

# 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-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## SENATE

Friday, February 24, 1939.

The Senate was called to order by the President.

Prayer by the Reverend Cymbrid Hughes of Augusta.

Journal of yesterday read and approved.

## Order

(Out of Order)

On motion by Mr. Spear of Cumberland, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 28th, 1939, at eleven o'clock in the forenoon. (S. P. 440)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

From the House:

Petition of William B. Gibson and 660 others of Houlton in favor of "An Act to Provide a Town Manager Form of Government for the Town of Houlton." (S. P. 425)

(In the Senate on Feb. 22 referred to the Committee on Legal Affairs.)

Comes from the House, ordered placed on file in non-concurrence.

In the Senate, that body voted to recede and concur with the House and the petition was placed on file in concurrence.

From the House:

"Resolve Authorizing Hiram Corliss, of Cherryfield, to Bring a Suit at Law Against the State of Maine." (H. P. 1155) (L. D. 954)

In the House, referred to the Committee on Judiciary.

In the Senate, on motion by Mr. Beckett of Washington, tabled pending reference in concurrence.

Papers from the House disposed of in concurrence.

From the House:

Bill "An Act to Incorporate the Brooks Water District." (H. P. 1803) (L. D. 966)

Comes from the House, received by unanimous consent and referred to the Committee on Public Utilities.

In the Senate, the bill was received by unanimous consent and was referred to the Committee on Public Utilities in concurrence.

From the House:

Bill "An Act Designating a Certain Road as 'Moosehead Trail.'" (H. P. 1802) (L. D. 965)

Comes from the House, received by unanimous consent and referred to the Committee on Maine Publicity.

In the Senate, the bill was received by unanimous consent and was referred to the Committee on Maine Publicity in concurrence.

## House Committee Reports

The Committee on Claims on "Resolve in Favor of Nathan E. Goldstein," (H. P. 699) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Grace M. & Allen H. Sprague, of Auburn," (H. P. 268) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of F. B. Shaw of Corinna," (H. P. 454) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the Cushman Baking Company," (H. P. 826) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Flora Case Grant of Marion," (H. P. 231) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of E. J. Duncan of Hartland," (H. P. 697) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Roy L. Weston of Fairfield," (H. P. 823) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of John R. Kaneen of Skowhegan," (H. P. 459) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the Patrons Androscoggin Mutual Fire Insurance Company of Auburn," (H. P. 827) reported that the same ought not to pass.

The same Committee on "Resolve to Compensate Birch Point Village Corporation for Damage to Road by State Highway Commission," (H. P. 835) reported that the same ought not to pass.

The same Committee on "Resolve Reimbursing Town of Dixmont for School Conveyance to State Pau-

per," (H. P. 458) reported that the same ought not to pass.

The Committee on Judiciary on bill "An Act Relating to Pauper Settlements of Aliens," (H. P. 487) (L. D. 182) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Registration of Voters," (H. P. 496) (L. D. 150) reported that the same ought not to pass.

The same Committee on "Resolve Proposing an Amendment to the Constitution Permitting Paupers to Vote," (H. P. 560) (L. D. 194) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Reciprocal Relations in Respect to Death Duties in the Taxation of non-Resident Estates," (H. P. 125) (L. D. 47) reported that the same ought not to pass.

The same Committee on bill "An Act Permitting the Trustees of the Henry W. Clary Memorial Trust Fund to Reimburse Chester A. Boynton," (H. P. 911) (L. D. 357) reported that the same ought not to pass.

The Committee on Legal Affairs on bill "An Act to Incorporate the Mouse Island Corporation," (H. P. 925) (L. D. 363) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Excavations in City Streets," (H. P. 1329) (L. D. 509) reported that the same ought not to pass.

The same Committee on bill "An Act to Provide a Police Commission for the City of Saco," (H. P. 1167) (L. D. 486) reported that the same ought not to pass.

