

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, January 26, 1939.

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

Prayer by the Rev. Mr. Andrews of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

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

**Agriculture
Bill Tabled**

Bill "An Act relating to Lien on Potatoes" (H. P. 453) (Presented by Mr. McGillicuddy of Houlton)

(On motion by Mr. Burgess of Limestone, tabled pending reference to a committee, and 500 copies ordered printed)

**Appropriations and Financial
Affairs**

Bill "An Act for the Assessment of a State Tax for the year 1939 and the year 1940" (H. P. 465) (Presented by Mr. Hinman of Skowhegan)

(500 copies ordered printed)

Resolve in favor of Samuel J. Dana, Representative of the Passamaquoddy Tribe of Indians (H. P. 452) (Presented by Mr. Pike of Lubec)

Sent up for concurrence.

Claims

Resolve in favor of F. B. Shaw of Corinna (H. P. 454) (Presented by Mr. Brown of Corinna)

Resolve in favor of William N. Crosby of Bangor (H. P. 455) (Presented by Mr. Eddy of Bangor)

Resolve in favor of R. Garland Redman of Bucksport (H. P. 456) (Presented by Mr. Emery of Bucksport)

Resolve Reimbursing town of Carmel for Medical and Burial Expenses of Henry M. Damon (H. P. 457) (Presented by Mr. Fernald of Levant)

Resolve Reimbursing town of Dixmont for School Conveyance to State Pauper (H. P. 458) (Presented by same gentleman)

Resolve in favor of John R.

Kaneen of Skowhegan (H. P. 459) (Presented by Mr. Hinman of Skowhegan)

Resolve in favor of Edith Given of Windsor (H. P. 460) (Presented by Mr. Hussey of Windsor)

Resolve in favor of Evangeline P. Seaman (H. P. 461) (Presented by Mr. Lafleur of Portland)

Resolve in favor of Viola C. Penney of Auburn (H. P. 462) (Presented by Mr. Marshall of Auburn by request)

Resolve in favor of Carl Simpson of Auburn (H. P. 463) (Presented by same gentleman by request)

Resolve in favor of the town of Nobleboro (H. P. 464) (Presented by Mr. Stilphen of Dresden)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to the Transportation of Wild Hares and Rabbits in Hancock County" (H. P. 466) (Presented by Mr. Buzzell of Belfast by request)

(500 copies ordered printed)

Bill "An Act relating to Fishing for Pickerel in Hancock County" (H. P. 467) (Presented by Mr. Noyes of Franklin)

(500 copies ordered printed)

Bill "An Act relative to Fishing Licenses" (H. P. 468) (Presented by Mr. Pike of Bridgton)

(500 copies ordered printed)

Bill "An Act Creating the Auburn Game Preserve" (H. P. 469) (Presented by Mr. Winslow of Auburn)

(500 copies ordered printed)

Resolve Regulating Fishing in the Belgrade Chain of Lakes (H. P. 470) (Presented by Mr. Bacon of Sidney)

(500 copies ordered printed)

Resolve Regulating Fishing in Kokadjo River (H. P. 471) (Presented by Mr. Dean of Greenville)

(500 copies ordered printed)

Resolve relating to Fishing in Kenduskeag Stream (H. P. 472) (Presented by Mr. Eddy of Bangor)

(500 copies ordered printed)

Resolve Regulating Fishing in Certain Waters in Auburn (H. P. 473) (Presented by Mr. Winslow of Auburn)

(500 copies ordered printed)

Resolve relating to Fishing in Lower Springy Pond (H. P. 474) (Presented by Mr. DeBeck of Holden)

Resolve for Screening the East Outlet of Gardners Lake in East Machias in Washington County (H. P. 475) (Presented by Mr. Dennison of E. Machias)

Resolve relating to Fishing in Lily Lakes in Township 30 (H. P. 476) (Presented by Mr. Melanson of Cherryfield)

Resolve relating to Fishing in Pineos Ponds in Township 17 (H. P. 477) (Presented by same gentleman)

Resolve Closing Pike Brook Trout Pond in Township 18, N. D. to Fishing (H. P. 478) (Presented by same gentleman)

Resolve relating to Fishing in Schoodic Pond in Township 18 (H. P. 479) (Presented by same gentleman)

Resolve Opening Georges Pond in Hancock County to Ice Fishing for Pickerel (H. P. 480) (Presented by Mr. Noyes of Franklin)

Sent up for concurrence.

