

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, March 31, 1937.

Senate called to order by the President.

Prayer by the Rev. E. J. Webber of Hallowell.

Journal of yesterday, read and approved.

At this point the Senator from Somerset, Senator Cook, was escorted to the Chair, the President retiring.

Papers from the House disposed of in concurrence.

From the House:

Bill "An Act Relating to Uniforms for Deputy Sheriffs." (S. P. 454) (L. D. 849)

(In Senate on March 26th passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, under suspension of the rules that Body voted to reconsider its former action taken on March 26th whereby the bill was passed to be engrossed, House Amendment "A" was read and adopted in concurrence, and the bill as amended by House Amendment "A" was passed to be engrossed in concurrence.

House Bills in First Reading

Bill "An Act Relating to Transportation of Game" (H. P. 1075) (L. D. 342), in new draft (H. P. 1769) (L. D. 890).

Bill "An Act Relating to Bounty on Bears" (H. P. 351) (L. D. 106), in new draft, (H. P. 1767) (L. D. 893).

(On motion by Mr. Worthen of Penobscot, tabled pending acceptance of the report in concurrence.)

From the House:

The Committee on Legal Affairs, on bill, "An Act Regarding Penalty for Depositing Poisons with Intent to Kill Animals," (H. P. 1548) (L. D. 683) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendments "A" and "B".

In the Senate, the report of the committee was accepted in concur-

rence and the bill given its first reading. House Amendment "A" was read and adopted in concurrence. House Amendment "B" was read.

Thereupon, on motion by Miss Martin of Penobscot, the bill and amendments were laid upon the table pending the adoption of House Amendment "B" in concurrence.

From the House:

The Committee on Inland Fisheries and Game on "Resolve Relating to Ice Fishing in Eagle Lake and St. Froid Lake in Aroostook County," (H. P. 863) (L. D. 854) reported that the same ought not to pass.

(In Senate on March 29th, report of the committee accepted in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was substituted for the report and passed to be engrossed, and now asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Mr. Brown of Eagle Lake, Mr. Sleeper of Rockland, Mr. Brown of Bangor.

In the Senate, on motion by Mr. Worthen of Penobscot, that Body voted to insist and join with the House in the Committee of Conference.

The PRESIDENT pro tem: The President will announce the members of the Committee of Conference on the part of the Senate at a later time.

Subsequently the President announced as members of such committee on the part of the Senate, the Senator from Penobscot, Senator Worthen; the Senator from Somerset, Senator Cook; the Senator from Aroostook, Senator Ashby.

Reports of Committees

Mr. Tompkins from the Committee on Temperance on Bill "An Act Relating to Intoxicating Liquor," (S. P. 371) (L. D. 619) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Miss Martin from the Committee on Legal Affairs on Bill "An Act Relating to the Charter of the City

of Waterville," (S. P. 249) (L. D. 780) reported the same in a new draft (S. P. 478) under the same title, and that it ought to pass.

Mr. Tompkins from the Committee on Temperance on Bill "An Act Relating to Malt Liquors," (S. P. 296) (L. D. 490) reported the same in a new draft (S. P. 479) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills laid upon the table for printing under the joint rules.

Mr. Goudy from the Committee on Legal Affairs on Bill "An Act Relative to Racing Commission," (S. P. 487) (L. D. 250) reported that the same ought to pass.

Which report was read and accepted, the bill read once, and tomorrow assigned for second reading.

Mr. Fernald from the Committee on Judiciary on bill "An Act Relating to Motor Vehicles," (S. P. 237) (L. D. 380) reported that the same ought not to pass.

Mr. Willey from the same Committee on bill "An Act Relating to New Trials and Vacating Judgments," (S. P. 325) (L. D. 702) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

The same Senator from the same Committee on bill "An Act Relating to Reports to Towns of Excise Tax Payments," (S. P. 60) (L. D. 40) reported the same in a new draft (S. P. 480) under the same title, and that it ought to pass.

Which report was read and accepted, and the bill laid upon the table for printing under the joint rules.

The same Senator from the same Committee on bill "An Act Relating to the Practice of Law," (S. P. 240) (L. D. 387) reported that the same ought to pass.

Which report was read and accepted, the bill read once, and tomorrow assigned for second reading.

Mr. Hussey from the Committee on Appropriations and Financial Affairs, on bill "An Act to Appropriate Moneys for the Expenditures of State Government and for other Purposes for the Fiscal Years Ending June 30, 1938, and June 30th, 1939," (S. P. 164) (L. D. 242) reported the same in a new draft (S. P.

