

# 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**

Wednesday, February 10, 1937.

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

Prayer by the Rev. Mr. Gessner of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

S. P. 113, L. D. 125: An act amending the borrowing provisions of the charter of the city of Bangor.

S. P. 112, L. D. 124: An act authorizing the city of Bangor to finance municipal reconstruction.

S. P. 79, L. D. 79: An act to empower the town of Wilton to raise money for the enlarging and remodeling of the building known as Wilton Academy.

S. P. 78, L. D. 80: An act to enlarge the powers of the trustees of Wilton Academy.

From the Senate: Report of the committee on Inland Fisheries and Game reporting ought to pass on bill an act relative to keeping in captivity animals wild by nature, S. P. 66, L. D. 45.

Comes from the Senate, report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

In the House, the bill had its two several readings and Senate Amendment A was read by the Clerk. Senate Amendment A was then adopted in concurrence, and tomorrow assigned for the third reading of the bill as amended.

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 reimbursing the town of Stonington for support of Harry Taylor (H. P. No. 1137) (Presented by Mr. Barter of Stonington)

Resolve reimbursing the town of Stonington for support of Maynard Haskell (H. P. No. 1138) (Presented by same gentleman)

Resolve in favor of J. T. Kelleher & Son, Bangor (H. P. No. 1139) (Presented by Mr. Brown of Bangor)

Resolve to reimburse the town of Dexter for support of Everett Hartford and family (H. P. No. 1140) (Presented by Mr. Cambridge of Westfield)

Resolve in favor of Raymond R. Hobbs of Kittery (H. P. No. 1141) (Presented by Mr. Cole of Kittery)

Resolve in favor of Ludger Doiron of Chisholm in the town of Jay (H. P. No. 1142) (Presented by Mr. Dow of Jay)

Resolve in favor of L. M. Longley & Son of Norway (H. P. No. 1143) (Presented by same gentleman)

Resolve in favor of A. B. Hagerthy M. D. of Ashland (H. P. No. 1144) (Presented by Mr. Ellis of Castle Hill)

Resolve in favor of George K. Munsey (H. P. No. 1145) (Presented by Mr. Haley of So. Bristol)

Resolve to reimburse the town of Otisfield for support of Phillip Wilbur (H. P. No. 1146) (Presented by Mr. Haskell of Windham)

Resolve to reimburse the town of Oakland for support of Reuben H. Carter and wife (H. P. No. 1147) (Presented by Mr. Martin of Oakland)

Resolve to reimburse the town of Wayne for support of the family of Nathan Handy (H. P. No. 1148) (Presented by Mr. Newton of Readfield)

Resolve in favor of Emery L. Hussey of Waldo (H. P. No. 1149) (Presented by Mr. Payson of Brooks)

Resolve reimbursing the town of Jackson (H. P. No. 1150) (Presented by same gentleman)

Resolve to reimburse the town of Palmyra for support of George J. Corron and family (H. P. No. 1151) (Presented by Mr. Prince of Detroit)

Resolve in favor of George L. Hall of Rockwood (H. P. No. 1152) (Presented by Mr. Robinson of Bingham)

Resolve to reimburse the town of Caribou for support of Lewis R. Cowett (H. P. No. 1153) (Presented by Mr. Russ of Caribou)

Resolve to reimburse the town of Caribou for support of paupers (H. P. No. 1154) (Presented by same gentleman)

Resolve in favor of Mrs. Gilbert Grant of Columbia Falls (H. P. No. 1155) (Presented by Mr. Tabbut of Columbia Falls)

Resolve to reimburse the town of

Monticello for hospital treatment for Mrs. William S. Cowperthwaite (H. P. No. 1156) (Presented by Mrs. Weed of Monticello)

Resolve to reimburse the town of Monticello for support of Mrs. Benjamin P. Howe (H. P. No. 1157) (Presented by same member)

#### **Inland Fisheries and Game**

An act relating to trapping season for fur-bearing animals (H. P. No. 1158) (Presented by Mr. Ellis of Castle Hill)

(500 copies ordered printed.)

An act relating to closed time on deer in Cumberland and Lincoln Counties (H. P. No. 1159) (Presented by Mr. Haley of So. Bristol)

(500 copies ordered printed.)

An act relating to trapping in certain sections of York County (H. P. No. 1160) (Presented by Mr. Varney of Berwick)

(500 copies ordered printed.)

