

# 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**

Thursday, March 24, 1927

Senate called to order by the President.

Prayer by the Rev. R. W. D. Smith, of Hallowell.

Journal of previous session read and approved.

At this point Mr. Morrison of Franklin assumed the Chair amidst the applause of the Senate.

From the House: The majority of the Committee on Banks and Banking, on bill An Act relating to savings deposits in trust companies (H. D. 62) reported that the same ought not to pass.

(Signed)

FOSTER  
MINER  
ROBERTS  
STURTEVANT  
SEAVEY  
CROCKETT  
CLIFFORD  
BOSTON

The minority of the same Committee, on the same subject matter, reported that the same ought to pass.

(Signed)

DECKER  
PAGE

In the House, the majority report was accepted.

In the Senate:

Mr. FOSTER of Kennebec: Mr. President, I move that we accept the majority report of the committee "ought not to pass" in concurrence with the House.

Mr. SLOCUM of Cumberland: Mr. President, I move that this matter lie upon the table.

A viva voce vote being doubted.

A division of the Senate was had.

Five Senators having voted in the affirmative and eighteen in the negative, the motion to table failed of passage.

Mr. FOSTER: Mr. President, I renew my motion that I made earlier that the Senate accept the majority report of the committee "ought not to pass" in concurrence with the House.

The motion to accept the report prevailed.

**Bills in First Reading**

Resolve appropriating money to reimburse the town of Orland for support of George Savoy. (S. D. 264.)

An Act to Renew the Charter of the R. & T. Cement Railroad. (S. D. 265.)

An Act to establish a Board of Police of the City of Waterville. (S. D. 266.)

An Act to Regulate the Sale of Cider. (S. D. 267.)

An Act to provide for the filling of vacancies in the office of constable in cities. (S. D. 271.)

**Reports of Committees**

Mr. FOSTER, from the Committee on Appropriations and Financial Affairs on Resolve to reimburse the Committee on State Sanatoriums for Expenses (S. P. 512) reported that the same ought to pass.

Mr. DUNBAR, from the Committee on Claims, on Resolve in favor of Mary Louise Wilcox of Caribou, Maine, compensating her for personal injuries (S. P. 169) reported the same in a new draft, under the same title (S. P. 531) and that it ought to pass.

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

**Passed to Be Engrossed**

An Act creating the Bridgton Center Village Corporation. (H. D. 99.)

An Act to authorize the city of Lewiston to discharge a sewer into the Androscoggin River. (H. D. 200.)

An Act to repeal an act incorporate the East Pittston Village Corporation. (H. D. 205.)

An Act relating to the South Portland Sewerage District. (H. D. 231.)

An Act authorizing the city of Lewiston to issue bonds to pay bonds outstanding and maturing in the year 1927. (H. D. 235.)

Resolve in favor of the Aroostook Test Laboratory. (H. D. 427.)

An Act increasing the salary of the mayor of Waterville. (H. D. 428.)

An Act to prohibit the taking of more than eight pounds of trout, land-locked salmon and togue in all in one day in Moose River in Somerset County, down to the head of Brassua Lake, or in Wood Pond,

Little Wood Pond, Little Big Wood Pond, Long Pond, Attean lake and Haleb Pond, all in the County of Somerset. (H. D. 429.)

An Act relating to fishing in Watchic Pond, in the town of Standish, in the County of Cumberland. (H. D. 430.)

(On motion by Mr. Spear of Cumberland, tabled pending second reading.)

An Act permitting the town of Southwest Harbor to take land for public park. (H. D. 431.)

An Act to incorporate the Northern Finance and Investment Corporation. (H. D. 432.)

An Act to provide clerical assistance for the Justices of the Supreme Judicial Court, and to define further the duties of the stenographers. (H. D. 433.)

An Act to enlarge the site of Little River Pine Grove Cemetery, otherwise known as Hillside Cemetery, located at Lisbon Falls. (H. D. 434.)

An Act relating to debt against sureties and recognizance in criminal cases. (H. D. 435.)

Resolve providing teachers' pension for Emma J. Whittemore. (H. D. 436.)

#### (Emergency Measure)

An Act to authorize the county of Aroostook to enlarge and repair the Court House at Houlton and to Erect a Central Heating Plant. (S. D. 61)

This bill, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its passage to be enacted.

Twenty-seven senators having voted in the affirmative and none opposed the bill was passed to be enacted.

Mr. SPEAR of Cumberland: Mr. President, I have a order that I would like to introduce out of order and move its passage:

Ordered, the House concurring, that a joint select committee of two on the part of the Senate of whom one shall be of the majority party and one of the minority party with three on the part of the House, of whom two shall be of the majority party and one shall be of the minority party, be appointed to investigate, either upon its own motion or upon written complaint when by it deemed advisable, the expenses paid

or incurred by any candidate for any office at any State election held since the first day of May, 1926; also to investigate the expenses paid or incurred by any candidate for office at any election, primary or State, which hereafter may be held prior to the first day of January 1929. Ordered further, that said committee shall sit during the recess between the adjournment of the present legislature and the convening of the 84th Legislature and shall report its findings to said 84th Legislature. Said committee is specifically clothed with full authority to summons witnesses, including such candidates, to appear before it, to cause such witnesses to produce books, memoranda, papers, vouchers, checks, agreements, correspondence and copies thereof and to give evidence pertaining to the inquiry with which the committee is charged. Said committee is authorized to promulgate such rules regarding procedure and evidence as it deems necessary; also to employ counsel, auditors, stenographers and other assistance for the purpose of making said investigation. Said committee shall serve without compensation but shall be reimbursed for its expenses. All expenses connected with said investigation shall be paid from the funds in the State treasury not otherwise appropriated and the approval by a majority of said committee of any and all accounts and vouchers shall be sufficient authority for the payment thereof by the State Treasurer.

Mr. CARTER of Androscoggin: Mr. President, I move that this order lie upon the table.

The motion prevailed.

Mr. CARTER: Mr. President, I now move that one thousand copies of the order just tabled by me be printed.

Mr. SPEAR: Mr. President, I doubt that vote to table and move for a record vote.

The PRESIDENT pro tem: The Chair will state for the information of the Senator from Cumberland, Senator Spear, that the vote has been declared and the only motion in order is the motion to reconsider.

Mr. SPEAR: I so move, Mr. President.

The PRESIDENT pro tem: The Senator from Cumberland, Senator Spear, now moves that the Senate reconsider its vote whereby it voted

that the order as read by the Secretary be tabled.

Mr. SPEAR: I move, Mr. President, that the vote on reconsideration be a record vote.

