

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 5, 1927

Pursuant to the provisions of the Constitution and the Laws of the State of Maine the Senators-elect to the Eighty-third Legislature convened in the Senate Chamber and were called to order by Royden V. Brown, Secretary of the Senate of the Eighty-second Legislature.

Prayer was offered by Rev. Stuart B. Purves of Augusta.

The following communication was read by the Secretary:

STATE OF MAINE

Office of the Secretary of State,
To Royden V. Brown, Secretary of
the Senate of the Eighty-second
Legislature:

In compliance with Section 29, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Eighty-third Legislature, as appears by the report of the Governor and Council under date of September 24th, 1926.

First Senatorial District—Harvey D. Granville, of Parsonsfield, George C. Lord of Wells, Arthur L. Roberts of Lyman.

Second Senatorial District—Raymond S. Oakes of Portland, Paul Frederick Slocum of Standish, Arthur G. Spear of Portland, Alexander Speirs of Westbrook.

Third Senatorial District — E. Chandler Buzzell of Fryeburg.

Fourth Senatorial District—Charles E. Carter of Auburn, Herbert E. Holmes of Lewiston.

Fifth Senatorial District—J. Blaine Morrison of Phillips.

Sixth Senatorial District—J. Edward Drake of Bath.

Seventh Senatorial District—Edwin M. Foster of Waterville, Merle J. Harriman of Readfield, Benedict F. Maher of Augusta.

Eighth Senatorial District—Frank H. Holley of Anson, Clyde H. Smith of Skowhegan.

Ninth Senatorial District—Arthur A. Crafts of Greenville.

Tenth Senatorial District—Katherine C. Allen of Hampden, Ralph L. Perkins of Orono, Jarvis B. Woods of Bangor.

Eleventh Senatorial District—Forrest H. Bond of Jefferson.

Twelfth Senatorial District—Zelma M. Dwinal of Camden.

Thirteenth Senatorial District—Albert T. Nickerson of Swanville.

Fourteenth Senatorial District—J. Sherman Douglas of Lamoine, Homer N. Dunbar of Orland.

Fifteenth Senatorial District—Irv-ing W. Case of Lubec, Walter N. Miner of Calais.

Sixteenth Senatorial District—William H. Bragdon of Perham, Frederick W. Mitchell of Houlton, Dora B. Pinkham of Fort Kent.

In Testimony Whereof, I have caused the seal of the State to be here-with affixed at Augusta, this 5th day of January, A. D., 1927, of the Independence of the United States of America, the one hundred and fifty-first.

(Seal)

(Signed) FRANK W. BALL
Secretary of State

Which placed on file.

Roll Call

The roll being called the following Senators-elect responded to their name:

Allen, Bond, Bragdon, Buzzell, Carter, Case, Crafts, Douglas, Drake, Dunbar, Dwinal, Foster, Granville, Harriman, Holmes, Holley, Lord, Maher, Miner, Mitchell, Morrison, Nickerson, Oakes, Perkins, Pinkham, Roberts, Smith, Slocum, Spear, Speirs, Woods.

Thirty-one Senators-elect having answered to their names, the Secretary declared a quorum present.

On motion by Mrs. Allen of Penobscot:

That Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect to the Eighty-third Legislature was present in the Senate Chamber ready to take and subscribe the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently Mrs. Allen reported that she had delivered the message with which she was charged and the Governor was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Senators Take the Oath

Thereupon the Governor, the Hon-orable Ralph O. Brewster, attended by the Executive Council came in before whom the Senators-elect took

and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew.

Election of President

On motion of Mr. Case of Washington

Messrs. Carter of Androscoggin, Oakes of Cumberland, Morrison of Franklin were appointed a Committee to receive, sort and count votes for President of the Senate.

Having attended to this duty, Mr. Case for the Committee reported as follows:

Whole number of votes cast 29. Necessary for a choice 15.

Frank H. Holley had 29. (Applause.)

