by Miss Church of Stockton Springs by request)

Resolve to reimburse the town of Winterport for support of Marion B. Seaman, State pauper. (H. P. No. 948) (Presented by same member)

Resolve to reimburse the town of Thomaston for support and burial expenses of Everett H. Preston, State pauper. (H. P. No. 952) (Presented by Mr. Elliot of Thomaston)

Resolve in favor of Casavant and Cloutier, Augusta, for rent of house occupied by O'Neil J. Ayotte and family. (H. P. No. 953) (Presented by Mr. Fellows of Augusta)

Resolve in favor of the city of Augusta for the support of Martin Savage. (H. P. No. 954) (Presented by same gentleman)

Resolve in favor of Beulah Lyons of Ellsworth. (H. P. No. 955) (Presented by Mr. Higgins of Ellsworth)

Resolve in favor of William B. Spiller of Brookline, Massachusetts. (H. P. No. 956) (Presented by Mr. Hinckley of So. Portland by request)

Resolve to reimburse the town of Hampden for support of Helen Hayward and child. (H. P. No. 957) (Presented by Mr. Leonard of Hampden)

Resolve to reimburse the town of Hampden for support of Fred H. Jones and family. (H. P. No. 958) (Presented by same gentleman)

Resolve in favor of Jerry Kimball of Millinocket. (H. P. No. 959) (Presented by Mr. Mack of E. Millinocket)

Resolve to reimburse the city of Waterville for support of Mrs. Florence E. Corriveau, State pauper. (H. P. No. 960) (Presented by Mr. Maheu of Waterville)

Resolve in favor of the town of Newport. (H. P. No. 961) (Presented by Mr. Merrill of Stetson)

Resolve in favor of the town of Stetson. (H. P. No. 962) (Presented by same gentleman)

Resolve in favor of the Calais Hospital, Calais, for treatment of Horace Small, State pauper. (H. P. No. 963) (Presented by Mr. Murchie of Calais)

Resolve in favor of Merrill Seavey of Bernard. (H. P. No. 964) (Presented by Mr. Norwood of Southwest Harbor)

Resolve in favor of Seth Harper

of Seal Cove. (H. P. No. 965) (Presented by same gentleman)

Resolve in favor of Leo B. Bunker of Franklin. (H. P. No. 966) (Presented by Mr. Noyes of Franklin)

Resolve to reimburse the city of Portland for support of Charles F. Harris, Maurice C. Paul, William Clark, Malcolm M. Clark and their families. (H. P. No. 967) (Presented by Mr. Packard of Houlton)

Resolve in favor of William Douglass. (H. P. No. 968) (Presented by Mr. Palmer of Island Falls)

Resolve in favor of the town of Hebron for pauper supplies. (H. P. No. 969) (Presented by Mr. Parsons of Hartford)

Resolve in favor of Charles D. Atherton of Portland. (H. P. No. 970) (Presented by Mr. Paul of Portland)

Resolve in favor of Chaplin Motor Company. (H. P. No. 971) (Presented by same gentleman)

Resolve in favor of the town of Monroe. (H. P. No. 972) (Presented by Mr. Phair of Caswell)

Resolve in favor of Caswell Plantation. (H. P. No. 973) (Presented by same gentleman)

Resolve in favor of Caswell Plantation. (H. P. No. 974) (Presented by same gentleman)

Resolve to reimburse the town of Moscow for support of Kenneth Bell and family. (H. P. No. 975) (Presented by Mr. Robinson of Bingham)

Resolve in favor of J. Edwin Bradbury of Rockland. (H. P. No. 976) (Presented by Mr. Sleeper of Rockland)

Resolve in favor of John G. Potter. (H. P. No. 977) (Presented by Mr. Stone of Littleton)

Resolve in favor of Houlton Furniture Company. (H. P. No. 978) (Presented by same gentleman)

Resolve in favor of the town of Carroll. (H. P. No. 979) (Presented by Mr. Weatherbee of Lincoln)

Resolve in favor of the town of Passadumkeag. (H. P. No. 980) (Presented by same gentleman)

Resolve in favor of B. L. Kennedy of Belmont. (H. P. No. 981) (Presented by Mr. Woodbury of Morrill)

Resolve in favor of Arthur Jackson of North Searsmont. (H. P. No. 982) (Presented by same gentleman)

Resolve to reimburse the town of Benton for support of Mrs. Sylvia B. Hackett and family. (H. P. No. 983) (Presented by Mr. Wyman of Benton)

Resolve to reimburse the town of Benton for support of Lawrence M. Dodge and family. (H. P. No. 984) (Presented by same gentleman)

Resolve to reimburse the town of Clinton for support of Andrew J. White and wife of Unity Plantation, State paupers. (H. P. No. 985) (Presented by same gentleman)

Resolve to reimburse the town of Clinton for support of Lawrence M. Dodge and family. (H. P. No. 986) (Presented by same gentleman)

Resolve to reimburse the town of Benton for burial expenses of J. Wilkes Hall, a veteran of the Civil War. (H. P. No. 987) (Presented by same gentleman)

Resolve in favor of Edmund A. Walker of Benton, Maine. (H. P. No. 988) (Presented by same gentleman)

Resolve in favor of Meader & Sons of Rumford. (H. P. No. 1088) (Presented by Mr. Lee of Rumford)

Resolve in favor of George A. Johnson of East Machias. (H. P. No. 949) (Presented by Mr. Dennison of E. Machias)

(500 copies ordered printed.)