Resolve closing the fishway at Gardners Lake (H. P. No. 1161) (Presented by Mr. Dennison of E. Machias)

Resolve for screening Greeley Pond, commonly called Torsey Pond, in the towns of Readfield and Mt. Vernon (H. P. No. 1162) (Presented by Mr. Newton of Readfield)

#### **Judiciary**

An act relating to absent voting (H. P. No. 1163) (Presented by Mr. Russell of Gray)

(500 copies ordered printed.)

An act authorizing the relief of persons and corporations by suspending attachment on execution sale and mortgage foreclosure proceedings which may work unjust hardship (H. P. No. 1164) (Presented by Mr. Wilkes of Portland)

(500 copies ordered printed.)

#### **Legal Affairs**

An act relating to contracts for care of poor (H. P. No. 1165) (Presented by Mr. Higgins of Ellsworth by request)

(500 copies ordered printed.)

An act relating to the termination of organization of towns or plantations (H. P. No. 1166) (Presented by Mr. McGlauffin of Portland)

(500 copies ordered printed.)

An act to legalize entertainments of certain organizations on Sunday (H. P. No. 1167) (Presented by Mr. Wilkes of Portland)

(500 copies ordered printed.)

#### **Library**

Resolve for the purchase of the History of the towns of Madison and

Anson (H. P. No. 1168) (Presented by Mr. Thorne of Madison)

#### **Pensions**

Resolve providing for a State pension for John T. Moulton of Augusta (H. P. No. 1169) (Presented by Mr. Fellows of Augusta)

Resolve providing for a State pension for Sarah A. Ferguson of Hallowell (H. P. No. 1170) (Presented by Mr. Keller of Hallowell)

Resolve providing for a State pension for Stephen Gage of Oakland (H. P. No. 1171) (Presented by Mr. Martin of Oakland)

Resolve providing for a State pension for A. G. Bohn of Thorndike (H. P. No. 1172) (Presented by Mr. Payson of Brooks)

Resolve providing for a State pension for Bert Penny of Unity (H. P. No. 1173) (Presented by same gentleman)

Resolve providing for a State pension for Albert N. Hillman of Unity (H. P. No. 1174) (Presented by same gentleman)

Resolve providing for a State pension for Jennie A. Brown of Detroit (H. P. No. 1175) (Presented by Mr. Prince of Detroit)

#### **Salaries and Fees**

An act relating to the salary of Judge of Probate of York County (H. P. No. 1176) (Presented by Mr. Cole of Kittery)

(500 copies ordered printed.)

An act relating to Recorders of Municipal Courts (H. P. No. 1177) (Presented by Mr. Mosher of Farmington by request)

(500 copies ordered printed.)

An act relating to mileage compensation for county officials (H. P. No. 1178) (Presented by same gentleman by request)

(500 copies ordered printed.)

Resolve authorizing compensation for Paul F. Fitzpatrick of Gardiner (H. P. No. 1179) (Presented by Mr. Harriman of Gardiner)

(500 copies ordered printed.)

#### **Sea and Shore Fisheries**

Resolve relating to the taking of clams in Bar Harbor (H. P. No. 1180) (Presented by Mr. Hodgkins of Bar Harbor)

(500 copies ordered printed.)

Resolve relating to taking of shellfish and worms within the limits of the towns of Yarmouth, North Yarmouth and Cumberland (H. P. No. 1181) (Presented by Mr. Seabury of Yarmouth)

(500 copies ordered printed.)

### State Lands and Forest Preservation

Resolve granting authority to the Forestry Department to sell certain land (H. P. No. 1182) (Presented by Miss Smith of Van Buren)  
(500 copies ordered printed.)

### Taxation

An act relating to the gasoline tax (H. P. No. 1183) (Presented by Mr. Fellows of Augusta by request)  
(500 copies ordered printed.)

### Orders

Mr. Ellis of Rangeley presented the following order and moved its passage:

Ordered, the Senate concurring, that notwithstanding joint orders now in effect, that all resolves and public acts, data for which shall be in the hands of the Revisor of Statutes on or before four P. M. February 11th, 1937, shall be received in the same manner as if received before four P. M. February 11th, 1937; and be it further

Ordered, that the said Revisor shall file a list of the titles of the resolves and public acts, the date for which is in his hands at that time, with the Secretary of the Senate and the Clerk of the House.

The order received passage and was sent up for concurrence.