The same Committee on bill "An Act to Incorporate Agassiz Village," (H. P. 1172) (L. D. 490) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Mercantile Affairs and Insurance on bill "An Act Relating to Non-Profit Hospital Service Plans," (H. P. 1432) (L. D. 611) reported that leave be granted to withdraw the same.

Comes from the House, report accepted.

In the Senate, the report was accepted in concurrence.

The Committee on Education on "Resolve in Favor of Aroostook Central Institute of Mars Hill," (H. P. 375) reported that the same be re-

ferred to the Committee on Claims. Comes from the House, report read and accepted.

In the Senate, the report was read and accepted in concurrence.

The Committee on Legal Affairs on bill "An Act Relating to Collection of Poll Taxes," (H. P. 484) (L. D. 179) reported that the same ought to pass.

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

The Committee on Motor Vehicles on bill "An Act Relating to Registration of Motor Vehicles," (H. P. 512) (L. D. 165) reported that the same ought to pass.

The Committee on Sea and Shore Fisheries on "Resolve Regulating the Taking of Smelts from Smelt Brook in the Town of Perry," (H. P. 711) reported the same in a new draft (H. P. 1781) (L. D. 945) under the same title and that it ought to pass.

The same Committee on "Resolve Relating to the Taking of Clams in Surry," (H. P. 1235) (L. D. 392) reported that the same ought to pass.

The same Committee on "Resolve Regulating Digging of Clams Within the Limits of the Towns of South Bristol and Boothbay," (H. P. 1208) (L. D. 421) reported that the same ought to pass.

The same Committee on "Resolve Relating to the Taking of Clams in Bluehill," (H. P. 1206) (L. D. 419) reported that the same ought to pass.

The Committee on Legal Affairs on bill "An Act Relating to the Town Manager Form of Government for the Town of Dover-Foxcroft," (H. P. 283) (L. D. 90) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolves read once and tomorrow assigned for second reading.

The Committee on Taxation on bill "An Act Relating to Roads in Unincorporated Places," (H. P. 1215) (L. D. 466) reported that the same ought to pass.

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

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading. House Amendment "A" was read and adopted in concurrence. House Amendment "B" was read and adopted in concurrence and the bill,

as amended by House Amendment "A" and House Amendment "B" was Tuesday next assigned for second reading.

**Communication**  
**STATE OF MAINE**  
**EXECUTIVE DEPARTMENT**  
**AUGUSTA**

February 21, 1939.

To the President of the Senate and the Speaker of the House, of the Eighty-ninth Legislature:

I have the honor to transmit herewith the report filed by the Recess Committee on Tax Equalization, in compliance with the provisions of Chapter 148 of the Laws of 1937.

Respectfully submitted,

LEWIS O. BARROWS

Governor. (S. P. 439)

Which was referred to the Committee on Taxation.

Sent down for concurrence.

**Referred to Committees**

The following memorial and petition were received and on recommendation by the Committee on Reference of Bills were referred to the following Committees:

**Federal Relations**

Miss Laughlin of Cumberland presented Memorial to the Honorable Franklin Delano Roosevelt, President of the United States, Requesting Federal Prosecution of Certain Persons. (S. P. 442)

Sent down for concurrence.

**Taxation**

Mr. Tompkins of Aroostook presented Petition of Arnold Peabody and 181 others of Houlton and Vicinity Opposing any Increase in the Gasoline Tax. (S. P. 443)

Sent down for concurrence.

**Senate Committee Reports**

Mr. Hill from the Committee on Public Utilities on bill "An Act Authorizing Districts, Cities, Towns and Plantations to Establish, Acquire, Own and Operate Public Utilities," (S. P. 38) (L. D. 5) reported that the same ought not to pass.

Mr. Spear from the Committee on Salaries and Fees on bill "An Act Relating to Clerk Hire in the Office of Register of Deeds in the County of Lincoln," (S. P. 39) reported that

legislation is inexpedient, as matter is cared for in another bill.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Beckett from the Committee on Motor Vehicles on bill "An Act Amending the Law Relating to the Width of Motor Vehicles," (S. P. 264) (L. D. 443) reported that the same ought to pass.