The PRESIDENT pro tem: The Senator from Cumberland, Senator Spear, now moves that the vote be a record vote. This requires the affirmative vote of one-fifth of the members of the Senate.

A division of the Senate being had Less than one-fifth of the Senators having voted in the affirmative, the motion for a record vote failed of passage.

The PRESIDENT pro tem: The question now before the Senate is the reconsideration of the vote whereby the order was tabled.

A viva voce vote being taken

The motion to reconsider failed of passage.

Mr. CARTER: Mr. President, I rise to a point of information. I am in doubt. I do not remember whether the motion made by me for one thousand copies of the order to be printed was carried or not.

The PRESIDENT pro tem: The Chair was in error in not putting the motion. Is it the pleasure of the Senate that the motion of the Senator from Androscoggin, Senator Carter, that one thousand copies be printed, prevail?

The motion to print prevailed.

### Orders of the Day

The President pro tem laid before the Senate, An Act to secure completion of topographic mapping of Maine (H. D. 401) tabled on March 23rd by Mr. Foster of Kennebec pending consideration and today assigned.

Mr. FOSTER of Kennebec: Mr. President, I understand the pending question is first reading.

The PRESIDENT pro tem: The Senator is correct.

Thereupon, on motion by Mr. Foster of Kennebec the bill received its first reading.

Mr. GRANVILLE of York: Mr. President, in view of the fact that I think this was the first bill introduced in the House, I move that the rules be suspended and the bill have its second reading at this time.

The motion prevailed and the bill received its second reading and was passed to be engrossed.

The President pro tem laid before the Senate, An Act relating to expenditures and returns of candidates for public office (H. D. 31), tabled on March 23rd by Mr. Carter of Androscoggin pending acceptance of the majority report "ought to pass" and today assigned.

Mr. CARTER of Androscoggin: Mr. President, may I ask the situation of this matter, or be confirmed in my understanding of it, that in the House the majority report "ought to pass" was accepted, the bill had its readings and that House Amendment A was added thereto.

The PRESIDENT pro tem: The secretary will inform the senator.

(The secretary read the record of the matter as follows: In the House the majority report "ought to pass" was accepted and an amendment was adopted, the bill was given its several readings in the House and in the Senate it was tabled pending acceptance of the majority report.)

Mr. CARTER: Now, Mr. President, for the purpose of bringing the amendment to the attention of the Senate I move that the majority report "ought to pass" be accepted.

The motion to accept the report prevailed.

Mr. CARTER: Mr. President, I now move that House Amendment A be adopted and suggest that the secretary read the amendment.

(The secretary read House Amendment A to House Document 31.)

The PRESIDENT pro tem: The senator from Androscoggin, Senator Carter, moves that House Amendment A be adopted.

Mr. CARTER: Yes, Mr. President, and in support of that amendment I would simply say that if there is any members of the Senate who has any doubt in mind as to this amendment I will say that this is the amendment, which I recognize from so much of the reading as the secretary has given of it, as the one which caused quite a discussion in the House and which excepts no expense of any candidate. All expenses are returnable and the sum which a candidate for a State-wide office can expend is limited to five thousand dollars and a gradation of sums down through the county candidate. It is the amendment, I think, that got the local name in the House of the "Holman Amendment" to this newspaper advertising bill and the sum and substance of it is that everything must be returned and as far as State-

wide offices are concerned the amount that can be spent is five thousand dollars. I move the adoption of this amendment.

Mr. MAHER of Kennebec: Mr. President, may I ask the senator from Androscoggin (Mr. Carter) through the Chair if he can tell me when the limitation starts in, when a man commences to keep track of his expenses?

Mr. CARTER: Mr. President, replying to the question, if I understand the senator's (Mr. Maher of Kennebec) question arightly, what the senator wishes to know is this, that if this act were passed when any present candidate would have to begin to take account of his expenses.

Mr. MAHER: Yes, Mr. President.

Mr. CARTER: My notion, Mr. President—unless I have omitted something in reading the bill which I may have—is that it would take effect when approved instead of ninety days thereafter, which would be sometime next July.

Mr. MAHER: Of course, that is when the law would go into effect, but when would any prospective candidate for State-wide office have to keep tabs on his travel, postage, telephone, telegraph, etc.?

Mr. CARTER: I don't know, Mr. President, whether it is directly mentioned there or not. It is an amendment which I have had nothing to do with the preparation of. As far as I know it is the "Holman Amendment" which was offered in the House and adopted as House Amendment A.

Mr. MAHER of Kennebec: Very briefly, if I may address myself to the amendment as I understand it, I would say that in common with the Senator from Androscoggin, Senator Carter, I think I do not understand it thoroughly, nor do I think anyone else does or can. What I have to say is premised absolutely from unqualified approval and absolute friendliness to the primary system. The outset and in the end of whatever remarks I chance to make, I want it distinctly understood, it is as a friend of the primary system that I say what I have to say without equivocation, without possible chance of mis-interpretation.

I have always and do now, and until I see some more potent reason than I have ever heard advanced shall continue to believe in the direct primary system which gives the people an opportunity to exercise

their judgment in the selection of candidates and I think I can say that now, at the close of what little legislative experience I have had, without any fear of anybody contributing to it a motive of catering for votes, because I wish it understood of what other things I may be insensible, I am entirely conscious of the fact that as far as political preferment would go, that I have no further political ambitions and am not talking for votes.

I believe that fundamentally the direct primary is the most progressive piece of legislation that this quarter of a century has contributed to free government; that it has brought the government in a closer touch and more instant response with and to the people for whom and to whom it is responsible and it is as such that I offer this amendment. While conceived in absolute friendliness, I think, to the primary and the friends of it, like all measures, is susceptible of different interpretation and it is not necessary to work out along the lines that it is offered and intended. To me, that will work as a stab at the primary, not intended, make no mistake about that, for this reason, that it will be. One more thing, if adopted, it will be seized upon by the opponents of the primary and in very short order because of its unworkability and impracticability and its unfairness, will heap up opposition to the primary law, itself.

I say it is impractical. Why? When does it begin to work? There are very able men who are fitted for the very highest office of this state, whose name have not adorned the first page of the newspapers, who have been conspicuous with no particularism or no particular movement. These men, at the start, would be absolutely handicapped by all who have had the advantage of advertising, advertising because of favoring this or opposing that, because they have been in public life in connection with this or in connection with that. They start with a decided and distinct advantage, an advantage which I say illustrates the impracticability of this, because such gentlemen might continue to discuss this matter or that matter before this organization or the other organization in every county, in every city,

in every section in the State of Maine without ever saying one single word relative to their candidacy for high office, without in any way coming within the purview of that act, but every single blow that is struck, every word that is spoken, every argument that is advanced, every period that is formed, works of course, in support of their candidacy, works as against any other man, who, when he does announce that he is a candidate, is confined to his candidacy.