Resolve in favor of Manzie I. Rogers of Bangor, Maine. (H. P. No. 950) (Presented by Mr. Eddy of Bangor)

(500 copies ordered printed.)

Resolve in favor of Manzie I. Rogers of Bangor, Maine. (H. P. No. 951) (Presented by same gentleman)

(500 copies ordered printed.)

Education

Resolve in favor of Parsonsfield Seminary. (H. P. No. 1089) (Presented by Mr. Batchelder of Parsonsfield)

Resolve in favor of Limington Academy. (H. P. No. 1090) (Presented by same gentleman)

Inland Fisheries and Game

Resolve for screening Tacoma Chain of Lakes. (H. P. No. 989) (Presented by Mr. Alden of Auburn)

Resolve relative to fishing in Mousam Lake. (H. P. No. 990) (Presented by Mr. Boothby of Shapleigh)

Resolve relative to fishing in Mousam Lake. (H. P. No. 991) (Presented by same gentleman)

Resolve relative to fishing in Mousam River. (H. P. No. 992) (Presented by same gentleman)

Resolve relative to fishing in El Pond. (H. P. No. 993) (Presented by Mr. Bragdon of Wells)

Resolve relative to fishing in York County. (H. P. No. 994) (Presented by same gentleman)

Resolve relative to fishing in Spencer Pond. (H. P. No. 995) (Presented by Mr. Burgess of Rumford)

Resolve regulating fishing in Metalluc, Mosquito and Mill Brooks. (H. P. No. 996) (Presented by same gentleman)

Resolve for screening of Schoodic Lake. (H. P. No. 997) (Presented by Mr. Davis of Brownville)

Resolve establishing bag limits on certain Franklin County waters. (H. P. No. 998) (Presented by Mr. Ellis of Rangeley)

Resolve relative to fishing in Cathance Lake. (H. P. No. 999) (Presented by Mr. Higgins of Dennysville)

Resolve relative to hunting and trapping of muskrats in Fields Pond. (H. P. No. 1000) (Presented by Mr. Leonard of Hampden)

Resolve relative to hunting and trapping of muskrats in Black Stream. (H. P. No. 1001) (Presented by same gentleman)

Resolve relating to pickerel fishing in Sunkhaze Stream, Birch Stream, Little Birch Stream and Baker Brook. (H. P. No. 1002) (Presented by Mr. Martin of Milford)

Resolve relative to fishing in Little Bog River. (H. P. No. 1003) (Presented by Mr. Noyes of Franklin)

Resolve relative to fishing in Big Bog River. (H. P. No. 1004) (Presented by same gentleman)

Resolve relating to fishing in Pierce Pond. (H. P. No. 1005) (Presented by Mr. Robinson of Bingham by request)

Resolve relative to fishing in Little Big Wood Pond. (H. P. No. 1006) (Presented by same gentleman)

Resolve relative to fishing in Youngs or Lost Pond. (H. P. No. 1007) (Presented by same gentleman)

Resolve for screening of Little Big Wood Lake. (H. P. No. 1008) (Presented by same gentleman)

Resolve relative to fishing in Mud Pond. (H. P. No. 1009) (Presented by same gentleman)

Resolve relating to fishing in Attean Pond. (H. P. No. 1010) (Presented by same gentleman)

Resolve relative to fishing in Big Wood Pond. (H. P. No. 1011) (Presented by same gentleman)

Resolve relative to fishing in Barker Pond. (H. P. No. 1012) (Presented by Mr. Thorne of Madison)

Resolve for screening Cathance

Lake. (H. P. No. 1014) (Presented by Mr. Higgins of Dennysville)

Resolve relative to fishing in Brown and Marriners Ponds. (H. P. No. 1073) (Presented by Mr. Meserve of Sebago)

Resolve relative to fishing in certain Somerset County waters. (H. P. No. 1074) (Presented by Mr. Robinson of Bingham)

An act relating to transportation of game. (H. P. No. 1075) (Presented by Mr. Boothby of Shapleigh) (500 copies ordered printed.)

An act relating to open season on fur-bearing animals. (H. P. No. 1076) (Presented by Mr. Bragdon of Wells) (500 copies ordered printed.)

An act relating to trapping season in Oxford County. (H. P. No. 1077) (Presented by Mr. Colby of South Paris) (500 copies ordered printed.)