481) under the same title, and that it ought to pass.

The report of the committee was accepted.

Thereupon, on motion by Mr. Hussey of Kennebec, the bill was laid upon the table pending printing of the new draft.

Mr. WILLEY of Cumberland: Mr. President, I move that 500 copies of the bill be printed.

The motion prevailed.

Passed to be Engrossed

"Resolve Relating to an Official Song for the State of Maine." (H. P. 120) (L. D. 54)

"Resolve Relating to the Taking of Clams Within the Town of Pembroke." (H. P. 704) (L. D. 872)

"Resolve Relating to the Taking of Clams Within the Town of Robinston." (H. P. 706) (L. D. 873)

"Resolve Relating to the Taking of Clams Within the Town of Denysville." (H. P. 707) (L. D. 874)

"Resolve Relating to Atlantic Salmon Fishing in Certain Waters." (H. P. 895) (L. D. 875)

"Resolve Relating to Digging for Clams in Certain Waters." (H. P. 896) (L. D. 876)

"Resolve Relating to Taking of Clams in Milbridge." (H. P. 1121) (L. D. 877)

Bill "An Act Relating to Foxes and Raccoons." (H. P. 1263) (L. D. 456)

Bill "An Act Relating to Dogs Chasing Game or Killing or Attacking Domestic Animals." (H. P. 1739) (L. D. 844)

Bill "An Act Relating to Deputy Clerk of Courts in Penobscot County." (H. P. 1745) (L. D. 858)

Bill "An Act Providing for the Exemption from Taxation of Certain Farm Animals." (H. P. 1749) (L. D. 860)

Bill "An Act Relating to the Brunswick Municipal Court." (H. P. 1751) (L. D. 862)

"Resolve Relating to the Taking of Clams Within the Town of Perry." (H. P. 1752) (L. D. 878)

Bill "An Act Relating to Permits for Moving Heavy Objects over Ways and Bridges." (H. P. 1755) (L. D. 865)

Bill "An Act Relating to Operating Certain Vehicles on Roads and Bridges without Special Permit." (H. P. 1756) (L. D. 866)

Bill "An Act Relating to the Civil Jurisdiction of Municipal Courts." (H. P. 1757) (L. D. 867)

Bill "An Act Relating to Pauper

Settlements." (H. P. 1758) (L. D. 868)

Bill "An Act Relating to Pauper Expense." (H. P. 1759) (L. D. 869)

Bill "An Act Relating to the Board of Trustees of the Town of Hcdgdon School District." (H. P. 1760) (L. D. 870)

Which bills and resolves were severally read a second time, and passed to be engrossed in concurrence.

Bill "An Act Relating to Fraternal Beneficiary Societies." (S. P. 111) (L. D. 123)

Which bill was read a second time and passed to be engrossed.

Sent down for concurrence.

Passed to be Enacted

"An Act Relating to the Water Supply of Boothbay Harbor." (S. P. 207) (L. D. 293)

"An Act Confirming the Action of the Town of Cranberry Isles in Taking over a Certain Wharf and Authorizing the Raising and Expending of Moneys for Maintenance of Same." (S. P. 247) (L. D. 383)

"An Act to Extend the Charter of the Vanceboro Water Company." (S. P. 251) (L. D. 346)

"An Act to Extend the Charter of the Patten Water and Power Company." (S. P. 252) (L. D. 394)

"An Act Relating to Loan and Building Associations." (S. P. 272) (L. D. 779)

"An Act Regulating Pledge of Assets by Trust Companies." (S. P. 307) (L. D. 514)

"An Act Regulating the Labeling of Fresh Eggs for Sale." (H. P. 64) (L. D. 28)

"An Act Establishing the York Game Sanctuary in the Plantation of Dallas in the County of Franklin." (H. P. 606) (L. D. 197)

"An Act Relative to Game Preserve in Androscoggin County." (H. P. 607) (L. D. 198)

"An Act Relating to the Sullivan Water District." (H. P. 630) (L. D. 206)

"An Act Relating to North Yarmouth Academy." (H. P. 682) (L. D. 224)

"An Act Relating to the Old Town Water District." (H. P. 1114) (L. D. 323)

"An Act Relating to Removal of Obstructions at Grade Crossings by Municipal Officers or County Commissioners." (H. P. 1115) (L. D. 324)

"An Act Relating to Punishment

for Certain Offenses." (H. P. 1436) (L. D. 555)

"An Act Relating to Testing Computing Weights or Measures." (H. P. 1474) (L. D. 667)

