

# 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 24, 1937.

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

Prayer by the Rev. Mr. Akeley 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. 146, L. D. 173: An act relative to hunting and fishing licenses, resident and non-resident.

S. P. 144, L. D. 171: An act relative to non-resident licenses.

S. P. 230, L. D. 401: An act relating to junior guides.

S. P. 173, L. D. 248: An act to close hunting in certain territory in Sagadahoc County to be known as the "Old Mill Pond Game Preserve" in Phippsburg.

S. P. 212, L. D. 284: An act relative to guides' licenses.

The following bills transmitted by the Revisor of Statutes pursuant of Joint Order were received and referred to the following committees:

**Judiciary**

An act to provide for method of enforcement of personal property tax liens (H. P. No. 1641) (Presented by Mr. Phair of Caswell)  
(500 copies ordered printed.)

**Taxation**

An act defining, regulating and taxing games of skill (H. P. No. 1642) (Presented by Mr. Payson of Brooks)

(On motion by Mr. Hinckley of South Portland, tabled pending reference to a committee and 1000 copies ordered printed.)

An act to tax coin vending machines and to make legal the leasing, possession and operation of the same (H. P. No. 1643) (Presented by same gentleman)

(On motion by Mr. Hinckley of South Portland, tabled pending reference to a committee and 1000 copies ordered printed.)

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

**Appropriations and Financial Affairs****and Sea and Shore Fisheries**

Petition of 225 citizens of Vinalhaven in favor of appropriation for Lobster Rearing Station (H. P. 1644) (Presented by Mr. Sleeper of Rockland)

**Taxation**

Remonstrance of William E. McPhee and others of Old Town against enactment of any legislation which will impose a tax on admissions (H. P. 1645) (Presented by Mrs. Latno of Old Town)

Remonstrance of George E. Nichols of Lincolnville and 46 others against any increase in the gasoline tax (H. P. No. 1646) (Presented by Mr. Dwinal of Camden)

Remonstrance of 87 citizens of Solon against same (H. P. No. 1647) (Presented by Mr. Thorne of Madison)

The Chair laid before the House the following two matters:

Resolution of the Maine Association of Agricultural Fairs against legalizing dog and running races for Maine fairs (H. P. No. 1648)

Was referred to the Committee on Legal Affairs and sent up for concurrence.

Resolution of Convention of the Townsend Clubs of the First District in favor of memorializing Congress to enact a law adopting the Townsend Plan (H. P. No. 1649)

(On motion by Mr. Ellis of Rangeley, the resolution was referred to the committee on Federal Relations.)

**Reports of Committees**

Mr. Davis from the Committee on Inland Fisheries and Game on bill an act relative to the suspension and revocation of hunting and fishing licenses (H. P. No. 448) (L. D. No. 131) reported ought not to pass as covered by other legislation.

Mr. Hascall from same Committee reported same on resolve relative to fishing in Snake Pond (H. P. No. 613)

Same gentleman from same Committee reported same on resolve relative to fishing in Parlin Pond (H. P. No. 614)

Mr. Payson from the Committee on Pensions on resolve providing for a State pension for Willie Irving Wood of Belfast reported leave granted to withdraw. (H. P. 138)

Same gentleman from same Committee reported same on resolve granting teacher's pension to Orrie

Thistlewood Palmer of East Machias (H. P. No. 482)

Mr. Richardson from the Committee on Sea and Shore Fisheries on report and recommendations of the Commission on the Revision of Laws Relating to the Protection of Ground Fish, covering study and discussions of the period from 1935 to January 1st, 1937 (H. P. No. 62) (L. D. No. 26) reported that same be accepted and placed on file.

Mr. Findlen from the Committee on Agriculture reported ought not to pass on bill an act to amend an act for the protection from "Bangs Disease" (H. P. No. 110) (L. D. No. 48)

Mr. Boothby from the Committee on Inland Fisheries and Game reported same on resolve opening Wayne Pond to ice fishing on Sundays (H. P. No. 461)

Same gentleman from same Committee reported same on resolve relative to fishing in Youngs or Lost Pond (H. P. No. 1007)

Mr. Noyes from same Committee reported same on bill an act relating to foxes (H. P. No. 186) (L. D. No. 65)

Mr. Bird from the Committee on Judiciary reported same on bill an act relating to trustee process and attachments (H. P. No. 879) (L. D. No. 280)

Mr. Hinckley from same Committee reported same on bill an act relating to divorce (H. P. No. 881) (L. D. No. 268)

Mr. McGlauffin from same Committee reported same on bill an act relating to bastardy proceedings (H. P. No. 677) (L. D. No. 221)

Reports read and accepted and sent up for concurrence.