An act relative to sale and transportation of wild hares and rabbits. (H. P. No. 1078) (Presented by Mr. Emery of Bucksport) (500 copies ordered printed.)

An act relating to hunting of raccoons. (H. P. No. 1079) (Presented by same gentleman) (500 copies ordered printed.)

An act relating to bounty on coyote. (H. P. No. 1080) (Presented by Mr. Higgins of Dennysville) (500 copies ordered printed.)

An act relating to the hunting of skunks and raccoons. (H. P. No. 1081) (Presented by Mr. Lee of Rumford) (500 copies ordered printed.)

An act relative to the sale of deer. (H. P. No. 1082) (Presented by Mr. Noyes of Franklin) (500 copies ordered printed.)

An act relating to hunting of raccoons. (H. P. No. 1083) (Presented by Mr. Pike of Lubec) (500 copies ordered printed.)

An act relating to open season on fur-bearing animals. (H. P. No. 1084) (Presented by Mr. Robinson of Bingham) (500 copies ordered printed.)

Interior Waters

An act relative to regulating the high and low water mark on Lake Moxie. (H. P. No. 1091) (Presented by Mr. Robinson of Bingham by request) (500 copies ordered printed.)

An act relating to an act to incorporate the Portland Water District. (H. P. No. 1092) (Presented by Mr. Haskell of Windham by request) (500 copies ordered printed.)

Judiciary

An act correcting a clerical error in the apportionment of representatives (H. P. No. 1043) (Presented by Miss Church of Stockton Springs) (500 copies ordered printed).

An act creating a Recorder and raising the jurisdiction of the Norway Municipal Court (H. P. No. 1044) (Presented by Mr. Colby of So. Paris)

(500 copies ordered printed).

An act relating to the Brunswick Municipal Court (H. P. No. 1045) (Presented by Mr. Erswell of Brunswick)

(500 copies ordered printed).

An act relating to political caucuses (H. P. No. 1046) (Presented by Mr. Fellows of Augusta by request) (500 copies ordered printed).

An act relating to the Board of Emergency Municipal Finance (H. P. No. 1047) (Presented by Mr. Packard of Houlton)

(500 copies ordered printed).

An act relative to trust estates (H. P. No. 1048) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed).

An act permitting testamentary trustees to hold securities held by testator at time of his death (H. P. No. 1049) (Presented by same gentleman)

(500 copies ordered printed).

An act relating to registration of voters (H. P. No. 1050) (Presented by same gentleman)

(500 copies ordered printed).

An act relating to presentation of property lists to assessors (H. P. No. 1051) (Presented by Mr. Donahue of Biddeford)

(500 copies ordered printed).

An act relating to lists of taxable property (H. P. No. 1052) (Presented by same gentleman)

(500 copies ordered printed).

An act providing a Recorder of South Portland Municipal Court (H. P. No. 1053) (Presented by Mr. Hinckley of So. Portland)

(500 copies ordered printed).

An act to require authorization by a vote of the town before overdrafts are incurred, and provisions for the payment of the indebtedness so created (H. P. No. 1054) (Presented by Mr. Packard of Houlton)

(500 copies ordered printed).

An act permitting partial distribution of the estate of a deceased person (H. P. No. 1055) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed).

An act relating to trustee process

(H. P. No. 1056) (Presented by Mr. Wyman of Benton by request) (500 copies ordered printed).

An act relating to division of payment of real estate taxes (H. P. No. 1093) (Presented by Mr. Donahue of Biddeford)

(500 copies ordered printed).

An act to incorporate the Insurance Finance Corporation (H. P. No. 1094) (Presented by Mr. Paul of Portland)

(500 copies ordered printed).

An act to require the use of safety glass on motor vehicles (H. P. No. 1095) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed).

An act to authorize the Plantation of Pleasant Ridge to withdraw from the Maine Forestry District (H. P. No. 1096) (Presented by Mr. Robinson of Bingham)

(500 copies ordered printed).

An act to authorize the town of Moscow to withdraw from the Maine Forestry District (H. P. No. 1097) (Presented by the same gentleman)

(500 copies ordered printed).

An act validating the withdrawal of the town of Moscow from the Maine Forestry District (H. P. No. 1098) (Presented by same gentleman)

(500 copies ordered printed).

An act validating the withdrawal of the plantation of Pleasant Ridge from the Maine Forestry District (H. P. No. 1099) (Presented by same gentleman)

(500 copies ordered printed).

An act providing for equalizing valuations in tax assessments (H. P. No. 1100) (Presented by Mr. Viles of Augusta)

(500 copies ordered printed).

An act amending the Bates College charter (H. P. No. 1101) (Presented by Mr. Weatherbee of Lincoln)

(500 copies ordered printed).

An act to define, regulate and license real estate brokers and real estate salesmen; to create the Maine Real Estate Commission (H. P. No. 1102) (Presented by Mr. Maxim of Portland)

(1000 copies ordered printed).