It is impractical and unworkable in this, against a man who is recognized as a candidate for office, high office, or who has declared to his friends or in public that he is a candidate for high office, must he keep track of every single letter that he writes, from the first day of July, we will say for the sake of argument, when this law goes into effect; must he keep track of every stamp bought, every telegram he has sent, every bit of gasoline he has used, which directly contributed to his candidacy. But a gentleman who is a candidate for high office writes a letter to a friend in Aroostook and doesn't mention anything about his candidacy, who doesn't say to him or in his postscript or any part of his letter, "of course keep me in mind; of course course I expect you to be with me when the huskings come." It isn't necessary to do that when writing a campaign document. And men accomplished in those things, are not going to do it, are they? They may send picture postals, perhaps from Australia or perhaps from Africa. It may be done. And are those campaign documents or are they not, and shall they or shall they not be kept track of?

They are not fanciful things. They are very real things and when you come to the proposition that I have heard discussed, that the original bill which gave birth to the amendment was not a good thing for the poor man, the original bill is pointed out and that the man with a lot of money started out with a decided advantage over his poorer rival. Now if that were so, it would be a very forcible argument against the whole bill but let's see how that works, not as against the bill but against this proposition of the amendment. Let us see. The poor man can't keep up a pamphlet campaign for months and

months and months before January first, and I am inclined to think that law, if interpreted, would mean this,—the actual postage and actual travel and all actual expenses would date from the six months period when he became an actual, avowed candidate to the date when the people voted on his candidacy, assuming he gets the requisite number of signers.

Now where does the man with moderate means come in against the man who employs a corps of typewriters, who may by pamphlet reach every section of the State or by telephone and telegraph reach every single voter in the State, and may reach them again and again and again before January first comes around, when they have to keep track of their expenditures. That amendment, it seems to me, argues a tremendous advantage for a man who can keep up an intensive campaign without ever saying that he is a candidate.

Another phase: That amendment is, to my mind, the most unfortunate departure from the spirit of the present law in this,—the present law aims to reach corrupt practices. Manifestly there is nothing corrupt or improper in a man writing letters to friends or telegraphing or telephoning to his friends, and it attaches to it a sinister aspect which was never included in the original act, and puts a strain on the primary law itself, but over and above and beyond all this, he would speak in behalf of the candidate for State-wide preferment of moderate means. He would have in mind the candidate who could go into the campaign with splendid equipment but without that perhaps accidental prestige that came from long advertising before the public. Where is that candidate going to get off as against one whom the newspapers favor?

Are you not putting him within the power of gentlemen who own newspapers or gentlemen who may control a group of newspapers? And yet I am saying here and now, I go to the right, I go to the left and I am looking with an eye solely and singly with what I conceive to be the best interests of Maine. Just as by a conspiracy of silence, those gentlemen who control the destinies of newspapers may serve to keep your names from the news items, just so, by conspiracy of action, they may keep Mr. X or Candidate Y or Candidate B in the columns of the papers, in the editorials of high reference, or in the newspaper news, which

even though newspapers now disclaim that they will do, they do do, and when they keep on doing it, I tell you that the candidacy or selection of men for high office in this State is very largely within the hands of those shapers of sentiment that no act of this sort can reach because as they are favoring this candidate and ignoring that candidate, that candidate has no recourse, except what? Advertising! Advertising! He spends a certain negligible amount of money or he spends clear up to the \$5000 and the candidate opposing him, on the right, may spend \$1500 of his own money but may receive \$50,000 of free advertising.

That is why, gentlemen, that is why I say this amendment is impractical. I say it is unfair and I say it is unworkable. I say you are putting, with the best intentions in the world, I believe, an unnecessary and undue strain upon the direct primary law which, as friends of it, I do not believe many of you desire to do. (Applause.)

Mr. CARTER of Androscooggin: Mr. President, it is with great pleasure that I have listened to the Senator from Kennebec, Senator Maher. I think at this time it is proper and right that the history of this bill, to a certain extent be laid before the Senate.

This was a bill introduced originally by a gentleman from Portland, commonly known as the "newspaper bill." The principle of this bill that was sought to be put over by its introduction was that newspaper advertising for any candidate paid for by whoever might want to pay for it, was on the free list and in discussing this bill at a hearing before the Judiciary Committee, it was brought out, that if the bill is passed unamended, that all newspaper advertising for any candidate paid for by whom it makes no difference, was on the free list and did not have to be accounted for and we have seen in this country recently, and we see one of the bigger men now, cited for contempt of the Senate, of groups of men paying hundreds of thousands of dollars to seat their own candidates in the Senate of the United States. We have seen that same exponent of that group say he was out of national politics but he made no disclaim of being out of state politics.

Now that man represents over \$1,250,000,000 of public utilities securities, is interested in politics, and is cited for contempt by the United

States Senate and with that bill as originally entered in this legislature, that man, if he saw fit, could come into this state and spend unlimited money for advertising any candidate he wished without returning anything or making any return of the money so spent and I am glad to say, as a real and honest friend of the direct primary in this state, that on that bill you will find my name heading the minority report of "ought not to pass." The majority report was accepted in the House and the signers of the majority report on the part of the Senate were Maher of Kennebec and Oakes of Portland; and in the House were Wing of Kingfield, Bartlett of Bangor, Aldrich of Topsham and Hale of Portland.

The "ought to pass" bill was accepted in the House and onto that bill was added by the House, this amendment, House Amendment A, which turns everything into the free list and puts \$5000 limit on to what any candidate may spend, certainly a step in the right direction but I stand where I stood at the time these reports were signed, for leaving the direct primary law of Maine alone and unchanged, but certainly I do not stand for a newspaper bill which would permit the group element of this country if there be any group element, spending all they wish in newspaper advertising to elect any man they want to and I say to you that the same group that is cited for contempt by a national Senate own more than half of the public utilities of Maine and that man says he is only out of national politics.

I sincerely hope that this amendment will not be adopted and I sincerely hope after the vote is taken on it, than an indefinite postponement of the whole bill will be voted by this Senate for it is a vicious attack on the spirit and letter and law of our direct primary which I want to uphold. (Applause)

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Androscooggin, Senator Carter, that House Amendment A be adopted.

Mr. MAHER: Mr. President, I ask for a division.

The PRESIDENT pro tem: A division is asked for. Those in favor of the motion that House Amendment A be adopted will rise and stand until counted and those opposed will then rise and stand until counted.



A sufficient number not having voted in the affirmative, the motion to adopt House Amendment A failed of passage.

