

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

Saturday, April 16, 1927.

Senate called to order by the President.

Prayer by the Rev. A. Francis Walch of Augusta.

Journal of previous session read and approved.

Reports of Committees

Mr. FOSTER, from the Committee on Appropriations and Financial Affairs, on bill "An Act relating to the State Contingent Fund and the Sinking Fund Reserve" (S. P. 453) (S. D. 232) reported that legislation thereon is inexpedient.

The report was read and accepted.

Mr. BOND, from the Committee on Ways and Bridges, reported on the following resolves:

"Resolve in favor of Township 9, Range 5, Aroostook County." (S. P. 312)

"Resolve appropriating money to aid in the construction and maintenance of the Foster's Point Road in the town of West Bath." (S. P. 325)

"Resolve appropriating money to aid in the permanent improvement of the Mere Point Road in the town of Brunswick." (S. P. 164)

"Resolve in favor of the town of Columbia." (S. P. 346)

"Resolve in favor of the town of Parkman." (S. P. 102)

"Resolve in favor of repairs on Stage route between Patten and Mattagammon in the county of Penobscot." (H. P. 555)

"Resolve in favor of the town of Etna." (H. P. 773)

"Resolve in favor of the town of Levant." (H. P. 647)

"Resolve in favor of the town of Newburg." (H. P. 771)

"Resolve in favor of the town of Hampden." (H. P. 633)

"Resolve in favor of the town of Drew." (H. P. 489)

"Resolve in favor of the town of Williamsburg." (H. P. 796)

"Resolve in favor of the town of Harrington to aid in repairing a road." (H. P. 420)

"Resolve in favor of the town of Baring for state aid in the repair of third class highways." (H. P. 421)

"Resolve in favor of the town of Marion in repairing a road." (H. P. 569)

"Resolve in favor of the town of Washington." (H. P. 905)

"Resolve in favor of the town of Vinalhaven." (H. P. 433)

"Resolve in favor of the town of Bristol." (H. P. 797)

"Resolve in favor of the town of Brooklin." (H. P. 776)

"Resolve in favor of Lexington Plantation." (H. P. 435)

"Resolve in favor of the towns of Gray and Raymond." (H. P. 495)

Reporting that the same ought not to pass.

The report was read and accepted.

Mr. CASE, from the Committee on Ways and Bridges, on bill An Act to authorize the issuance of bonds for construction of State highways conditioned upon an amendment of the Constitution increasing the amount of bonds issued for State highways and bridges. (S. D. 177)

Reported that the same ought not to pass.

The same Senator, from the same Committee, on "Resolve in favor of Wiscasset-Edgecomb Bridge over Sheepscoot Bay, Lincoln County" (S. P. 311) reported that the same ought not to pass.

The same Senator, from the same Committee, on bill An Act to acquire the property of the Arrowsic Bridge Company and to provide for the maintenance of the Arrowsic Bridge as a free bridge (S. D. 91) reported that the same ought not to pass.

The reports were severally read and accepted.

Mr. CASE, from the Committee on Ways and Bridges, reported on the following resolves:

H. P. 155 Resolve to repair road between the towns of Abbot and Guilford.

H. P. 424 Resolve in favor of the town of Addison to aid in repairing a road.

H. P. 641 Resolve in favor of the town of Alna for a road.

S. P. 120 Resolve in favor of the town of Alexander to aid in building a road.

S. P. 232 Resolve in favor of the Old Road so-called in the town of Arrowsic.

H. P. 201 Resolve in favor of road in the town of Abbot.

S. P. 72 Resolve in favor of the town of Athens to repair a road.

- H. P. 150 Resolve in favor of the town of Appleton.
- S. P. 29 Resolve in favor of the town of Anson.
- H. P. 556 Resolve in favor of the town of Andover.
- H. P. 69 Resolve in favor of the town of Brownville for repair of road.
- H. P. 422 Resolve in favor of the town of Brooksville for construction of a road.
- H. P. 630 Resolve in favor of the town of Brooks.
- S. P. 310 Resolve in favor of the town of Bristol for a road.
- H. P. 650 Resolve in favor of the town of Bremen.
- H. P. 634 Resolve in favor of the town of Bridgton.
- H. P. 642 Resolve in favor of the town of Bowdoin.
- H. P. 564 Resolve in favor of the town of Bluehill.
- H. P. 482 Resolve in favor of road in town of Benton.
- H. P. 436 Resolve in favor of the city of Belfast.
- H. P. 768 Resolve in favor of the road in the town of Beals.
- S. P. 117 Resolve in favor of the town of Baring.
- H. P. 682 Resolve in favor of the town of Bar Harbor.
- H. P. 646 Resolve in favor of the town of Bowdoinham.
- H. P. 643 Resolve in favor of the town of Bowdoin.
- H. P. 412 Resolve in favor of the town of Cushing.
- S. P. 71 Resolve in favor of the town of Cornville to repair a road.
- H. P. 757 Resolve for the aid of the town of Cornish in the rebuilding of a road.
- H. P. 551 Resolve in favor of the town of Connor.
- S. P. 184 Resolve in favor of the town of Concord for the repair of a bridge.
- H. P. 191 Resolve in favor of Codyville Plantation.
- H. P. 640 Resolve in favor of the town of Clinton.
- H. P. 411 Resolve in favor of the town of China.
- H. P. 687 Resolve in favor of the town of Chesterville.
- H. P. 118 Resolve appropriating money for the improvement of the Randolph-Togus road in the town of Chelsea.
- S. P. 118 Resolve in favor of the town of Charlotte to aid in repairing a road.
- H. P. 625 Resolve in favor of the town of Castle Hill.
- H. P. 156. Resolve in favor of the town of Castine for the construction of a road.
- H. P. 648 Resolve in favor of the town of Carmel.
- H. P. 779 Resolve in favor of the town of Canton.
- S. P. 68 Resolve in favor of the town of Canaan to repair a road.
- S. P. 134 Resolve to aid in repairing State Fish Hatchery road in Camden in the county of Knox.
- H. P. 487 Resolve in favor of the town of Dyer Brook.
- H. P. 320 Resolve in favor of the town of Dresden in the county of Lincoln.
- H. P. 302 Resolve in favor of the town of Dresden in the county of Lincoln.
- H. P. 246 Resolve in favor of the town of Dover-Foxcroft.
- H. P. 782 Resolve in favor of the town of Dixmont.
- H. P. 414 Resolve in favor of the town of Dexter.
- H. P. 561 Resolve in favor of the town of Detroit.
- H. P. 418 Resolve in favor of the town of Denmark.
- H. P. 416 Resolve in favor of the town of Danforth.
- H. P. 156 Resolve in favor of the town of Durham to aid in repairing the road leading from Lisbon Falls to Freeport.
- H. P. 101 Resolve in favor of the town of Exeter.
- S. P. 30 Resolve in favor of the town of Embden.
- H. P. 566 Resolve in favor of the city of Ellsworth.
- H. P. 209 Resolve in favor of the town of Eddington.
- H. P. 626 Resolve in favor of the town of Easton.
- H. P. 570 Resolve in favor of the town of East Machias to aid in repairing a road.
- H. P. 491 Resolve in favor of the town of East Livermore.
- H. P. 303 Resolve in favor of the town of Freeport.
- H. P. 193 Resolve in favor of the town of Freeport.
- H. P. 195 Resolve for permanent improvements and rebuilding of Foster Hill Road in Freeman.
- S. P. 206 Resolve in favor of the town of Fryeburg.
- H. P. 194 Resolve for the repair of the Valley Road in Freeman.

H. P. 629 Resolve in favor of road in the town of Freedom.

H. P. 766 Resolve in favor of the town of Franklin County of Hancock.

H. P. 764 Resolve in favor of the town of Franklin, County of Hancock.

H. P. 309 Resolve in favor of the town of Frankfort.

H. P. 276 Resolve in favor of Forks Plantation, Somerset County for the purpose of building a bunter in the river that protects the covered bridge over the Kennebec River.