Which report was read and accepted and the Secretary declared the Honorable Frank H. Holley duly elected President of the Senate of the Eighty-third Legislature.

Mr. Holley was escorted to the chair by Mr. Smith of Somerset (Applause,) and thereupon addressed the Senate as follows:

The President's Address

"Members of the Senate:

There are hours and moments in every life which ever afterwards are memorable. This hour will be ever sacred to me. It is in such moments that we experience the greatest delight, for happiness does not consist so much in the general comfort and pleasantness of surroundings; but is bound up in a few brief experiences.

To be chosen President of the Maine Senate by my friends is an honor which calls for the deepest gratitude, and the most profound appreciation. With this opportunity come responsibilities; but they will be made less burdensome by your true friendship, which I cherish more deeply than can be expressed. In approaching the perplexing questions which confront us, we may well give much consideration to the spirit of friendship and fairness. Friendship is personal, is comprehensive; friendship is force and energy. Friendship so goes out into other lives that it becomes forgetful of self. What the world needs most today is friendship that is not merely a sentimental attitude, but an earnest desire to act nobly, to help willingly, and to make happy, in other words, what the world wants is less sentiment and more action. Words are often forgotten. What we do im-

presses itself more than what we say. In public or private life there is wide space for the harmonious heart, but little room for the tantalizing tongue—let us have harmony in thought, and harmony in action.

No man chosen to preside over this Senate can or should resist the thrill of pride which he may justly feel when he considers that for the first time in the history of Maine both branches of the family are here officially represented. Woman now holds the title of senator in this State. It means higher ideals, a better balanced Senate and complete representation. The women of Maine are to be congratulated upon such a healthy entrance into the political life of the upper branch of the Maine Legislature.

This is a time of joy, of greeting, and of fellowship, and may well be a time for us to rededicate ourselves to the services of our beloved State and her beloved people. With a firm resolution to lay upon the altar of public service the best thoughts and efforts of which we are capable, results may be achieved of which the public will approve and of which we will be proud. To serve you is a pleasure; to be a humble worker with you a privilege.

The Chair awaits the pleasure of the Maine Senate." (Applause.)

On motion by Mr. Buzzell of Oxford, that senator with Messrs. Mitchell of Aroostook, Drake of Sagadahoc were appointed a committee to receive, sort and count votes for secretary of the Senate.

Having attended to this duty, Mr. Buzzell for the committee reported as follows:

Whole number of votes cast, 29. Necessary for a choice, 15.

Royden V. Brown had 29.

Which report was read and accepted and Royden V. Brown of Bingham, having received a majority of all the votes cast, was declared duly elected secretary of the Senate of the 83rd Legislature.

At the request of the President, Mr. Crafts of Piscataquis escorted the secretary-elect to the Council Chamber for the purpose of taking and subscribing the necessary oaths of office to qualify him to enter upon the discharge of his official duties.

Subsequently Mr. Crafts reported to the Senate that he had attended to the duty assigned him and that Royden V. Brown had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the

discharge of the duties of the secretary of the Senate.

Secretary Brown then assumed the duties of his office.

On motion by Mr. Oakes of Cumberland, that senator with Messrs. Dwinall of Knox, Harriman of Kennebec were appointed a committee to receive, sort and count votes for assistant secretary of the Senate.

Having attended to this duty, Mr. Oakes from the committee reported as follows:

Whole number of votes cast, 29. Necessary for a choice, 15.

Chester T. Winslow had 29.

The report was read and accepted, and Chester T. Winslow of Raymond, having received a majority of all the votes cast, was declared duly elected assistant secretary of the Senate for the political years 1927-1928.

On motion by Mr. Dunbar of Hancock,

Messrs. Dunbar of Hancock, Wood of Penobscot, Holmes of Androscoggin, were appointed a committee to receive, sort and count votes for messenger of the Senate.

Having attended to this duty, Mr. Dunbar from the committee reported as follows:

Whole number of votes cast, 28. Necessary for a choice, 15.