Legal Affairs

An act to amend charter of the city of Lewiston providing for pensions for employees of the Highway Department. (H. P. No. 1057) (Presented by Mr. Boucher of Lewiston) (500 copies ordered printed.)

An act relating to the use of check lists in Sanford. (H. P. No.

1058) (Presented by Mr. Demers of Sanford)

(500 copies ordered printed.)

An act amending an act to incorporate the city of Lewiston. (H. P. No. 1059) (Presented by Mr. Dutil of Lewiston)

(500 copies ordered printed.)

An act relating to the Board of Trustees of the town of Hodgdon School District. (H. P. No. 1060)

(Presented by Mr. Maxell of Orient)

(500 copies ordered printed.)

An act to provide for the surrender by the town of Chester of its organization. (H. P. No. 1061) (Presented by Mr. Noyes of Franklin)

(500 copies ordered printed.)

An act relating to town ordinances. (H. P. No. 1062) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed.)

An act relating to boxing contests. (H. P. No. 1063) (Presented by Mr. Weatherbee of Lincoln)

(500 copies ordered printed.)

An act to incorporate the Lincoln Water District. (H. P. No. 1064)

(Presented by same gentleman)

(500 copies ordered printed.)

An act relating to the sale of plantation property by the plantation of Elliottsville. (H. P. No. 1065) (Presented by Mr. Dean of Greenville)

(500 copies ordered printed.)

An act granting additional powers, rights and privileges to Penobscot Chemical Fibre Company. (H. P. No. 1066) (Presented by Mrs. Latno of Old Town)

(500 copies ordered printed.)

An act to incorporate Yarmouth and Cousins Island Park & Development Company. (H. P. No. 1067)

(Presented by Mr. Seabury of Yarmouth)

(500 copies ordered printed.)

An act to incorporate the Danforth Water District. (H. P. No. 1103) (Presented by Mr. Chase of Baring)

(500 copies ordered printed.)

An act to amend the city charter of Brewer. (H. P. No. 1104) (Presented by Mr. Churchill of Brewer)

(500 copies ordered printed.)

An act to create the Hampden Water District. (H. P. No. 1105) (Presented by Mr. Leonard of Hampden)

(500 copies ordered printed.)

An act relative to Presque Isle Sewer District. (H. P. No. 1106)

(Presented by Mr. McGaughy of Presque Isle)

(500 copies ordered printed.)

An act relating to elections in the city of Bideford. (H. P. No. 1107) (Presented by Mr. Varney of Berwick)

(500 copies ordered printed.)

An act to incorporate the Berwick School District. (H. P. No. 1108) (Presented by same gentleman)

(500 copies ordered printed.)

An act to provide a Town Council and Manager Form of Government for the town of Norway, in the county of Oxford. (H. P. No. 1109) (Presented by Mr. Dow of Norway way)

(1000 copies ordered printed.)

An act to establish a Commission of Public Safety for the city of Bideford. (H. P. No. 1110) (Presented by Mr. Varney of Berwick)

(1000 copies ordered printed.)

An act relating to the game of beano, etc. (H. P. No. 1111) (Presented by Mr. Whitney of Bangor)

(1000 copies ordered printed.)

An act relating to the advertising of the products of Maine sea and shore fisheries. (H. P. No. 1112) (Presented by Mr. Elliot of Thomaston)

(500 copies ordered printed.)

Pensions

Resolve providing for a State pension for Jerry Bernard of Rumford (H. P. No. 1015) (Presented by Mr. Burgess of Rumford)

Resolve providing for a State pension for Asenath Belle Storer, of Waldoboro (H. P. No. 1016) (Presented by Mr. Carleton of Alna)

Resolve providing for a State pension for Alphonso Chase of Jefferson (H. P. No. 1017) (Presented by same gentleman)

Resolve providing for a State pension for Freda E. Potter of Whitefield (H. P. No. 1018) (Presented by same gentleman)

Resolve providing for a State pension for Richard T. Kensell of Whitefield (H. P. No. 1019) (Presented by same gentleman)

Resolve providing for a State pension for Lucie F. Parlin of Dover-Foxcroft (H. P. No. 1020) (Presented by Mr. Colby of Paris)

Resolve providing for a State pension for Harry Chapman of Thomaston (H. P. No. 1021) (Presented by Mr. Elliot of Thomaston)

Resolve providing for an increase in State pension for Julia W. Garce-

lon of Auburn (H. P. No. 1022) (Presented by Mr. Flanders of Auburn)

Resolve in favor of Ernest R. Woodbury of Saco (H. P. No. 1023) (Presented by Mr. Ford of Saco)

Resolve providing for a State pension for George F. Page of Litchfield (H. P. No. 1024) (Presented by Mr. Hascall of Monmouth)

Resolve providing for a State pension for Alice R. Collins of Litchfield (H. P. No. 1025) (Presented by same gentleman)

Resolve providing for a State pension for Wallace W. Stewart of Litchfield (H. P. No. 1026) (Presented by same gentleman)