H. P. 803 Resolve in favor of the town of Falmouth.

H. P. 314 Resolve in favor of the town of Fairfield to repair and rebuild a road.

H. P. 102 Resolve in favor of the town of Greenwood in the county of Oxford for the repair of the highway.

H. P. 203 Resolve in favor of the town of Greene.

H. P. 496 Resolve in favor of the towns of Gray and Raymond.

H. P. 756 Resolve in favor of the town of Gorham.

H. P. 301 Resolve in favor of the town of Glenburn.

S. P. 228 Resolve in favor of the town of Georgetown, county of Sagadahoc, State of Maine, for repairs on road.

H. P. 415 Resolve in favor of the town of Garland.

H. P. 685 Resolve in favor of the town of Hollis.

H. P. 639 Resolve in favor of the town of Hodgdon.

H. P. 485 Resolve in favor of Highland Plantation, Somerset County, in aid in building a road.

H. P. 624 Resolve in favor of the town of Hermon.

H. P. 300 Resolve in favor of the town of Hermon.

H. P. 632 Resolve in favor of the town of Hebron.

H. P. 490 Resolve in favor of the town of Haynesville.

H. P. 762 Resolve in favor of the town of Harrison.

S. P. 347 Resolve in favor of the town of Harrington.

H. P. 153 Resolve in favor of the town of Harmony for repairing and building a road.

S. P. 227 Resolve in favor of the town of Hancock.

S. P. 271 Resolve in favor of the town of Hampden to aid in repair of road.

H. P. 148 Resolve in favor of the town of Hampden.

H. P. 683 Resolve in favor of the town of Industry.

H. P. 772 Resolve in favor of road in the town of Jonesboro.

H. P. 777 Resolve in favor of Jerusalem for a road on highway leading from North New Portland to Stratton.

S. P. 180 Resolve in favor of the town of Jefferson.

H. P. 806 Resolve in favor of the town of Jackson.

H. P. 548 Resolve in favor of the town of Knox.

H. P. 300 Resolve in favor of the town of Kittery.

H. P. 116 Resolve in favor of the town of Kennebunk.

H. P. 117 Resolve in favor of the town of Kennebunk.

H. P. 188 Resolve in favor of Kosuth Plantation.

S. P. 136 Resolve in favor of the town of Lyman for road construction.

H. P. 792 Resolve in favor of the town of Litchfield.

H. P. 318 Resolve in favor of the town of Lisbon to aid in repairing and building of road leading from Lisbon to Bowdoinham in the town of Lisbon.

H. P. 242 Resolve in favor of the town of Lincolnville for road.

H. P. 190 Resolve in favor of the Lambert Lake Plantation.

H. P. 198 Resolve in favor of the town of Lincoln for aid to its state aid highway.

H. P. 620 Resolve in favor of road in town of Liberty.

H. P. 760 Resolve in favor of town of Lebanon.

H. P. 115 Resolve in favor of the repair of a road from Mount Vernon to Belgrade Lakes.

H. P. 306 Resolve in favor of road in town of Milo.

H. P. 241 Resolve to appropriate money for road in town of Montville.

H. P. 426 Resolve in favor of town of Monticello.

H. P. 100 Resolve in favor of road in town of Monson.

H. P. 805 Resolve in favor of town of Monroe.

H. P. 304 Resolve in favor of town of Monmouth.

H. P. 427 Resolve in favor of the town of Minot.

H. P. 154 Resolve appropriating money to aid in repairing a highway in the town of Milo and providing for the future maintenance thereof.

H. P. 799 Resolve in favor of the town of Milford.

S. P. 119 Resolve in favor of the town of Milbridge to aid in repairing a road.

H. P. 558 Resolve for the repair and improvement of road in the town of Mexico.

S. P. 69 Resolve in favor of the town of Mercer for the repair and building of a road.

H. P. 199 Resolve appropriating money to aid in repairing highway in the town of Medford, in the county of Piscataquis, and providing for the future maintenance thereof.