James F. Ashford had 28.

The report was read and accepted and James F. Ashford of Augusta, having received a majority of all the votes cast, was declared duly elected messenger of the Senate for the political years 1927-1928.

On motion by Mr. Miner of Washington, the Secretary of the Senate cast the ballot of the Senate for Melven Tryon of Pownall for assistant messenger, Edward C. Moody for postmaster, C. F. Tibbetts for doorkeeper, Robert M. Senegie for folder, and Philip T. Carroll for assistant folder.

And they were declared elected to their several positions.

On motion by Mr. Morrison of Franklin, the same senator was charged with a message to the House of Representatives informing that body that the Senate had organized by the choice of the Honorable Frank H. Holley as President, Royden V. Brown as secretary, and Chester T. Winslow as assistant secretary.

That senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Carter of Androscoggin, the same senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of Honorable Frank H. Holley as President, Royden V. Brown as secretary, and Chester T. Winslow as assistant secretary.

That senator retired to the Council Chamber and subsequently reported that he had delivered the message with which he was charged.

Message from the House

A message was received from the House of Representatives by its clerk informing the Senate that the House of Representatives had perfected its organization by the choice of Burleigh Martin of Augusta as Speaker, Clyde R. Chapman of Belfast as clerk and Harvey W. Pease of Lincoln as assistant clerk.

On motion by Mrs. Allen of Penobscot, it was

Ordered, that the President of the Senate be authorized to appoint two pages for the Senate.

The President appointed:

Paul N. Devine, of Augusta, Royal F. Overlock of Augusta.

On motion by Mr. Bragdon of Aroostook it was

Ordered, that Charles P. Lyford of Augusta be appointed Official Reporter of the Senate with the same compensation as paid at the last regular session of the Legislature.

On motion by Mr. Buzzell of Oxford it was

Ordered, that the Secretary of the Senate be authorized to secure the services of two stenographers for the present session, one for the office of the President and one for the office of the Secretary.

On motion by Mr. Carter of Androscoggin it was

Ordered, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1927 and 1928 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

Sent down for concurrence.

On motion by Mr. Case of Washington it was

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years 1927 and 1928 shall be referred for examination and report.

On motion by Mr. Crafts of Piscataquis it was

Ordered, the House concurring, that the members and officers of the Legislature be furnished with express and parcel post transportation for all packages and department reports in a sum not exceeding five dollars for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department and the unexpended balance at the close of the year 1927 shall be available for use in 1928.

Sent down for concurrence

On motion by Mr. Douglas of Hancock it was

Ordered, that the Secretary of the Senate be directed to furnish each member and officer of the Senate with three daily papers published in the State, such as each member and officer may select.

On motion by Mr. Drake of Sagadahoc it was

Ordered, that the Secretary of State be directed to furnish for the use of the Senate four copies of the Revised Statutes of the State, one copy each of the Holy Bible, Webster's International Dictionary, the Standard Dictionary, Bouvier's Dictionary and Reed's Parliamentary Rules.

On motion by Mr. Dunbar of Hancock it was

Ordered, that the rules and orders of the Senate of the Eighty-second Legislature be the rules and orders of this Senate.

On motion by Mr. Dwinall of Knox it was

Ordered, that the State Librarian be directed to provide each officer and member of the Senate with a copy of the Acts and Resolves of the Eighty-second Legislature.

Mr. Holmes of Androscoggin: Mr. President, I would like to be enlightened. The order which was voted on the Senate rules; that did not also say anything about joint rules.

The President: That order applies to Senate rules only.

On motion by Mr. Foster of Kennebec it was

Ordered, that the Secretary of the Senate prepare and have printed 150 diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Granville of York it was

Ordered, that the Official Reporter of the Senate be authorized to procure the services of a typewriting operator during the present session at an expense not exceeding \$350; also an assistant reporter at an expense not exceeding \$650 for the preparation and completion of the Legislative Record.