Interior Waters

Resolve authorizing the town of East Machias to Close the West Outlet of Gardners Lake (H. P. 481) (Presented by Mr. Dennison of E. Machias)

(500 copies ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act Making Illegal Contracts to Remit Certain Taxes" (H. P. 485) (Presented by Mr. Buzzell of Belfast by request)

(750 copies ordered printed)

Bill "An Act relating to the Enforcement of Executions against Towns and Cities" (H. P. 486) (Presented by Mr. Dow of Norway)

(750 copies ordered printed)

Bill "An Act relating to Pauper Settlements of Aliens" (H. P. 487) (Presented by Mr. Ellis of Fairfield)

(750 copies ordered printed)

Bill "An Act relating to Removal of Paupers" (H. P. 488) (Presented by Mr. Mills of Farmington)

(750 copies ordered printed)

Bill "An Act relating to Extension of Time for Collectors in Reporting Tax Sales to Treasurers and Clerks" (H. P. 489) (Presented by Mr. She-song of Portland)

(750 copies ordered printed)

Bill "An Act relating to Home-steads" (H. P. 492) (Presented by Mr. Bubar of Weston)

(500 copies ordered printed)

Bill "An Act relative to Liability of Collectors of Taxes" (H. P. 493) (Presented by Mr. Cowan of Portland)

(500 copies ordered printed)

Bill "An Act relating to Reference of Fire Insurance Claims" (H. P.

494) (Presented by Mr. Hinckley of So. Portland)

(500 copies ordered printed)

Bill "An Act relating to Civil Actions for Death" (H. P. 495) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act relating to Registration of Voters" (H. P. 496) (Presented by Mr. Lambert of Lewiston by request)

(500 copies ordered printed)

Bill "An Act relating to Political Advertisements at or Near Polling Places" (H. P. 497) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act relating to Notice to Parties in Interest in Probate Proceedings" (H. P. 498) (Presented by Mr. Marshall of Auburn by request)

(500 copies ordered printed)

Bill "An Act to Enable Party Conventions to Propose Candidates for Governor, U. S. Senator and Members of Congress to be Placed upon the Ballots at Direct Primary Elections" (H. P. 499) (Presented by Mr. McGlauffin of Portland)

(500 copies ordered printed)

Bill "An Act relative to Possession of Firearms in the Night-time" (H. P. 500) (Presented by Mr. Paul of Portland)

(500 copies ordered printed)

Bill "An Act relating to the Absent Voting Law" (H. P. 501) (Presented by Mr. Pelletier of Sanford)

(500 copies ordered printed)

Bill "An Act relating to Filing of Certificates of Nomination and Nomination Papers" (H. P. 502) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act relating to Pauper Settlements" (H. P. 503) (Presented by Mr. Winter of Kingfield)

(500 copies ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Set-offs against Taxes" (H. P. 482) (Presented by Mr. McGillicuddy of Houlton)

(750 copies ordered printed)

Bill "An Act relating to Assessment and Collection of Taxes" (H. P. 483) (Presented by Mr. Payson of Portland)

(750 copies ordered printed)

Bill "An Act relating to Collection of Poll Taxes" (H. P. 484) (Presented by Mr. Stilphen of Dresden)

(750 copies ordered printed)

Bill "An Act amending the Acts relating to the Deer Isle-Sedgwick

Bridge District" (H. P. 504) (Presented by Mr. Barter of Stonington) (500 copies ordered printed)

Bill "An Act to amend the Charter of the Belfast Municipal Court regarding Service and Return of Writs" (H. P. 505) (Presented by Mr. Buzzell of Belfast)

(500 copies ordered printed)

Bill "An Act to amend the Charter of the Belfast Municipal Court in regard to Name of Court and as to who shall provide a Suitable Room in which to Hold said Court" (H. P. 506) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act relative to Unexpended Balance of Appropriations of Municipalities" (H. P. 507) (Presented by Mr. Cowan of Portland)

(500 copies ordered printed)

Bill "An Act in relation to Appropriations Made by Cities and Towns" (H. P. 508) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act in relation to the Duties of Town Treasurer" (H. P. 509) (Presented by same gentleman)

(500 copies ordered printed)

Bill "An Act relating to the Charter of the city of Auburn" (H. P. 510) (Presented by Mr. Marshall of Auburn by request)

(500 copies ordered printed)

Sent up for concurrence.

Library

Resolve for the Purchase of One Hundred Copies of "A History of Education in Maine" (H. P. 511) (Presented by Mrs. Latno of Old Town)

Sent up for concurrence.