Resolve providing for a State pension for Lillian Niles Hanlon of Monmouth (H. P. No. 1027) (Presented by same gentleman)

Resolve providing for a State pension for Laura M. Hayes of Chelsea (H. P. No. 1028) (Presented by Mr. Morgan of Farmingdale)

Resolve providing for a State pension for Agnes Bearce of Hebron (H. P. No. 1029) (Presented by Mr. Parsons of Hartford)

Resolve providing for a State pension for Lyle G. Foss of Milo (H. P. No. 1030) (Presented by Mr. Peakes of Milo)

Resolve providing for a State pension for Chester E. Webber of Lisbon (H. P. No. 1031) (Presented by Mr. Plummer of Lisbon)

Resolve providing for a State pension for Harry E. Mills of Caribou (H. P. No. 1032) (Presented by Mr. Russ of Caribou)

Resolve providing for a State pension for Arthur E. Stousland of Orrington (H. P. No. 1033) (Presented by Mr. Ryder of Orrington)

Resolve providing for a State pension for Grant Turner of Rockland (H. P. No. 1034) (Presented by Mr. Sleeper of Rockland)

Resolve providing for a State pension for Charles Stuart Little of Westport (H. P. No. 1035) (Presented by Mr. Stilphen of Dresden)

Resolve providing for a State pension for Ernest E. Bowen of Morrill (H. P. No. 1036) (Presented by Mr. Woodbury of Morrill)

Resolve providing for an increase in State pension for James A. Overlock of Liberty (H. P. No. 1037) (Presented by same gentleman)

Resolve providing for a State pension for Willie Irving Wood of Belfast (H. P. No. 1038) (Presented by same gentleman)

Resolve providing for a State pension for S. K. Cram of Searsmont (H. P. No. 1039) (Presented by same gentleman)

Resolve providing for a State pension for Tom Greer of Belmont (H. P. No. 1040) (Presented by same gentleman)

Resolve providing for a State pension for W. S. Lamson of Liberty (H. P. No. 1041) (Presented by same gentleman)

Resolve providing for a State pension for M. A. Benner of Palermo (H. P. No. 1042) (Presented by same gentleman)

Resolve providing for a State pension for Ronald Dunton of Rumford (H. P. No. 1068) (Presented by Mr. Lee of Rumford)

Resolve providing for a State pension for Leon R. Webster of Swanville (H. P. No. 1070) (Presented by Mr. Payson of Brooks)

Resolve providing for a State pension for Henry K. Gurney of Waldo (H. P. No. 1071) (Presented by same gentleman)

Resolve providing for a State pension for Helen D. Curtis of Monroe (H. P. No. 1072) (Presented by same gentleman)

Public Health

An act to prohibit the sale of adulterated or misbranded cosmetic preparations (H. P. No. 1113) (Presented by Mr. Demers of Sanford by request)

(1000 copies ordered printed)

Public Utilities

An act relating to the Old Town Water District (H. P. No. 1114) (Presented by Mr. Martin of Milford)

(500 copies ordered printed)

An act relating to removal of obstructions at grade crossings by Municipal Officers or County Commissioners (H. P. No. 1115) (Presented by Mr. Parsons of Hartford)

(500 copies ordered printed)

An act authorizing the town of Washburn to generate electricity for municipal purposes (H. P. No. 1116) (Presented by Mr. Story of Washburn)

(500 copies ordered printed)

An act to enlarge and define the powers of the Androscoggin and Kennebec Railway Company (H. P. No. 1117) (Presented by Mr. Webber of Auburn)

(500 copies ordered printed)

Salaries and Fees

An act relating to State Board of Arbitration (H. P. No. 1118) (Presented by Br. Buker of Bath)

(500 copies ordered printed)

An act relating to Deputy Clerk of Courts in Penobscot County (H. P. No. 1119) (Presented by Mrs. Currier of Bangor)

(500 copies ordered printed)

An act to authorize the Board of County Commissioners of Penobscot County to pay for extra clerk hire in the Registry of Deeds (H. P. No. 1120) (Presented by Mr. Weatherbee of Lincoln)

(500 copies ordered printed)

Sea and Shore Fisheries

Resolve relating to taking of clams in Milbridge (H. P. No. 1121) (Presented by Mr. Melanson of Cherryfield)

Resolve relating to smelt fishing in St. Croix River (H. P. No. 1122) (Presented by Mr. Murchie of Calais)

Resolve limiting weir fishing for salmon in Penobscot River (H. P. No. 1013) (Presented by Mr. Whitney of Bangor)

(On motion by Mr. Ryder of Orrington, 500 copies ordered printed)

Resolve regulating the taking and sale of clams in the town of Cape Elizabeth (H. P. No. 1069) (Presented by Mr. Philbrick of Cape Elizabeth)

(500 copies ordered printed)

State Lands and Forest Preservation

An act relating to the Knox Arboretum (H. P. No. 1123) (Presented by Mr. Elliot of Thomaston)