Mr. Graves from the Committee on Public Utilities on bill "An Act Relative to the Charter of the Port Kent Telephone Company," (S. P. 32) (L. D. 24) reported that the same ought to pass.

Mr. Sanborn from the same Committee on bill "An Act Providing Penalties for Boarding Freight Trains without Right," (S. P. 95) (L. D. 58) reported that the same ought to pass.

The same Senator from the same Committee on bill "An Act Relating to the Use and Maintenance of the Kennebec or Carlton Bridge," (S. P. 114) (L. D. 79) reported that the same ought to pass.

Mr. Lewis from the Committee on Salaries and Fees on bill "An Act Relating to the Clerk of Courts of Lincoln County," (S. P. 271) (L. D. 503) reported that the same ought to pass.

Mr. Spear from the same Committee on bill "An Act Relating to Clerk Hire in Washington County," (S. P. 398) (L. D. 815) reported that the same ought to pass.

(On motion by Mr. Chase of Washington, tabled pending acceptance of the report.)

The same Senator from the same Committee on bill "An Act Relating to the Salary of the County Treasurer of Aroostook County and the Clerk Hire in the Office of said Treasurer," (S. P. 399) (L. D. 814) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once and Tuesday next assigned for second reading.

Mr. Owen from the Committee on Education on bill "An Act Relating to Ricker Classical Institute," (S. P. 889) (L. D. 53) reported the same in a new draft (S. P. 438) under the same title and that it ought to pass.

Mr. Lewis from the Committee on Salaries and Fees on bill "An Act Relating to the Lincoln Municipal

Court," reported the same in a new draft (S. P. 444) 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. Hill from the Committee on Judiciary on bill "An Act Authorizing the Board of Registration of Nurses to Give Examinations to Certain Persons," (S. P. 226) (L. D. 431) reported that the same ought to pass.

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

#### Passed to be Engrossed

Bill "An Act Relating to Distribution of Patent Medicines." (H. P. 15) (L. D. 6)

Bill "An Act Relating to Medical Examiners and Their Duties." (H. P. 29) (L. D. 22)

(On motion by Mr. Burns of Aroostook, tabled pending second reading.)

Bill "An Act to Incorporate the Associated Hospital Service of Maine." (H. P. 931) (L. D. 322)

Bill "An Act Permitting Revocation of Operator's License after Conviction for Manslaughter." (H. P. 935) (L. D. 325)

Bill "An Act Relating to the Methodist Church." (H. P. 1175) (L. D. 492)

Bill "An Act Relating to Raising Money to Maintain a Hospital in Washington County." (H. P. 1776) (L. D. 944)

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

Bill "An Act Relating to the Qualifications, Residence and Practice of Dentists." (S. P. 52) (L. D. 3)

Bill "An Act Relating to the Regrouping of School Unions." (S. P. 108) (L. D. 77)

Bill "An Act Relating to the Proper Branding of Potatoes." (S. P. 310) (L. D. 580)

Which bills were severally read a second time and passed to be engrossed.

Sent down for concurrence.

#### Orders of the Day

On motion by Mr. Spear of Cumberland the Senate voted to reconsider its action of yesterday whereby bill, An Act Creating a Division of Inspection and Collection in the Finance Department (S. P. 435) was referred to the Committee on Appropriations and Financial Affairs; and on further motion by the same Senator the bill was laid upon the table pending reference.

On motion by Mr. Dorr of Oxford the Senate voted to take from the table bill, An Act Creating the Office of Land Agent (S. P. 401) tabled by that Senator on February 14th pending reference; and on further motion by the same Senator the bill was referred to the Committee on State Lands and Forest Preservation and 500 copies ordered printed.

Sent down for concurrence.

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

On motion by Mr. Spear of Cumberland,

Adjourned until Tuesday forenoon, February 28th, at eleven o'clock.