Mr. CARTER: Mr. President, I now move the indefinite postponement of House Paper 92, House Document 31.

Mr. MAHER of Kennebec: Mr. President, in most things I agree with the senior senator from Androscoggin, Senator Carter, and admire the grasp and directness with which he approaches public questions and I believe that here and now and at all times that I have never seen him address himself to any public question when, in my judgment he was not actuated by the single, sole endeavor to do what he conscientiously believed was right.

Now I think, and I offer it to the Senate for what it is worth, that the argument of the Senator, himself, is turned most effectively against him in this particular pending matter, in this regard. I am not familiar with the ownership of the press of Maine, nor am I insensible, however, that there have been very general allegations in regard to the control and disposition and the attitude of the press of Maine on certain public questions.

Now it comes right here. If the press of Maine now is or if the press of Maine may conceivably sometime be largely in the control of any particular group of individuals whatever their particular bent, where do we get off by indefinitely postponing this bill with reference to publicity of expenses of candidates? The papers will keep right on publishing just as water will keep on flowing. The gentlemen who control the purse strings control the editorial column and they may control editorial news just as their men write their headlines and none of that comes under the expense of any individual nor could it be accounted for.

Now if that condition obtained, which it well might, I do not say it does, but it well might, and it would not be well if it did, the only way it could be met by the Senator from York, the Senator from Penobscot, the Senator from Cumberland or Arrostook, Androscoggin, or any other counties in this state, the only way it could be met would be to hoist them by their own petard, by the ads on their sheets and they cannot help selling advertising space and

while they may run an editorial on the inside and where they may put the poison of information or misinformation on the outside, just as we have seen it done in any large cities of the country, in any metropolitan centers where this system is seen and recognized, a fearless candidate, with a cause, with right back of him, purchases space in that paper, and criticises in that advertisement the very editorial that appeared the day before.

You can talk about the proposition that makes for the good of Maine. Leave it as it is. If you indefinitely postpone this measure you absolutely circumscribe a candidate for state wide office. To what? Legitimate expense, I think, up to \$1500. And how in the world can a man reach the confines of this state through the newspapers in a state wide campaign when he wouldn't spend, as we know he must have spent twice, thrice, four times that amount? Men of common sense know, spent perhaps not by themselves, but by their friends. Well, that is all right. I do not like that method. Why not be out in the open? Why not let a man go to the people with his advertising and if he over-advertises, the reaction will be there directly. There are some men who won't 'walk a mile to get a camel' for they see it advertised too much. It is just the same with a political candidate, and your pamphleteer, the gentleman who has nothing to do but interest the public and spend his money, can flood the mails with pamphlets on this or that or the other argumentation. Your mails will be taken up for six months prior and the six months following the campaign and the candidate who honestly comes within the purview of the law as it is today, is carrying a weight that is comparable only with the fabled race of the tortoise and the hare.

Mr. CARTER: Mr. President, if I remember correctly, after the last primary campaign which took place in this State or during it, one of the candidates, a citizen of Androscoggin County, published an advertisement in one of the Lewiston papers. That advertisement was to the effect that a certain newspaper in Bangor refused to publish his political advertisement. Now—borrowing from the Senator from Kennebec, Senator Maher—if the press of Maine should happen to be controlled

at some time by a group of individuals who wanted political preference in Maine, they could, or at least some papers have refused, to accept political advertisements. Now, suppose this poor man of moderate means but great ability wants to overcome some editorial leaning toward the candidate of means who might control the press of Maine. Under this bill without the amendment that would protect him! Why? Because this poor man of moderate means could hire advertising space and counteract each day the editorial of the day before and the testimony before the Judiciary Committee was that in the ten daily newspapers of Maine and in the fifty-two weeklies of Maine the average cost of a page ad in each edition costs only \$4000 and this poor man of moderate means could protect himself against the possibly owned press of the interest by each day spending \$4000 for six months to counteract the editorial of the day before. Such a help to the man of moderate means! Only \$28,000 a week! Such a fairness, putting the man of moderate means in a position where he could compete with the millionaire at the rate of \$4000 a day!

Mr. President, I still urge the indefinite postponement of a vicious bill, which if passed will be one of the greatest attacks that the direct primary law of Maine has ever suffered.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Androscoggin, Senator Carter, for the indefinite postponement of the bill. Those in favor of indefinite postponement will rise and stand until counted and those opposed will then rise.

A division of the Senate being had Nineteen senators having voted in the affirmative and four in the negative the motion to indefinitely postpone prevailed.

Mr. CARTER: Mr. President, having voted with the majority I now move a reconsideration of this vote by which we indefinitely postponed and I hope that every Senator will vote "No."

The PRESIDENT pro tem: The Senator from Androscoggin, Senator Carter, moves that we reconsider the vote whereby this bill was indefinitely postponed. Those in favor of reconsideration will rise and stand

in their places until counted and those opposed will then rise.

A division of the Senate being had None having voted in the affirmative and eighteen in the negative, the motion to reconsider failed of passage.

Mr. MAHER: Mr. President, I rise to a matter of parliamentary inquiry. If I now understand correctly, after the non-concurrent action by this body the measure goes to the other branch?

The PRESIDENT pro tem: The Chair thinks that is correct.

Mr. MAHER: And if that branch should insist upon its action and ask for a committee of conference then this branch would necessarily either have to accede or adhere or insist. Am I correct?

The PRESIDENT pro tem: The Chair is of the opinion that the Senator is correct.

Mr. MAHER: So that the failure of the motion to reconsider would have no bearing upon the next legislative step which would ensue following action by the House. Am I correct?

The PRESIDENT pro tem: The Chair will state for the information of the Senator from Kennebec, Senator Maher, that anything that is done here cannot bind the other branch of this legislature.

Mr. MAHER: And some affirmative action on their part would vacate our reconsideration vote so that we could be free to act?

The PRESIDENT pro tem: The Chair is of the opinion that the Senator is correct.

Mr. MAHER: I thank the Chair.

The President pro tem laid before the Senate, Resolve for the purchase of 250 copies of "Portland-by-the-Sea" (H. D. 268) tabled on March 23 by Mr. Holmes of Androscoggin pending adoption of Senate Amendment A and today assigned.

Mr. HOLMES of Androscoggin: Mr. President, I am opposed to the motion of the Senator from Kennebec, Senator Foster, for the adoption of Senate Amendment A and I will ask that Senate Amendment A be read again.

(The Secretary read Senate Amendment A: "Senate Amendment A to House Document 268. Amend House Document 268 by striking out the words 'two hundred and fifty' in

the second line thereof and inserting in place thereof the words 'one hundred and thirty,' and by striking out the words 'five hundred' in the sixth and seventh lines and inserting in place thereof the words 'two hundred and sixty.'")