Motor Vehicles

Bill "An Act relating to Registration of Motor Vehicles" (H. P. 512) (Presented by Mr. Farrington of Augusta)

(500 copies ordered printed)

Sent up for concurrence.

Pensions

Resolve providing for a State Pension for Almon L. McDunnah of Knox (H. P. 434) (Presented by Mr. Bangs of Freedom)

Resolve providing for an Increase in State Pension for Bertha L. Freeman of Hermon (H. P. 435) (Presented by Miss Clough of Bangor)

Resolve providing for a State Pension for Mae Chandler Ward of Portland (H. P. 436) (Presented by Mr. Cowan of Portland by request)

Resolve providing for a State

Pension for Hattie F. Merry of Waldoboro (H. P. 437) (Presented by Miss Fowles of Whitefield)

Resolve providing for a State Pension for Flora A. Mank of Waldoboro (H. P. 438) (Presented by same member)

Resolve providing for an Increase in State Pension for Charles E. Walsh of Jefferson (H. P. 439) (Presented by same member)

Resolve providing for a State Pension for Artell Cookson of New-castle (H. P. 440) (Presented by same member)

Resolve providing for a State Pension for Nellie Flanders of Auburn (H. P. 441) (Presented by Mr. Marshall of Auburn)

Resolve providing for a State Pension for Ralph A. Smith of Bath (H. P. 442) (Presented by Mr. Miller of Bath)

Resolve providing for a State Pension for Fred E. White of Bath (H. P. 443) (Presented by same gentleman)

Resolve providing for a State Pension for Glendon Hardison of Franklin (H. P. 444) (Presented by Mr. Noyes of Franklin)

Resolve providing for a State Pension for Edith M. Cole of Sumner (H. P. 445) (Presented by Mr. Robinson of Peru)

Resolve providing for an Increase in State Pension for George H. Pottle of Gardiner (H. P. 446) (Presented by Mr. Slosberg of Gardiner)

Resolve providing for a State Pension for Cora Vesta Gaynor of Gardiner (H. P. 447) (Presented by same gentleman)

Resolve providing for a State Pension for Edward B. Leighton of Gardiner (H. P. 448) (Presented by same gentleman)

Resolve providing for a State Pension for Mildred B. Wadsworth of Gardiner (H. P. 449) (Presented by same gentleman)

Resolve providing for a State Pension for Fred E. Jones of Washington (H. P. 450) (Presented by Mr. Starrett of Warren)

Resolve providing for a State Pension for Donald Wilson of Bath (H. P. 451) (Presented by Mr. Tardif of Bath)

Sent up for concurrence.

Public Utilities

Bill "An Act to amend the Charter for the Gray Water District" (H. P. 513) (Presented by Mr. Chandler of Gray)

(500 copies ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to Clerk Hire in the Office of Sheriff of Androscoggin County" (H. P. 514) (Presented by Mr. Marshall of Auburn by request)

(500 copies ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Limiting the Catching of Crabs" (H. P. 515) (Presented by Mr. Arzonico of Yarmouth)

(500 copies ordered printed)

Resolve relating to Digging of Claims in Harrington (H. P. 516) (Presented by Mr. Melanson of Cherryfield)

(500 copies ordered printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Exemption from Taxation" (H. P. 490) (Presented by Mr. Bird of Rockland)

(750 copies ordered printed)

Bill "An Act Clarifying the Statute Defining Real Estate for Taxation Purposes" (H. P. 491) (Presented by Mr. Noyes of Franklin)

(750 copies ordered printed)

Bill "An Act relating to the License Fees of Travelling Circuses" (H. P. 517) (Presented by Mr. Dwinial of Camden by request)

(500 copies ordered printed)

Sent up for concurrence.

Towns

Bill "An Act relative to City and Town Records" (H. P. 518) (Presented by Mr. Burbank of Chelsea)

(500 copies ordered printed)

Bill "An Act relative to the Office of Town Auditor" (H. P. 519) (Presented by Mr. Cowan of Portland)

(500 copies ordered printed)

Bill "An Act relating to Municipal Elections in Bar Harbor (formerly town of Eden)" (H. P. 520) (Presented by Mr. Hodgkins of Bar Harbor)

(500 copies ordered printed)

Bill "An Act to Provide for the Surrender by Bigelow Plantation of its Organization" (H. P. 521) (Presented by Mr. Robinson of Bingham)

(500 copies ordered printed)

Bill "An Act to Provide for the Surrender by Milton Plantation of its Organization" (H. P. 522) (Presented by Mr. Colby of So. Paris)