On motion by Mr. Harriman of Kennebec it was

Ordered, that the Secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate in rotation during the present session.

On motion by Mr. Holmes of Androscoggin it was

Ordered, the House concurring, that a Joint Committee consisting of two members on the part of the Senate, with such as the House may join, be appointed with full authority to make a contract with the New England Telephone and Telegraph Company for telephone service for the members of the Eighty-third Legislature with matters connected with their official duties

Which was sent down for concurrence.

The President appointed as members on the part of the Senate:

Messrs. Holmes of Androscoggin and Foster of Kennebec.

On motion by Mr. Perkins of Penobscot it was

Ordered, that the Secretary of the Senate be authorized to furnish wrappers and postage stamps for each member and officer of the Senate not exceeding \$10.00 in amount each for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

On motion by Mr. Lord of York it was

Ordered, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register, and that 4000 copies be printed for the use of the Legislature.

Sent down for concurrence.

On motion by Mr. Miner of Washington it was

Ordered, that the President of the Senate be authorized to appoint a Document Clerk for the custody of the Senate documents.

The President appointed James E. Harvey of Readfield.

The following order was presented by Mr. Holmes of Androscoggin:-

Ordered, the House concurring, that the following joint rule be added to the joint rules of the 83rd Legislature to be numbered Rule 19:

The minority party of the Legislature shall have representation to the extent of at least one member to be appointed as other members may be appointed on each of the joint standing committees named in Rule 1 and on each of the joint select committees named in Rule 2.

And on further motion by the same gentleman the above motion was laid upon the table and specially assigned for the next Legislative day.

On motion by Mr. Perkins of Penobscot it was

Ordered, that each member of the Senate be furnished with a fountain pen.

On motion by Mr. Holmes of Androscoggin a recess was taken until 2.30 o'clock this afternoon.

AFTERNOON SESSION

The Senate was called to order at 2.45 o'clock by the President.

At this time the President announced as members of the Senate Committee under the order relative to Gubernatorial vote, passed this morning, the following Senators:

Messrs. Smith of Somerset, Lord of York, Carter of Androscoggin, Bond of Lincoln, Mitchell of Aroostook, Dunbar of Hancock, Slocum of Cumberland.

The President announced as members of the Senate committee under the order relative to Senatorial vote,

passed this morning, the following Senators:

Messrs. Maher of Kennebec, for-
rison of Franklin, Miner of Wash-
ington, Woods of Penobscot, Roberts of
York, Bragdon of Aroostook, Doug-
las of Hancock.

Communications from the Department of State

A communication from the Department of State transmitting the Senatorial Vote was received and read.

On motion by Mr. Harriman of Kennebec the above communication was referred to the committee on Senatorial Vote.

A communication from the Department of State transmitting the Gubernatorial Vote was received and read.

On motion of Mr. Speirs of Cumberland the above communication was referred to the committee on Gubernatorial Vote.

A communication from the Department of State transmitting the return of votes cast on the referendum question, "Shall an Act Entitled 'An Act to Define Certain Grades of Milk Offered for Sale within the State' become a law?" was received and read.

On motion by Mr. Nickerson of Waldo the above communication was placed on file.

A communication from the Department of State transmitting the return of votes cast on the referendum question, "Shall an Act Entitled 'An Act to Incorporate Dexter P. Cooper, Incorporated, for the Purpose of Developing and Utilizing the Power of the Tides in the Bay of Fundy and Waters Adjacent Thereto', become a law?" was received and read.

On motion by Mr. Speirs of Cumberland the above communication was placed on file.

A communication from the Department of State transmitting the return of votes cast on the referendum question, "Shall an Act Entitled 'An Act Relating to Standard Time', become a law?" was received and read.

On motion by Mr. Granville of York the above communication was placed on file.