"An Act to Amend the Law Relating to Industrial Banks Investments, and Loan and Building Associations." (H. P. 1480) (L. D. 527)

"An Act Relating to Savings Banks Investments." (H. P. 1481) (L. D. 528)

"An Act Validating Certain Acts of the Assessor of the Plantation of Caswell." (H. P. 1670) (L. D. 802)

"An Act to Extend the Charter of the Bluehill Water Company." (H. P. 1672) (L. D. 804)

"An Act Relating to Hunting While Intoxicated or under the Influence of Drugs." (H. P. 1707) (L. D. 832)

(On motion by Mr. Willey of Cumberland the bill was laid upon the table pending passage to be enacted.)

Mr. WILLEY of Cumberland: Mr. President, I might say that my purpose in laying this bill on the table is that as it now reads it seems to give the municipal court, perhaps, sole jurisdiction. It might be considered to prevent an appeal being taken from a local trial justice or municipal court and I feel that adequate appeal clauses should be added to protect anyone accused.

"An Act Relating to the Incorporating of Cemeteries, and the Operation of Burying Grounds, Burial Structures, and the Disposal of Dead Human Bodies." (H. P. 1729) (L. D. 841)

The President resumed the Chair, Senator Cook retiring amidst the applause of the Senate.

Orders of the Day

Mr. KENNEDY of Hancock: Mr. President, out of order and under suspension of the rules, I ask unanimous consent to present a resolve. If you desire, I will explain my reason.

The PRESIDENT: The Senator may give his reason at this time.

Mr. KENNEDY: Mr. President, during the early part of this session it became my sad duty to inform you of the death at his home in Lamoine of the Honorable J. Sherman Douglas. Mr. Douglas had long been a highly respected citizen of Lamoine, and as chairman of the board of selectmen had di-

rected the affairs of the town for many years. Mr. Douglas has also served his state and the county of Hancock with distinction, in both branches of the legislature,—in the House during the Eighty-first and in the Senate during the Eighty-third and Eighty-fourth legislatures. As many of you know, he was deeply interested in Maine publicity. Indeed, it has been said that he was the father of publicity in this state. The last illness of Mr. Douglas extended over a period of over three years and during that time he often expressed a desire to perpetuate his memory in his home town.

We have a section of state highway in Lamoine seven and one-half miles in length, beginning at Route 1 in the town of Ellsworth and running nearly to Lamoine Beach, or Point, but ending at the Douglas home. His expressed desire was to have this section of the highway named the Douglas Highway. There would be no objection by the town of Lamoine to having this highway so designated, and I cannot see how there could be reasonable objection by the State of Maine. The route marking, Route 184, need not be disturbed. No change, therefore, need be made in road maps covering that section.

It is perhaps true that the late Mr. Douglas cannot now appreciate this proposed act, but the faithful companion who had been his helpmate for over 50 years could and would appreciate this honor to his memory.

The PRESIDENT: Before this resolve can be received, unanimous consent must be granted by the Senate. The Senator from Hancock, Senator Kennedy, asks unanimous consent of the Senate, out of order and under suspension of the rules, for the reception of "Resolve Designating a Certain Road as Douglas Highway."

Thereupon, out of order and under suspension of the rules, unanimous consent was granted for

the reception of the resolve, and the resolve was given its two several readings and passed to be engrossed without reference to a committee. Sent down for concurrence.

Order

(Out of Order)

From the House, out of order and under suspension of the rules:

"Ordered, the Senate concurring, that the House Committee on County Estimates be authorized to report recommendations for legislation regulating the financial affairs of the several counties, based on information secured at the hearings held by that committee, together with bills or resolves to carry into effect such recommendations. Any bill or resolve so reported shall be received and considered notwithstanding existing orders limiting the introduction of new measures."

In the House, read and passed.

In the Senate, read and passed in concurrence.

The PRESIDENT: We are proceeding under Orders of the Day.

On motion by Miss Martin of Penobscot, the Senate voted to take from the table, An Act Regarding Penalty for Depositing Poisons with Intent to Kill Animals (H. P. 1548) (L. D. 683), tabled by that Senator earlier in today's session pending adoption of House Amendment "B" in concurrence; and on further motion by the same Senator, House Amendment "B" was adopted in concurrence and the bill as amended by House Amendments "A" and "B", was tomorrow assigned for second reading.

The PRESIDENT: Is there any further business to come before the Senate?

On motion by Mr. Spear of Cumberland

Adjourned until tomorrow morning at ten o'clock.