Mr. HOLMES: Mr. President, this is not a matter of economy and I hope that the Senate will not look at it that way. Before this session is over we will be appropriating millions of dollars. Now, are we going to begin to try to economize to the extent of the difference between \$500 and \$260—in other words \$240? There is another one coming along, another one of these proposals to help in the publication of books relating to Maine on which the same question will come up. I think something was said by the Senator from Kennebec (Mr. Foster) either relative to this one or to the next one on the list, something to the effect that the appropriation called for and the number of copies called for in his amendment would be enough to cover the exchanges and distributions by the state librarian to the different libraries in the state. Mr. President, that is not the question. The point is entirely different. We had a policy in this state which we pursued for many years up to the Baxter administration, to the best of my recollection, which was this: It was the wish, no doubt, of the vast majority of the people, we might say the unanimous wish of the people if the question could be brought to them, that the correct history of our state should be preserved. Now, in order to do that books must be written and research must be undertaken. There is no wide sale for books of history, especially local history like this relating to the city of Portland, a book entitled "Portland-by-the-Sea", written by Augustus F. Moulton—and let me say, well written, very interesting stuff. It is not like writing a novel. You can sell it only to a very limited public. Now that means that every man or woman who undertakes that task is undertaking a task of love and a probable loss.

Now, I say it was the practise, the custom, the tradition in this state, for the state to come to the aid of these people as it was to the advantage of the state to get these histories published. It was the custom

to come to their aid by appropriating a small sum, usually figured, as well as possible by the Committee on Library which usually in the past has handled these matters, usually figured at about enough to cover the deficit between the money that the author and publisher would receive from the sale and the sum of money that it would actually cost to publish the book, which if the state did not pay would have to be paid by the author or publisher out of his own pocket. Now then, the state wanted to give itself, in passing such resolves, in aiding in that way, to give itself the appearance of not doing an act of charity but of getting value received and therefore it was the custom to write into these resolves words to the effect that the state librarian should exchange them with other libraries in other states and distribute them to the town and city libraries.

Now, as a matter of fact, the real thought in the mind of the legislature in the past was not that at all. The legislature in the past really did not care if the state librarian put those books on his shelves and kept them there indefinitely. The real idea was to help and unless some such way as this continues to be pursued, or some other way equally as good or better is invented, the history of our towns, cities and counties—in other words the history of our state, will not be preserved for future generations. Now, that practise went along up to the Baxter administration when these measures were vetoed right and left and I remember it distinctly because I sat in the House and heard those veto messages. And in the Brewster administration of two years ago they were cut down on the whole to a level of one-half. Now it was bad enough and a sufficient handicap, of course, to cut them in half but it was worse to refuse to give any money at all. I am taking, perhaps, somewhat more time than I would ordinarily because this is the first one.

There was another one that I, as chairman of the committee, let go by without raising a protest on the amendment which, I think, related to music and the musicians of Maine, because I asked, I think, the Senator from Kennebec, Mr. Foster, if the

author or publisher were willing and I understood that the amended sum would be sufficient to make up that deficit in cost. Now, if they are going to be cut down, these resolves reported out favorably by the Committee on Library, purely on the proposition of economy I want to protest and protest seriously and solemnly. It is a mistaken policy. It is not economy, and the amount of money we will save will not be a drop in the bucket in the running of this State, as you will very well know by the time we reach the last Saturday in this session.

Now I intend to vote "no," Mr. President, on the motion which I believe is pending for the adoption of Senate Amendment A and I hope the Senate will sustain me.

Mr. SPEAR of Cumberland: Mr. President, I think that the amendment that was offered was my amendment, was it not?

The PRESIDENT pro tem: The Senator is correct.

Mr. SPEAR: Mr. President, in support of that amendment I would like to say that the reason I offered this amendment was that the man who published this book—and I am of course interested in Portland and Portland matters—was fully able to publish the book himself. One hundred and thirty copies will, as Senator Holmes has said, satisfy the libraries and the normal schools in Maine and I can see no good reason why if the State wants more copies they cannot buy them. In the case of "Music and Musicians of Maine." I think the Senator was entirely right because that man could not publish that book if the State took only a small amount. What he did ask for was cut down and I think that the number that was recommended was proper but in the rest of these cases, especially the one that is before us now, I think that one hundred and thirty copies is adequate.

Mr. HOLMES: I should like, Mr. President, to ask through the Chair of the Senator from Cumberland, Senator Spear, if he bases his opinion that that number is adequate upon the fact that the author has means of his own or does he base it upon his opinion as to what is for the best interests for the State and its history?

The PRESIDENT pro tem: The

Senator from Cumberland, Senator Spear, may answer if he desires.

Mr. SPEAR: Well, Mr. President, as I stated I think one hundred and thirty copies are enough and that the State can buy more if it wishes.

The PRESIDENT pro tem: The question before the Senate is on the adoption of Senate Amendment A. Those in favor of the motion to adopt will say "aye" and those opposed will say "no."

A viva voce vote being doubted

A division of the Senate was had.

Eight senators voted in the affirmative and eight in the negative.

The PRESIDENT pro tem: The Senate having voted eight in the affirmative and eight in the negative, the Chair—

Mr. MAHER of Kennebec: I would ask, Mr. President, before any announcement is made, if I am in order, if, in the event of the vote having been eight to eight—the motion was on the adoption of the amendment, was it not?

The PRESIDENT pro tem: The motion was on the adoption of the amendment.

Mr. MAHER: I would ask, in the event of a tie, if the motion is not lost?

The PRESIDENT pro tem: The Chair will state for the information of the Senator from Kennebec, Senator Maher, that in this case, or in cases similar, the Chair is of the opinion, that it can vote if it sees fit. If the Chair does not see fit it need not vote. The Chair in this case does not see fit to vote, and the Chair will therefore declare the motion to adopt the amendment lost.

Mr. HOLMES: Mr. President, may I inquire what the parliamentary situation is on this matter?

The PRESIDENT pro tem: The Secretary will read the parliamentary situation as it appears on the bill.

(The Secretary read: "In the House, passed to be engrossed on March 2, 1927. The Senate accepted the report and the bill is in order for reading.")

Thereupon, on motion by Mr. Holmes of Androscoggin the bill received its first reading.

On motion by Mr. Spear of Cumberland the bill was then tabled pending second reading.

The President pro tem laid before

the Senate resolve providing for the purchase of 100 copies of "Province and Court Records of Maine 1638-1668" (H. D. 306) tabled on March 3rd by Mr. Holmes of Androscoggin pending adoption of Senate Amendment A.