H. P. 419 Resolve in favor of the town of Meddybemps.

H. P. 623 Resolve in favor of the towns of Mapleton, Castle Hill, Washburn and Wade Plantation.

H. P. 245 Resolve in favor of the town of Manchester.

S. P. 83 Resolve in favor of the town of Madison for the repair of a road.

H. P. 316 Resolve in favor of the town of Madison for the repair and rebuilding of a road.

S. P. 82 Resolve in favor of Madison for road.

H. P. 319 Resolve in favor of towns of Madawaska and Grand Isle.

H. P. 774 Resolve in favor of road in the town of Machiasport.

H. P. 428 Resolve in favor of the town of North Berwick.

H. P. 790 Resolve in favor of the town of Nobleboro for a road.

H. P. 637 Resolve in favor of the town of New Vineyard.

H. P. 681 Resolve in favor of the town of New Sharon.

H. P. 554 Resolve in favor of the town of New Sweden.

H. P. 801 Resolve in favor of New Portland.

H. P. 488 Resolve in favor of the town of Newport.

S. P. 161 Resolve in favor of the town of New Limerick, in Aroostook County, for the repairs and improvement of a portion of the Lake road so-called.

S. P. 116 Resolve in favor of the towns of New Castle and Jefferson.

S. P. 207 Resolve in favor of the town of Oakland.

S. P. 345 Resolve in favor of the town of Orland to aid in building a bridge across Gully Brook so-called.

H. P. 798 Resolve in favor of the town of Otisfield.

H. P. 795 Resolve in favor of the town of Orrington.

H. P. 151 Resolve appropriating money to aid in repairing a highway in the town of Orneville and providing for the future maintenance thereof.