Mrs. Latno of Old Town, presented the following order:

Ordered, that Rule 25 "Smoking is prohibited in the hall of the House of Representatives while the House is in session" is hereby repealed.

On motion by Mrs. Latno the above order was referred to the committee on Rules and Business of the House.

### Passed To Be Engrossed

(H. P. No. 190) (L. D. No. 82) An act validating the tax assessment in Mason

(H. P. No. 200) (L. D. No. 69) An act increasing the amount paid for clerk hire in the office of Clerk of Courts in Knox County.

### Orders of the Day

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the fourteenth unassigned matter, joint order relative to use of wood as fuel in State-controlled plants, H. P. 1136, tabled by that gentleman February 9th pending passage; and on further motion by

the same gentleman the order received passage and was sent up for concurrence.

On motion by Mr. Noyes of Franklin, the House voted to reconsider its action of yesterday whereby S. P. 163, L. D. 243, resolve appropriating monies for relief of towns in Hancock-Sullivan Bridge District was referred to the committee on Appropriations and Financial Affairs; and on further motion by the same gentleman the resolve was referred to the committee on Ways and Bridges in non-concurrence.

On motion by Mr. Woodbury of Morrill, it was voted to take from the table the fifth unassigned matter bill an act providing for the exemption from taxation of certain farm animals, H. P. 899, L. D. 312, tabled by that gentleman February 4th pending reference to a committee.

Mr. WOODBURY: Mr. Speaker, this bill provides for exemption from taxation of certain farm animals, and particularly aids in promoting the raising of horses for use in agriculture, and I now move that the bill be referred to the committee on Agriculture.

The motion prevailed and the bill was so referred.

On motion by Mr. Stilphen of Dresden, it was voted to take from the table the 11th unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on bill an act relative to damage by deer and moose, H. P. 289, L. D. 92, tabled by that gentleman February 4th pending acceptance of report; and on further motion by the same gentleman the ought to pass report of the committee was accepted.

Thereupon, the rules were suspended, and this being a printed bill, it was given its two several readings and tomorrow assigned.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the sixth unassigned matter, House report ought to pass in new draft of the committee on Inland Fisheries and Game on resolve relative to fishing in Pushaw Stream, H. P. 73, L. D. 29, new draft H. P. 901, tabled by that gentleman February 4th pending acceptance of the report.

Mr. NOYES: Mr. Speaker, on February 4th I tabled several bills com-

ing from our committee, I having found in the meantime that we will be able to save considerable time and money by reporting in bills of a more or less controversial nature in a consolidated report; and I now move that this bill be recommitted to the committee on Inland Fisheries and Game.

The motion prevailed and the resolve and accompanying report were recommitted to the committee on Inland Fisheries and Game.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the seventh unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on resolve relating to fishing in Rolfe Brook, H. P. 361, tabled by that gentleman on February 4th pending acceptance of the report; and on further motion by the same gentleman the resolve and accompanying report were recommitted to the committee on Inland Fisheries and Game.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the eighth unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on resolve relating to fishing in Little Sebago Lake, H. P. 362, tabled by that gentleman on February 4th pending acceptance of the report; and on further motion by the same gentleman the resolve and accompanying report were recommitted to the committee on Inland Fisheries and Game.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the ninth unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on resolve relating to fishing in Bartlett Brook, H. P. 360, tabled by that gentleman on Feb-

ruary 4th pending acceptance of the report; and on further motion by the same gentleman the resolve and accompanying report were recommitted to the committee on Inland Fisheries and Game.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the tenth unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on resolve opening Mill Pond and Great Pond to ice fishing, H. P. 358, tabled by that gentleman on February 4th pending acceptance of the report; and on further motion by the same gentleman the resolve and accompanying report were recommitted to Inland Fisheries and Game.

On motion by Mr. Noyes of Franklin, it was voted to take from the table the twelfth unassigned matter, House report ought to pass of the committee on Inland Fisheries and Game on resolve relative to fishing in Clemons Pond, H. P. 184, L. D. 64, tabled by that gentleman on February 4th pending acceptance of the report; and on further motion by the same gentleman the resolve and accompanying report were recommitted to the committee on Inland Fisheries and Game.

The SPEAKER: The Chair will name on the part of the House on the joint select committee created to transmit the M morial passed yesterday to the Congress of the United States the gentleman from Rangeley, Mr. Ellis, and the gentleman from Madison, Mr. Thorne.

On motion by Mr. Cushing of Freeport,

Adjourned until ten o'clock tomorrow morning.