At this time the President resumed the chair amidst the applause of the Senate.

Mr. HOLMES: Mr. President, may I have Senate Amendment A read again?

(The Secretary read Senate Amendment A.)

Mr. HOLMES: Mr. President, the original resolve as reported out from the Committee on Library reads: "Resolved, that the state librarian be, and hereby is, authorized, empowered and directed to purchase one hundred copies of the book entitled "Province and Court Records of Maine, 1638-1668" from the Maine Historical Society, at ten dollars a copy, and that the sum of one thousand dollars is hereby appropriated therefor." Mr. President, I read that merely for the purpose of bringing to the attention of the Senate that it is the Maine Historical Society which is publishing this part of the history of Maine and I want to say that I am opposed to the amendment and that I think it would be even more ill advised than the amendment in the preceding case. It is not necessary for me to take any time to remind you all of what the Maine Historical Society is and how these devoted men and women throughout this state, with their headquarters in Portland, have been working for the preservation of the history of the state and how they have carried upon their shoulders more than any other organization in the state that responsibility. The society is composed of some of the very best men and women in this state and when I say "best" I mean best in the sense of the most self-sacrificing and highly intelligent people of the state.

Now, it has been ten or twelve years since the society has been able to get out any further publication of the kind that they have been getting out for years, and it is not at all, in my opinion—and I think that was the opinion of the Committee on Library—not at all a question of how much the state can afford or whether it can afford the difference between

\$500 and \$1,000. It is not at all a question of how many volumes the library will need for exchange, but this Maine Historical Society deserves and ought to have help and in other states appropriations are made direct to their historical societies and I believe that it is the custom in Massachusetts for the legislature of that state to appropriate money directly to the Massachusetts Historical Society. No such thing is done or ever has been done in Maine. Now, perhaps the Society will get out those valuable parts of the Province and Court records of that period of thirty years without any help from the state. I do not know, but I rather draw the inference from what the speakers said who came before the Committee that this appropriation was vitally needed, and I think it would be a great mistake to cut it down below what they said they needed.

The PRESIDENT: The question is on the adoption of Senate Amendment A. As many as favor the adoption will say "Aye": Those opposed. "No."

A viva voce vote being doubted

A division of the Senate was had.

Six having voted in the affirmative and fourteen in the negative, the motion to adopt failed of passage.

Thereupon the bill was passed to be engrossed.

On motion by Mr. Spear of Cumberland the Senate voted to take from the table Resolve for the purchase of 250 copies of "Portland by the Sea" (H. D. 263) tabled by that Senator earlier in today's session pending second reading.

Mr. FOSTER of Kennebec: Mr. President, I would inquire of the Chair just what measure that is. I did not catch it.

The PRESIDENT: It is the resolve for the purchase of 250 copies of "Portland by the Sea," the pending question being second reading, having been read once.

Mr. FOSTER: Is not that the matter, Mr. President, that we have just discussed preceeding the very last one?

The PRESIDENT: It was, according to the calendar.

Mr. FOSTER: Then is it proper to act further on it this morning?

The PRESIDENT: The Chair will state—the Chair, of course, was not in

the chair at the time, but in the opinion of the Chair the motion to adopt the amendment failed; then the matter was tabled and the pending question after the motion to adopt the amendment failed was second reading which is automatically the pending question now, the matter having been taken from the table, unless some motion is made.

Mr. CARTER of Androscoggin: I move the question, Mr. President.

The PRESIDENT: Does the Senator from Kennebec, Senator Foster, move that the resolve now receive its second reading?

Mr. FOSTER: Yes, Mr. President.

Thereupon the resolve received its second reading.

Mr. FOSTER: Now, Mr. President, are remarks on the question in order at this time?

The PRESIDENT: There is no pending question except passage to be engrossed, which is debatable, and is before the Senate automatically unless some motion is made, it having had its two several readings.

Mr. FOSTER: Well, Mr. President, I have listened with a great deal of interest to the Senator from Androscoggin, Senator Holmes, in regard to these matters. I have also referred to the legislative record of the 18th when the same senator addressed us on the crowded condition of the library. He said that the librarian was at his wits' end to know what to do with all the books that they had there and the books that were coming in. Now he says it is purely a financial question. It is, perhaps, a financial question of small moment, but on the other hand I think that the senator must have done some investigating according to his own statement of a week ago in order to find places for this added number of books. It does seem to me that we are headed toward an extravagant policy in regard to appropriating money for the purchase of these books. If the State can get along with half the number, why not do it? I am told in the case of both of these resolves that half the number would be just as acceptable. There are in the State only about 130 libraries, the intent of the measure being to send to the libraries, and it seems to me that the Senate can well consider whether or not they want to continue piling up an accumulation of unused books in our State library when we all know it is very crowded already.

Mr. CARTER of Androscoggin: Mr. President, in this instance I would like

to address the Senate in favor of the pending question and the passing of this resolve to engrossment. I think I have never yet in my experience in Augusta around the State House, either from the inside or the outside of the Legislature, seen a time in which joint committees of the Legislature seemed to be so doubted by the members of the Legislature. If I understand correctly there was appointed a library committee. The chairman on the part of the Senate, if my recollection is correct, has been state librarian, a man of great erudition and learning, particularly along lines of history and literature. This joint committee of the 83rd Legislature heard these matters in detail and were unanimous in their report on them. That we agree with them is apparent but we wish to save—I don't know—a few hundred dollars, two or three hundred dollars, perhaps a little more, from the appropriation which is the sole incentive to what demand we have in Maine and what interest of the people we have in Maine toward preserving the records of our state. The reference to the crowded condition of the library—why? Because this state is parsimonious and penurious with reference to our development of literature and arts. Why? Because we have no proper space in which to house literary gems of the historical records of our state by not giving the state a proper building. Why? Because the library is over crowded. Should we stop advancing in the arts? Should we take away the incentive of those people in the state of Maine who are pausing long enough in the hurly-burly of this life to preserve these records of the doings and achievements of the people in Maine of years gone by and who are working or trying to work along lines that they believe are for our advancement? If this committee unanimously reported that 250 copies of this particular book ought to be purchased why should this state refuse to stand back of this committee's report?

The PRESIDENT: The question is on the passage to be engrossed of House Document 268. As many as favor passage to be engrossed will say "aye". Those opposed "no".

A viva voce vote being taken the motion that the resolve be passed to be engrossed prevailed

Mr. WOODS of Penobscot: Mr. President, I have a bill which I would like to have unanimous consent of the Senate to introduce out of order. It is a bill which is of great interest to Maine and in support of it I yield to Senator Carter of Androscoggin.