Mr. Philbrick from the Committee on Judiciary reported ought not to pass on bill an act relating to date of the general election (H. P. No. 674) (L. D. No. 219)

(On motion by Mrs. Thurston of Bethel, the bill and report were tabled pending acceptance of the report.)

Mr. Philbrick from Committee on Judiciary reported ought not to pass on resolve proposing an amendment to the Constitution changing the date of the general election (H. P. No. 678) (L. D. No. 222)

(On motion by Mrs. Thurston of Bethel, the bill and report were tabled pending acceptance of the report.)

Mr. Thorne from the Committee on Judiciary reported ought not to

pass on bill an act to require city and town treasurers and tax collectors to be bonded by a surety company (H. P. No. 619) (L. D. No. 188)

Mr. Weatherbee from same Committee reported same on bill an act relating to offenses against habitations and other buildings (H. P. No. 876) (L. D. No. 307)

Reports read and accepted and sent up for concurrence.

Mr. Weatherbee from the Committee on Judiciary reported ought not to pass on bill an act relative to judgments against real estate (H. P. No. 618) (L. D. No. 200)

(On motion by Mr. Stoddard of Eastport, bill and report were tabled pending acceptance of the report.)

Mr. Churchill from the Committee on Salaries and Fees reported ought not to pass on bill an act relating to the salary of the recorder of the Old Town Municipal Court (H. P. No. 891) (L. D. No. 274)

(On motion by Mrs. Latno of Old Town, the bill and report tabled pending acceptance of the report.)

Mr. Fernald from the Committee on Salaries and Fees reported ought not to pass on bill an act relating to the salary of the Judge of the Old Town Municipal Court (H. P. No. 892) (L. D. No. 275)

(On motion by Mrs. Latno of Old Town, the bill and report were tabled pending acceptance of the report.)

Mr. Fernald from the Committee on Salaries and Fees reported ought not to pass on bill an act relating to compensation of the Court Attorney of Penobscot (H. P. No. 5) (L. D. No. 3)

(On motion by Mr. Churchill of Brewer, the bill and report were tabled pending acceptance of the report.)

Mr. Seabury from the Committee on Salaries and Fees reported ought not to pass on bill an act to increase the amount to be paid for clerk hire in the office of Register of Deeds in Penobscot County (H. P. No. 124) (L. D. No. 56)

(On motion by Mr. Churchill of Brewer, the bill and report were tabled pending acceptance of the report.)

Mr. Richardson from the Committee on Pensions on resolve in favor of Ernest R. Woodbury of Saco (H. P. No. 1023) reported that same be referred to the Committee on Education.

Report read and accepted and the

resolve referred to the Committee on Education and sent up for concurrence.

#### First Reading of Printed Resolves

(H. P. No. 172) (L. D. No. 770) Resolve in favor of John S. Nelson, Representative of the Penobscot Tribe of Indians.

(H. P. No. 850) (L. D. No. 771) Resolve in favor of William Sockabesin, Representative of the Passamaquoddy Tribe of Indians.

#### Passed to be Engrossed

(S. P. No. 261) (L. D. No. 425) An act relating to compensation of Reporter of Decisions.

(S. P. No. 304) (L. D. No. 507) An act relating to motor vehicles.

(H. P. No. 202) (L. D. No. 71) An act requiring all resident fishermen of ground fish to obtain licenses.

(H. P. No. 204) (L. D. No. 73) An act to prohibit non-residents from taking ground fish for commercial purposes.

(H. P. No. 206) (L. D. No. 75) An act to regulate the size of mesh in nets used by beam trawlers.

(H. P. No. 604) (L. D. No. 196) An act relating to the duties and functions of the Maine State Poultry Association and the Androscoggin Poultry and Pet Stock Association.

(H. P. No. 1630) (L. D. No. 763) An act relating to the Register of Deeds for the county of Knox.

(H. P. No. 1631) (L. D. No. 767) An act relating to an Interstate Bridge Authority for the Portsmouth - Kittery Bridge and approaches thereto.