(500 copies ordered printed)

Resolve authorizing the Forest Commissioner to sell certain land (H. P. No. 1124) (Presented by Mr. Chase of Baring)

(500 copies ordered printed)

Resolve authorizing the Forest Commissioner to convey certain interest of the State in Hurricane Island (H. P. No. 1125) (Presented by Mr. Crockett of North Haven)

(500 copies ordered printed)

Taxation

An act imposing an excise tax upon the privilege of owning land in this state (H. P. No. 1126) (Presented by Mr. Plummer of Lisbon by request)

(500 copies ordered printed)

An act to provide for the raising of certain gasoline tax revenues and

the allocation of the same to towns and cities (H. P. No. 1127) (Presented by Mr. McGlaulin of Portland)

(1000 copies ordered printed)

Towns

An act to annex Hurricane Island to the town of Vinalhaven (H. P. No. 1128) (Presented by Mr. Crockett of North Haven)

(500 copies ordered printed)

An act to divide the town of Ashland and to create Sheridan Plantation (H. P. No. 1129) (Presented by Mr. Ellis of Castle Hill by request)

(500 copies ordered printed)

Ways and Bridges

Resolve in favor of the town of Brooksville (H. P. No. 906) (Presented by Mr. Barter of Stonington)

Resolve in favor of the town of Sedgwick (H. P. No. 907) (Presented by same gentleman)

Resolve in favor of town of Parsonsfield (H. P. No. 908) (Presented by Mr. Batchelder of Parsonsfield)

Resolve in favor of the town of Limerick (H. P. No. 909) (Presented by same gentleman by request)

Resolve in favor of town of Limerick (H. P. No. 910) (Presented by same gentleman)

Resolve in favor of town of Limington (H. P. No. 911) (Presented by same gentleman)

Resolve in favor of the town of Cornish (H. P. No. 912) (Presented by same gentleman)

Resolve in favor of the town of Cornish (H. P. No. 913) (Presented by same gentleman)

Resolve in favor of the town of Waterboro (H. P. No. 914) (Presented by Mr. Boothby of Shapleigh)

Resolve in favor of the town of Kittery (H. P. No. 915) (Presented by Mr. Cole of Kittery)

Resolve in favor of the town of Kittery (H. P. No. 916) (Presented by same gentleman)

Resolve in favor of the town of Eliot (H. P. No. 917) (Presented by same gentleman)

Resolve in favor of the town of Eliot (H. P. No. 918) (Presented by same gentleman)

Resolve in favor of the town of Abbot (H. P. No. 919) (Presented by Mr. Davis of Brownville)

Resolve in favor of the town of Owl's Head (H. P. No. 920) (Presented by Mr. Elliot of Thomaston)

Resolve in favor of the town of Newburg (H. P. No. 921) (Presented by Mr. Fernald of Levant).

Resolve in favor of the Plantation of Monhegan (H. P. No. 922) (Presented by Mr. Haley of South Bristol).

Resolve in favor of Perkins Plantation (H. P. No. 923) (Presented by Mr. Hammond of Strong by request).

Resolve in favor of the town of Frenchville (H. P. No. 924) (Presented by Mr. Lausier of Frenchville).

Resolve in favor of the town of Madawaska (H. P. No. 925) (Presented by same gentleman).

Resolve in favor of the Townships of Township 1, Range 9, Township 2, Range 9, Township 2, Range 10, and Township 3, Range 10, Piscataquis County (H. P. No. 926) (Presented by Mr. Mack of East Millinocket).

(On motion by Mr. Mack of East Millinocket, tabled pending reference to a committee).

Resolve in favor of the town of Milbridge (H. P. No. 927) (Presented by Mr. Melanson of Cherryfield)

Resolve in favor of the town of Milbridge (H. P. No. 928) (Presented by same gentleman)

Resolve in favor of the town of Columbia (H. P. No. 929) (Presented by same gentleman)

Resolve in favor of the town of Monroe (H. P. No. 930) (Presented by Mr. Payson of Brooks)

Resolve in favor of the towns of Monroe and Winterport (H. P. No. 931) (Presented by same gentleman)

Resolve in favor of the town of Edmunds (H. P. No. 932) (Presented by Mr. Pike of Lubec)

Resolve in favor of the town of Dayton (H. P. No. 933) (Presented by Mr. Ramsdell of Dayton)

Resolve in favor of the town of Dexter (H. P. No. 934) (Presented by Mr. Sawyer of Garland)

Resolve in favor of the town of Northport (H. P. No. 935) (Presented by Mr. Woodbury of Morrill)

Resolve in favor of the town of Belmont (H. P. No. 936) (Presented by same gentleman)

Resolve in favor of the town of Searsmont (H. P. No. 937) (Presented by same gentleman)

Resolve in favor of the town of Benton (H. P. No. 938) (Presented by Mr. Wyman of Benton)

Resolve in favor of the town of Albion (H. P. No. 939) (Presented by same gentleman)

Resolve in favor of the town of Benton (H. P. No. 940) (Presented by same gentleman)

Resolve in favor of the town of Clinton (H. P. No. 941) (Presented by same gentleman)

Resolve in favor of Crockertown (H. P. No. 1130) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of Wymantown (H. P. No. 1131) (Presented by same gentleman)

Resolve in favor of the town of Naples (H. P. No. 1132) (Presented by Mr. Prince of Harpswell)

An act relating to assessment of taxes for building and repair of roads in unincorporated places (H. P. No. 1133) (Presented by Mr. Mosher of Farmington)

(500 copies ordered printed).