Mr. CARTER of Androscoggin: Mr. President, I think this bill is the one numbered Senate Document 113 and I am informed by the Senator from Penobscot, Senator Woods, that the history of this bill is as follows: The bill was given, I think, to Senator Woods by some member of the highway department of the highway commission, and was introduced by him and referred to the Judiciary Committee and a time set for hearing and duly advertised. At the date when this bill was to be heard Senator Woods was engaged in an important hearing of his own. He was notified by messenger and sent back word to the Committee on Judiciary that it was impossible for him to attend at that time. Therefore the Committee on Judiciary laid the matter on the table and kept carrying it along from day to day. Now, through some unfortunate oversight on the part of the highway commission, or in some way, nobody ever appeared for that bill. It was a matter which the Judiciary Committee knew nothing about and no appearance having been made after the matter having been held on the table from day to day it was reported out unanimously ought not to pass, there being apparently no necessity for the legislation as nobody appeared for it. It now appears that this is really an emergency measure, almost, and the only vehicle by which the inspectors can keep track of the trucks that are running against orders over our soft roads and demolishing them at this time. With this preamble I am now going to move under suspension of the rules which I hope will be granted that we reconsider our vote whereby the "ought not to pass" report of the committee was accepted.

The PRESIDENT: The Chair is of the opinion that perhaps the Senator from Penobscot, Senator Woods, did not mean just what he said about introducing a new bill as this bill has already been introduced and reported by the judiciary "ought not to pass." The question now is, shall

the rules be suspended for the purpose of reconsidering the vote.

Thereupon, the rules were suspended and on motion by Mr. Carter of Androscoggin the Senate reconsidered its former action whereby the report of the committee "ought not to pass" was accepted; and on further motion by the same Senator the bill was substituted for the report.

Thereupon, on motion by Mr. Carter of Androscoggin, the bill received its first reading, and on further motion by the same Senator the rules were suspended, the bill received its second reading and was passed to be engrossed.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table An Act legalizing the guaranteed mortgage bond as an investment for savings banks (H. D. 420) tabled on March 3rd by that Senator pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table Senate report from Committee on Maine Publicity, "ought not to pass" on Resolve to appropriate money for compiling and advertising the agricultural, industrial and recreational resources of the State (S. D. 1) tabled on March 23rd by that Senator pending acceptance of the report.

Mr. SPEAR of Cumberland: Mr. President, I yield to the Senator from Washington, Senator Miner.

Mr. MINER of Washington, I now move. Mr. President, that this be referred to the Committee on Appropriations and Financial Affairs.

Mr. DOUGLAS of Hancock: Mr. President, I personally have no objection to my friend Senator Spear, or my friend Senator Miner, referring this to the Committee on Appropriations if the matter is fully explained. It was submitted to a committee elected by the senators here and it appears that Senator Spear was not satisfied with the unanimous report of that committee and at this time wants it referred to the Committee on Appropriations. I, as one from the Committee on Publicity, am absolutely in favor of his

doing that if he is dissatisfied but I just simply wanted to state at this time that that had no bearing whatsoever on my bill that I am sponsoring which comes off the table Friday morning.

The PRESIDENT: The question is on the motion of the Senator from Washington, Senator Miner, that this bill and the report be referred to the Committee on Appropriations and Financial Affairs. Is this the pleasure of the Senate?

The motion to refer prevailed.

Mr. DWINAL of Knox: Mr. President, I would like to inquire if House Document 394, tabled by me this morning for the printing of the amendment, if the amendment has been printed?

The PRESIDENT: It has not.

Mr. DWINAL: Then it would not be in order to take it off the table, Mr. President?

The PRESIDENT: Not until printed.

On motion by Mr. Holmes of Androscoggin, recessed until five o'clock this afternoon.

#### AFTER RECESS

The Senate was called to order by the President.

Further papers from the House disposed of in concurrence.

From the House: An Act relating to exemption from taxation of the estates of war veterans (H. D. 300).

(In Senate, March 9, passed to be engrossed in concurrence.)

In 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 reconsidered its vote whereby the bill was passed to be engrossed on March 9th.

The PRESIDENT: Does any Senator wish to have the amendment read?

Mr. SMITH of Somerset: I do, Mr. President.

(The Secretary read House Amendment A.)

Thereupon, House Amendment A was adopted in concurrence and the bill as so amended was passed to be engrossed.

From the House: Resolve, in favor of the Bangor State Hospital (S. D. 152).

(In Senate, March 4, passed to be engrossed and send down for concurrence.)

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

In the Senate, on motion by Mr. Woods of Penobscot the rules were suspended and that body reconsidered its vote whereby the resolve was passed to be engrossed on March 4th.

Mr. WOODS of Penobscot: I would like to hear the amendment read, Mr. President.

(The Secretary read House Amendment A.)

Thereupon, on motion by Mr. Woods of Penobscot, House Amendment A was adopted in concurrence and on further motion by the same senator, the resolve as so amended was passed to be engrossed.

From the House: Resolve, in favor of the Augusta State Hospital (S. D. 153).

(In Senate, March 4th, passed to be engrossed and sent down for concurrence.)

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

In the Senate, on motion by Mr. Woods of Penobscot the rules were suspended and that body reconsidered its vote whereby the resolve was passed to be engrossed on March 4th.

Mr. WOODS of Penobscot: I would like to hear the amendment read, Mr. President.

(The Secretary read House Amendment A.)

Thereupon, on motion by Mr. Woods of Penobscot, House Amendment A was adopted in concurrence and on further motion by the same senator the resolve as so amended was passed to be engrossed.

From the House: The Committee on Taxation, on Act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes (H. D. 246) reported that the same ought not to pass.

In the House, the bill substituted



for the report and passed to be engrossed.

In the Senate:

Mr. ROBERTS of York: Mr. President, I move this bill lie upon the table.

Mr. CARTER of Androscoggin: Mr. President, could I ask through the Chair, if the Senator from York, Senator Roberts, wishes to assign a date and if so at what time?

Mr. ROBERTS: Mr. President, it would automatically come off next Wednesday, would it not?

The PRESIDENT: The Chair will state, it will automatically come off Wednesday. We shall be in session no doubt Monday and Tuesday.

Mr. ROBERTS: Mr. President, I would specially assign for Tuesday morning.

The PRESIDENT: The Chair would suggest, not wishing to dictate you understand, but Tuesday has the appearance of being a field day for water power.

Mr. ROBERTS: Mr. President, I would make it Wednesday then.

The motion to table and assign prevailed.

#### House Papers in First Reading

Resolve in favor of E. F. Marley (H. D. 346).

Resolve in favor of Hanson A. Barney of Guilford (H. D. 348).