Communication from the Governor

The following communication from

the Governor was received and read:
 "STATE OF MAINE
 Executive Chamber
 Augusta, Maine, Jan. 5, 1927.
 To the Honorable Senate and House
 of Representatives:

In compliance with the Constitution of the State, I herewith communicate to the Legislature each case of remission of penalty, commutation or pardon granted during the years 1925 and 1926, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of remission, commutation of sentence, and the conditions, if any, upon which the same was granted.

RALPH O. BREWSTER,
 Governor."

On motion by Mr. Dwinal of Knox the above communication was placed on file.

On motion by Mr. Mitchell of Aroostook it was

Ordered, the House concurring, that all bills and resolves shall be printed pending reference to a committee and when same are advertised for hearing the advertisement shall give the number of the bill and the state whether it is a Senate or House document.

Sent down for concurrence.

On motion by Mr. Drake of Sagadahoc it was

Ordered, that the Secretary of the Senate purchase such stationery, office supplies and equipment as may be needed to carry on the business of the Senate and as may be requested by the Secretary and approved by the President.

On motion by Mr. Nickerson of Waldo, it was

Ordered, that the President of the Senate be authorized to appoint an Assistant Document Clerk for the custody of the Senate documents.

On motion by Mr. Oakes of Cumberland, it was

Ordered, that the Senate hold one session a day commencing at ten o'clock in the forenoon until otherwise ordered.

On motion by Mr. Perkins of Penobscot, it was

Ordered, the House concurring, that the Document Clerk prepare each week for the use of the Legislature a cumulative index of all bills and resolves introduced during the

session showing precisely the important steps in the history of each and its final disposition or present status, and that five hundred copies thereof be printed.

Sent down for concurrence.

On motion by Mrs. Pinkham of Aroostook it was

Ordered, the House concurring, that the Joint Rules and Orders of the Eighty-second Legislature be the Joint Rules and Orders of this Legislature.

Sent down for concurrence.

On motion by Mr. Roberts of York it was

Ordered, that a message be sent to the House of Representatives proposing a convention of the two branches of the Legislature forthwith in the hall of the House of Representatives for the purpose of electing Secretary of State, Treasurer of State, Attorney General and seven Executive Councillers.

The Secretary retired to the House and subsequently reported that he had delivered the message with which he was charged.

Message from the House

A message was received from the House conveyed by Mr. Chapman, its Clerk, informing the Senate that the House had concurred in the proposition of the Senate for a Joint Convention to be held forthwith in the hall of the House.

The President: The Senate receives the message.

Thereupon the Senate proceeded to the hall of the House for the purpose of holding a Joint Convention.

(For proceedings in Joint Convention see House Report.)

Upon the return of the Senators to their Chambers the Senate was called to order by the President.

From the House: Senate order relative to Joint Select Committee on returns of Gubernatorial Vote, returned from the House read and passed in concurrence, and the following members appointed on the part of the house: Messrs. Vail of Hodgdon, Eustis of Strong, Wyman of Sydney, Booker of Rumford, Ruggles of Carmel, Mrs. Gay of Waldoboro, Davitt of Millinocket.

From the House: Senate order relating to New England Telephone and Telegraph Company service read and passed in the House in concurrence,

and the following members appointed on the part of the House: Messrs. Rounds of Portland, Kitchen of Presque Isle, Deering of Saco.

From the House: The following order

Ordered, the Senate concurring, that the following Joint Rule be added to the Joint Rule of the 83rd Legislature, to be numbered Rule No. 19.

"19. The minority party in the legislature shall have representation to the extent of at least one member, to be appointed as other members may be appointed, on each of the joint select committees named in Rule 2".

In the House, indefinitely postponed.

In the Senate, on motion by Mr. Holmes of Androscoggin, tabled and

specially assigned for the next legislative day.

From the House: Senate order relating to printing of bills, referred to committees, returned from the House read and passed in concurrence.

From the House: Senate order relative to joint rules and orders, returned from the House read and passed in concurrence.

From the House: Senate order relating to a document clerk, returned from the House read and passed in concurrence.

On motion by Mrs. Allen of Penobscot, adjourned until tomorrow morning at ten o'clock.