(500 copies ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Gorham (H. P. 408) (Presented by Mr. Douglass of Gorham)

Resolve in favor of the town of Gorham (H. P. 409) (Presented by same gentleman)

Resolve in favor of the town of Thorndike (H. P. 410) (Presented by Mr. Farwell of Unity)

Resolve in favor of the town of Newcastle (H. P. 411) (Presented by Miss Fowles of Whitefield)

Resolve in favor of the town of Livermore Falls (H. P. 412) (Presented by Mr. Grua of Livermore Falls)

Resolve in favor of the town of Vassalboro (H. P. 413) (Presented by Mr. Hawes of Vassalboro)

Resolve in favor of the town of Pittston (H. P. 414) (Presented by Mr. Hussey of Windsor)

Resolve in favor of the town of Pittston (H. P. 415) (Presented by same gentleman)

Resolve in favor of the town of Canaan (H. P. 416) (Presented by Mr. Jewett of Ripley)

Resolve in favor of the town of Harmony (H. P. 417) (Presented by same gentleman)

Resolve in favor of the town of Cambridge (H. P. 418) (Presented by same gentleman)

Resolve in favor of the town of Clinton (H. P. 419) (Presented by Mr. Keene of Clinton)

Resolve in favor of the town of Deblois (H. P. 420) (Presented by Mr. Melanson of Cherryfield)

Resolve in favor of the town of Wells (H. P. 421) (Presented by Mr. Merrifield of Lebanon)

Resolve in favor of the town of Lebanon (H. P. 422) (Presented by same gentleman)

Resolve in favor of the town of North Berwick (H. P. 423) (Presented by same gentleman)

Resolve in favor of the town of Lamoine (H. P. 424) (Presented by Mr. Norwood of Southwest Harbor)

Resolve in favor of the city of Gardiner (H. P. 425) (Presented by Mr. Slosberg of Gardiner)

Resolve in favor of the town of South Thomaston (H. P. 426) (Presented by Mr. Smith of Thomaston)

Resolve in favor of the town of Cushing (H. P. 427) (Presented by same gentleman)

Resolve in favor of the town of Cushing (H. P. 428) (Presented by same gentleman)

Resolve in favor of the town of Friendship (H. P. 429) (Presented by same gentleman)

Resolve in favor of the town of Owl's Head (H. P. 430) (Presented by same gentleman)

Resolve in favor of the town of Dover-Foxcroft (H. P. 431) (Presented by Mr. Snow of Dover-Foxcroft)

Resolve in favor of the town of Ashland (H. P. 432) (Presented by Mr. Thompson of Castle Hill)

Resolve in favor of the town of West Gardiner (H. P. 433) (Presented by Mr. Weed of Manchester)

Sent up for concurrence.

Orders

On motion by Mr. Maxim of Portland, it was

ORDERED, that there be printed 500 additional copies of "Bill An Act Creating a Department of Taxation" (S. P. 23) (L. D. 12)

On motion by Mr. Varney of Berwick, it was

ORDERED, that the Commissioner of Health and Welfare, in filing with the Clerk of the House the information relative to old age assistance applicants required by House Order passed on January 25, 1939, be directed to note on the lists of names such persons as were formerly receiving pauper aid from municipalities or the State, with the amount of such aid, and also note all aliens, if such information is readily available.

Additional Paper from the Senate, out of order and under suspension of the rules.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 31st, 1939, at 4:30 in the afternoon (S. P. 128)

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Report of a Committee

Mr. Stacy from the Committee on Towns reported "Ought to Pass" on bill "An Act to Provide for the Surrender by town of Prentiss of its Organization" (H. P. 33) (L. D. 25) Report read and accepted.

The SPEAKER: Under the House Rules this bill will be in order for its first reading on the next legislative day.

Orders of the Day

On motion by Mr. Fellows of Augusta, the House voted to take from the table the second unsigned matter, bill "An Act Relating to the town of Eden" (H. P. 34) tabled by that gentleman on January 12th pending reference.

Mr. HODGKINS of Bar Harbor: Mr. Speaker, I now ask leave to withdraw House Paper 34, bill "An Act Relating to the town of Eden."

The SPEAKER: The gentleman from Bar Harbor, Mr. Hodgkins, asks unanimous consent to withdraw this bill. The Chair hears no objection and leave is granted.

On motion by Mr. Robie of Auburn,

Adjourned until Tuesday, January 31st, at 4:30 P. M.