Resolve in favor of A. H. Wadleigh, compensating him for damage done his orchard by deer (H. D. 349).

An Act to change the name of the State Board of Charities and Corrections to Department of Public Welfare (H. D. 173).

An Act relative to organization of corporations for certain purposes (H. D. 250).

#### Reports of Committees

Mrs. Allen, from the Committee on Education, on bill An Act relating to children between the ages of fifteen and sixteen who have not completed the sixth grade of the elementary schools must attend school (S. D. 233) reported that the same ought not to pass.

The same Senator, from the same Committee, on Resolve in favor of the Knox Academy of Arts and Sciences (S. P. 276) reported that the same ought not to pass.

Mr. Crafts, from the Committee on

Inland Fisheries and Game, on bill An Act to amend Section 1 of Chapter 71 of the Public Laws of 1925 relating to fishing in certain brooks and streams (S. P. 241) reported that legislation thereon is inexpedient.

The same Senator, from the same Committee, on petition of Edw. S. Titcomb and 15 others of Sanford in favor of act increasing resident hunting and fishing license; closed season for period of years on ruffed grouse; and for open season on deer in York County as at present. Petition of Horace E. Eaton of Sanford in favor of act increasing resident hunting and fishing license; and for open season on deer in York County as at present (S. P. 373) reported that the same be placed on file.

Mr. Dwinall, from the Committee on Legal Affairs, on bill An Act to amend Section 43 of Chapter 211 of the Public Laws of 1921 relating to registration of motor vehicles (S. D. 122) reported that the same ought not to pass.

(On motion by Mr. Slocum of Cumberland, tabled pending acceptance of the report.)

The same Senator, from the same Committee, on bill An Act relating to the crime on arson and punishment (S. D. 178) reported that the same ought not to pass.

Mr. Morrison, from the same Committee, on bill An Act relating to application for registration of a motor vehicle (S. D. 173) reported that the same ought not to pass.

The reports were severally read and accepted.

Mr. Speirs, from the Committee on Education, on bill "An Act providing for the improvement of conveyance of pupils to common schools" (S. P. 391) (S. D. 176) reported the same in a new draft, under the same title (S. P. 532) and that it ought to pass.

Mr. Crafts, from the Committee on Inland Fisheries and Game, on bill "An Act establishing Mount Bigelow Game Preserve in the counties of Franklin and Somerset" (S. P. 287) reported that the same ought to pass.

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

Mr. Morrison, from the Committee on Legal Affairs, on bill "An Act to amend Section 55 of Chapter 2 of the Revised Statutes relating to the Sec-

retary of State" (S. D. 179) reported that the same ought to pass.

Mr. Miner, from the Committee on Public Health, on bill "An Act relating to the State Department of Health" (S. D. 225) reported that the same ought to pass.

The reports were severally read and accepted, the bills read once and tomorrow assigned for second reading.

Mr. OAKES of Cumberland: Mr. President, I have an order which I wish to introduce out of order and move it be passed and sent to the House for concurrence and would state there is an order coming out of the Judiciary Committee and my reason is to have this passed by the House if possible.

The Secretary read the following order:

It appearing to the Senate that the following are important questions of law and the occasion a solemn one—

ORDERED, the Justices of the Supreme Judicial Court are hereby requested to give to the Senate according to the provisions of the Constitution in this behalf their opinion on the following questions, to which is prefaced the statement of facts.

There have been filed with the Legislature under the initiative and referendum provisions of the Constitution of Maine, petitions asking that a law repealing the Primary Law be submitted to the voters of the State. These petitions are in proper form and contain more than twelve thousand signatures. It is apparent, from an examination of some of the petitions, that several names are in the same hand-writing.

1. If on hearing, the Legislature finds as a fact that one person wrote several names on a petition does that invalidate the verification of the petition and should the other names on that petition be counted?

2. If on hearing, the Legislature finds as a fact that one person wrote several names on a petition but did so in good faith, believing that he had a right to do so, does that invalidate the verification of the petition and should the other names on the petition be counted?

3. If a person verifies a petition that he did not circulate and did not see each petition sign but does so honestly believing that each name

appearing on the petition is the true signature of the person whose name appears, is that a proper verification and should the names on that petition be counted?

Which order was read and passed.

On motion by Mr. Foster of Kennebec, the Senate voted to reconsider its action of yesterday whereby an Act relating to the use as part of name the words "bank," "savings," "trust," and kindred words (H. D. 371), was passed to be enacted; and on further motion by the same senator the Senate reconsidered its action whereby the same bill was passed to be engrossed.

Mr. FOSTER of Kennebec: Mr. President, I moved for reconsideration for the purpose of offering an amendment. I now offer Senate Amendment A and move its passage, and I speak to the passage of the amendment. This is an act relative to the use of the word "bank" or "banking" and it appears that if the measure should become a law and go into effect immediately, it would work a hardship to some people who have been using that name. The amendment simply provides for the extension of the time before the law is operative until next January. I trust it may have passage.

(The secretary read the following amendment:)

"Senate Amendment A to House Document 371. House Document 371 is hereby amended by inserting after the word 'shall' in the fifth line thereof the words 'on and after the first day of January, A. D. nineteen hundred and twenty-eight.'"

Mr. OAKES of Cumberland: Mr. President, may I ask the senator from Kennebec, Mr. Foster, if that affects the effectiveness of the rest of the act?

Mr. FOSTER: Mr. President, replying through the Chair, I will say it does not. It simply provides for the using up of a large quantity of stationery on which the printing appears and it would not be added expense. It does not take away the purport of the act at all.

Mr. OAKES: The only question was, I didn't know how the wording would affect the rest of the act.

Thereupon the bill as amended was passed to be engrossed.

Mr. GRANVILLE of York: Mr. President, out of order and under suspension of the rules I would like

the privilege of introducing a bill, An Act to provide for a full time State Highway Commission, amending Chapter 25 of the Revised Statutes relative to State highways. (S. P. 533).

Permission was granted Senator Granville to introduce the bill.

Mr. GRANVILLE: Mr. President, in explanation of the motion, I would say this is an act which provides for a full time, fully paid Highway Commission. It is thought that it is necessary for the economic expenditure of this sum of money that we have a full time Commission and that it be adequately paid.

The PRESIDENT: Does the Senator make a motion as to reference?

Mr. GRANVILLE: I would indicate reference to the Committee on Judiciary, Mr. President.

The PRESIDENT: The Senator further moves that this bill be referred to the Committee on Judiciary and that 500 copies be printed.

The motion to refer and print prevailed.

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On motion by Mr. Mitchell of Aroostook

Adjourned until tomorrow morning at ten o'clock.