An act relating to the Maine Kennebec Bridge (H. P. No. 1134) (Presented by Mr. Stilphen of Dresden)

(500 copies ordered printed).

An act to provide a highway bridge between Wiscasset and Westport (H. P. No. 1135) (Presented by same gentleman)

(500 copies ordered printed).

(Out or order, under suspension of the rules)

From the Senate: Memorial to the Honorable Senate and House of Representatives of the United States of America in Congress assembled, S. P. 262.

WHEREAS, We the Senate and House of Representatives of the State of Maine believe that the Constitution of the United States is the foundation of our liberty and that it should be amended only through the direct methods provided therein, openly and fairly by the submission of Amendments to the Legislatures or Conventions of the forty-eight States of the Union after a nation-wide discussion of the changes involved; and

WHEREAS, We believe that the continuation of our representative democracy and constitutional government depends upon the complete separation and independence of the three branches of government, to wit,—Legislative, Executive, and Judicial; and

WHEREAS, We regard the proposed changes in the laws affecting the Supreme Court of the United States and the Federal Judiciary now advocated by the President of the United States as a covert attack

upon the Constitution of the Country whereby certain laws, the principles of which heretofore held to be in conflict with that great document, later may be enacted into the law by indirection through the control of the Court by the Chief Executive; now, therefore, be it

RESOLVED: That we, the Senate and House of Representatives of the Sovereign State of Maine, representing the People of Maine, urge you the 75th Congress of the United States to uphold the Constitution and to protect the Supreme Court of the United States and the Federal Judiciary from Legislative and Executive Interference and control. Only by your so doing will the liberties of our citizens be safeguarded and the perils of personal government and dictatorship abhorrent to all free men and women, be avoided; and be it further

RESOLVED: That a joint select committee of three on the part of the Senate and three on the part of the House including the President of the Senate, and the Speaker of the House, be appointed to deliver personally and in hand to the Congress of the United States, a duly authenticated copy hereof attested by the Secretary of State.

Comes from the Senate, read and adopted.

In the House:

Mr. DONAHUE of Biddeford: Mr. Speaker, I believe that this Memorial is beyond the province of this Legislature. We are represented in Congress by three Congressmen who are well able to protect the interests of the citizens of the State of Maine. We are likewise represented in the Senate by two Senators who represent the State of Maine on all matters coming before that body. Under our own Constitution we have a rule retiring all Justices when they reach the age of seventy. That is the law of the State of Maine. Now what the law of the United States should be rests with Congress and not with this body.

At the session two years ago, as the older members will recall, a Memorial was introduced in this body requesting that the Maine Legislature go on record in favor of the Frazier-Lemke Bill, and that Legislature took the stand that it was not within the province of this honorable body to in any way inter-

fere or suggest to our representatives in the House of Representatives in Washington, or to our Senators in the Senate, in Washington, what their action should be.

In this Memorial you have a reference directly accusing the President of the United States of attempting to control the United States Supreme Court and a direct implication that any member of that body would be so debased and so low that he would ignore the oath of his office that he took when he became a member of the highest tribunal in this country and one of the most distinguished in the world. History does not bear out such an implication as that. In 1918 a Democratic President appointed two Justices to our Federal Court, one of whom had been one of his Cabinet Members, and while a Cabinet Member had voted for a certain measure, yet when that same measure came before the United States Supreme Court, that Justice was the first to declare the act unconstitutional. Therefore I move that this honorable body vote to indefinitely postpone action on this Memorial.

Mr. ELLIS of Rangeley: Mr. Speaker, I wish I had the gift of language that my worthy brother legislator on the other side has, but I have not. I would like, however, to call the attention of this body to a few facts. In the beginning, the founders of this Government set up a government of three branches, the judicial, the legislative and the executive. During the past few years we have seen the dividing line between those three branches less sharply drawn. We have seen the Executive taking over the functions of the legislative, and now we believe that we are seeing the same Executive trying to take over the functions of the judicial, not by direction, which is his right, but by indirection; and I think it is time that the people of the State of Maine should go on record and try to stop these things. I hope this Memorial is adopted.

Mr. TABBUT of Columbia Falls: Mr. Speaker, I believe in the past that the membership of our Supreme Court has been changed from one number to another several times, and I do not know that this has ever occasioned any action by the State Legislature. It seems to me that the President has the same authority now to change the membership of the Supreme Court, without any action on our part.