(H. P. No. 1632) (L. D. No. 764) An act relating to Penobscot County Court House.

(Tabled by Mr. Leonard of Hampden, pending passage to be engrossed.)

(H. P. No. 1633) (L. D. No. 765) An act relating to State Board of Arbitration.

(S. P. No. 93) (L. D. No. 508) Resolve granting authority to the Forestry Department to sell certain land.

(S. P. No. 185) (L. D. No. 287) Resolve changing the name of North Peaks on Mount Katahdin to Howe Peaks and naming Thoreau Spring on said mountain.

(H. P. No. 81) (L. D. No. 36) Resolve relating to taking of clams in Harrington.

(H. P. No. 201) (L. D. No. 70) Resolve relating to lobster fishing in Winter Harbor.

(H. P. No. 308) (L. D. No. 96) Resolve relating to the taking of clams within the town of Islesboro.

#### Passed to be Enacted

(S. P. No. 68) (L. D. No. 285) An act changing the name of Oak Grove Seminary to Oak Grove School.

(S. P. No. 107) (L. D. No. 119) An act relating to the regrouping of School Unions.

(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.

(H. P. No. 289) (L. D. No. 92) An act relative to damage by deer and moose.

(H. P. No. 295) (L. D. No. 89) An act relating to cheating by false pretenses.

(H. P. No. 363) (L. D. No. 108) An act relating to the Araxine Wilkins Sawyer Foundation.

(H. P. No. 376) (L. D. No. 113) An act to amend the charter of the Quebec Extension Railway Company.

(H. P. No. 377) (L. D. No. 114) An act to extend the charter of the Quebec Extension Railway Company.

(H. P. No. 468) (L. D. No. 135) An act relating to divorce.

(H. P. No. 470) (L. D. No. 160) An act relating to complaint in cases of neglect to children.

(H. P. No. 489) (L. D. No. 141) An act to consolidate the Houlton Water Company and the Houlton Sewerage Company and for other purposes.

(H. P. No. 490) (L. D. No. 142) An act relating to the regulation of wires.

(H. P. No. 491) (L. D. No. 143) 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.

#### Finally Passed

(S. P. No. 63) (L. D. No. 43) Resolve in favor of Harry C. Libby of Portland.

(S. P. No. 136) (L. D. No. 175) Resolve authorizing the Forest Commissioner to convey certain interests of the State in a certain lot of land to the Augusta Trust Company.

(S. P. No. 137) (L. D. No. 167) Resolve authorizing the Forest Commissioner to convey certain interests of the State in a certain lot of land to Elmer E. Newbert, Trustee.

(H. P. No. 311) (L. D. No. 99) Resolve granting authority to the For-

estry Department to sell certain land.

#### (Constitutional Amendment)

H. P. 365, L. D. 109: Resolve proposing an amendment to the Constitution to provide for longer residence to qualify as a voter.

The SPEAKER: This is a resolve proposing an amendment to the Constitution, and as such it requires for its passage the affirmative vote of two-thirds of the members present. As many as are in favor of the final passage of this resolve will rise and remain standing until counted and the monitors will make and return the count.

A division being had,

One hundred and forty-one voting in the affirmative and none in the negative, 141 being more than two-thirds of the members present, the resolve was finally passed.

#### Orders of the Day

Mr. McGLAUFILIN of Portland: Mr. Speaker, I wish to move reconsideration of Item 6 on yesterday's calendar, being House Paper 447, Legislative Document 151, bill relating to possession of firearms or fishing tackle. I would like to say regarding this matter that my at-

tention has been called by a gentleman from Alna (Mr. Carleton) to the effect that if this bill goes through, a farmer would not be able to shoot a crow on his own land without being liable to a penalty. I also find it conflicts with another passage in the statute. Therefore I ask for a reconsideration.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the House reconsider its action of yesterday whereby House Paper 447, Legislative Document 151, bill an act relative to possession of firearms or fishing tackle, was passed to be engrossed. Is the House ready for the question? Those in favor of the motion of the gentleman from Portland, Mr. McGlaufflin, that the House reconsider the passage of this bill to be engrossed will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

On further motion by Mr. McGlaufflin, the bill was tabled pending passage to be engrossed.

On motion by Mr. Coolidge of Livermore,

Adjourned until ten o'clock tomorrow morning.