Mr. HINMAN of Skowhegan: Mr. Speaker, I may have misunderstood this resolution as read, but it did not seem to me that there was any direction to the President of the United States or that it in any way referred to what his action would be. Rather, it is a Memorial to our Senators and Representatives of the 75th Congress to the effect that the State of Maine does not approve of the move that is intended. I do not think it is any reflection on the Executive or anybody else in power. It is simply that the State of Maine approves the set-up of the three judicial departments which we now have.

Mr. THORNE of Madison: Mr. Speaker, I have listened with some attention to the remarks of my brother from Biddeford, Mr. Donahue. I also listened closely to the reading of the Memorial and nowhere in that reading do I find any intimation that the President of the United States has forgotten his oath of office. I do think that we, the people of the State of Maine, should go on record as saying that the Supreme Court of the United States, the Federal Judiciary, should have its hands kept untied in order that it may pass upon the constitutionality of each and every act that comes before it, and I hope this Memorial is adopted.

The SPEAKER: The question is on the motion of the gentleman from Biddeford, Mr. Donahue, that this Memorial be indefinitely postponed.

Mr. PHILBRICK of Cape Elizabeth: Mr. Speaker, I ask for a division of the House.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Wilkes.

Mr. WILKES: Mr. Speaker, I have been listening to my learned colleague (Mr. Donahue) and I trust that the motion of the gentleman from Biddeford will not prevail. We have long in this country of ours guarded the rights which were given us by the Constitution, that great memorial document, the greatest document ever conceived by the brain of man, creating those three several departments, the judicial, the legislative and the executive; and I say that this honorable body should go on record at this time in concurrence with the Senate and vote against this particular motion advocated by the gentleman from Biddeford (Mr. Donahue). I also wish to rise with my brother

from Madison, Mr. Thorne, in protest.

Mr. MURCHIE of Calais: Mr. Speaker, as I view it, we are here to do those things which make for the greater happiness of those whom we represent. With that in view, I object to the indefinite postponement of this Memorial.

The SPEAKER: The question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the Memorial be indefinitely postponed. The gentleman from Cape Elizabeth, Mr. Philbrick, has asked for a division. Those in favor of the motion of the gentleman from Biddeford, Mr. Donahue, will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

Twenty voting in the affirmative and 107 in the negative, the motion to indefinitely postpone did not prevail.

On motion by Mr. Ellis of Rangeley, the Memorial was adopted in concurrence.

Orders

Mr. Viles of Augusta, presented the following order and moved its passage:

Ordered, the Senate concurring, that a survey be made under the direction of the State Purchasing Agent, the State Controller and the State Budget Officer to ascertain the extent to which wood may be used as fuel in all State-controlled plants; and

Be it further Ordered, that the Director of the State Experiment Station at Orono conduct experiments to determine the feasibility of the use of wood for fuel with modern combustion methods and report his findings to the aforementioned officials; and

Be it further Ordered, that if such investigation indicates the practicability of using wood as fuel, those in control of the purchase of fuel supplies from State funds shall be directed to use it wherever practicable to do so.

On motion by Mr. Ellis of Rangeley, a viva voce vote being taken, the order was tabled pending passage.

On motion by Mr. Prince of Detroit, it was

Ordered, that there be printed

five hundred additional copies of House Paper 64, Legislative Document 28, bill an act regulating labeling of fresh eggs for sale.

Reports of Committees

Mr. Paul from the Committee on Legal Affairs reported ought to pass on bill an act validating the tax assessment in Mason (H. P. No. 190) (L. D. No. 82)

Mr. Seabury from the Committee on Salaries and Fees reported same on bill an act increasing the amount paid for clerk hire in the office of Clerk of Courts in Knox County (H. P. No. 200) (L. D. No. 69)

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

Passed To Be Engrossed

(H. P. No. 501) (L. D. No. 149)
An act relative to open season on fur-bearing animals.

(On motion of Mr. Larrabee of West Bath, the bill was tabled pending third reading.)

Passed To Be Enacted

(S. P. No. 58) (L. D. No. 38) Resolve prohibiting the confining and keeping of wild birds and animals for exhibition purposes along roadsides within Hancock County.

Orders of the Day

Unanimous consent being granted, Mrs. Latno of Old Town, addressed the House as follows:

Mr. Speaker and Members of the House: I wish to express my sincere thanks for your contributions of sweets and flowers that you have given me in recognition of my services in your behalf. (Applause) Mr. Speaker, I wish to give notice that tomorrow morning I shall introduce an order repealing Rule 25 of the House Rules.

The SPEAKER: The lady from Old Town, Mrs. Latno, gives notice of her intention to introduce tomorrow morning an order to repeal Rule 25 of the House Rules. The House hears the notice of the lady from Old Town and it will be entered on the Journal.

On motion by Mr. Colby of Paris, Adjourned until tomorrow morning at ten o'clock.