H. P. 770 Resolve in favor of the town of Prospect.

H. P. 192 Resolve in favor of the town of Princeton.

H. P. 119 Resolve in favor of the town of Presque Isle.

H. P. 902 Resolve in favor of the town of Poland.

H. P. 649 Resolve in favor of the town of Plymouth.

H. P. 560 Resolve in favor of the town of Pittsfield.

S. P. 230 Resolve in favor of the town of Phippsburg.

H. P. 645 Resolve in favor of the town of Phippsburg to aid in the reconstruction of Popham Beach Road.

H. P. 644 Resolve in favor of the town of Phippsburg in the County of Sagadahoc.

H. P. 778 Resolve in favor of the town of Phippsburg.

H. P. 619 Resolve in favor of the town of Peru, Oxford County.

S. P. 74 Resolve to aid the town of Perry to aid in building a road.

H. P. 310 Resolve in favor of the town of Penobscot.

H. P. 430 Resolve in favor of the town of Pembroke.

H. P. 243 Resolve in favor of the towns of Patten, Crystal and Sherman.

H. P. 305 Resolve in favor of the town of Parkman for repairing a road.

H. P. 562 Resolve in favor of the town of Palmyra.

H. P. 904 Resolve in favor of the town of Rockport.

S. P. 229 Resolve in favor of the town of Richmond.

S. P. 163 Resolve in favor of the town of Swanville.

H. P. 636 Resolve in favor of the town of Standish.

H. P. 761 Resolve in favor of the town of Standish.

S. P. 318 Resolve in favor of the town of Standish.

H. P. 565 Resolve in favor of the town of Surry.

H. P. 417 Resolve in favor of the town of South Thomaston.

H. P. 793 Resolve in favor of the town of Strong.

H. P. 621 Resolve in favor of the town of Stockholm.

S. P. 269 Resolve in favor of the Ladies Sidewalk Society of Steuben.

H. P. 781 Resolve in favor of the town of Steuben, Maine to aid in the construction, repair and maintenance of a road.

H. P. 311 Resolve in favor of the town of Stetson.

H. P. 152 Resolve in favor of the town of Southwest Harbor.

H. P. 493 Resolve in favor of the town of South Paris for repair of a road.

H. P. 425 Resolve in favor of the town of South Berwick for repairs upon the road from Jewett to Elliot.

S. P. 121 Resolve in favor of the town of Somerville.

H. P. 622 Resolve in favor of the town of Smyrna.

S. P. 183 Resolve in favor of Skowhegan.

H. P. 313 Resolve in favor of the town of Sidney.

H. P. 317 Resolve in favor of the town of Sherman for the repair of a road.

H. P. 775 Resolve in favor of the town of Shapleigh.

H. P. 423 Resolve in favor of the town of Sedgwick in Hancock County for aid in repair of a road.

H. P. 312 Resolve in favor of the town of Searsport.

H. P. 307 Resolve in favor of the town of Searsmont.

H. P. 207 Resolve in favor of road in the town of Sangerville.

H. P. 434 Resolve in favor of town of St. George.

H. P. 157 Resolve in favor of town of St. Albans for repair and rebuilding of a road.

H. P. 546 Resolve in favor of the city of Saco for Ferry Road.

H. P. 547 Resolve in favor of Buxton Road in Saco.

H. P. 627 Resolve in favor of the town of Troy.

H. P. 202 Resolve in favor of the town of Trescott to aid in building a road.

H. P. 567 Resolve to aid in repairing bridges in township 31, middle division of Washington County.

S. P. 182 Resolve in favor of road in Big Squaw Mountain Township.

S. P. 313 Resolve in favor of township 14, Washington County, to aid in building a road.

H. P. 688 Resolve appropriating money for the construction, maintenance and repair of the highway known as Greene Street in the town of Topsham.

H. P. 631 Resolve in favor of the town of Thorndike.

H. P. 299 Resolve in favor of the town of Union appropriating money to aid in the construction of a road.

H. P. 628 Resolve in favor of the town of Unity.

H. P. 618 Resolve to aid town of Verona in repair of a road.

H. P. 791 Resolve in favor of the town of Wiscasset for a road.

H. P. 204 Resolve in favor of the town of Winslow.

H. P. 197 Resolve in favor of Winterville Plantation, Aroostook County.

H. P. 497 Resolve in favor of the town of Winthrop for a road from Winthrop to Readfield.

H. P. 559 Resolve in favor of road in town of Woodstock.

S. P. 233 Resolve appropriating for the construction and maintenance and repair of the River Road so-called in the town of Woolwich.

H. P. 763 Resolve in favor of the town of Winterport for repairs on a road.

S. P. 204 Resolve in favor of a road in Whitefield, Lincoln County.

S. P. 309 Resolve in favor of the town of Whitefield.

H. P. 827 Resolve in favor of the town of West Gardiner.

H. P. 431 Resolve in favor of the city of Westbrook.

S. P. 135 Resolve in favor of the town of Weston.

H. P. 552 Resolve in favor of the town of Weston.

S. P. 231 Resolve in aid of the Small Point Road in West Bath.

H. P. 568 Resolve to aid the town of Wesley in repairing a road.

H. P. 205 Resolve in favor of the town of Weld.

H. P. 200 Resolve in favor of the town of Webster, to aid in repairing the road leading from Lewiston to Bowdoinham.

S. P. 208 Resolve in favor of the town of Wayne.

H. P. 553 Resolve in favor of road in Washington Plantation.

H. P. 298 Resolve in favor of the town of Washington.

H. P. 808 Resolve in favor of the town of Washburn.

H. P. 549 Resolve in favor of the town of Warren.

H. P. 484 Resolve in favor of the town of Waldoboro for a road.

H. P. 804 Resolve in favor of the town of Waldo.

H. P. 35 Resolve appropriating money for repairs on highway in the town of York.

H. P. 158 Resolve in favor of the town of Durham to aid in repairing the road leading from Lisbon Falls to Freeport, in the town of Durham.

H. P. 315 Resolve in favor of the town of Prentiss.

Reporting the same in a new draft, under the title of "Resolve for the construction, maintenance and repair of roads, bridges and ferries (S. P. 677) and that it ought to pass.

The report was read and accepted, the rules were suspended and the resolve was given its two several readings and passed to be engrossed.

Passed to be Enacted

"An Act to Establish a Uniform License Law for Summer Camps." (S. P. 220) (S. D. 87)

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

An Act relating to the Protection of Moose. (S. D. 332)

On motion by Mr. Woods of Penobscot, the Senate reconsidered its former action whereby this bill was passed to be engrossed and that senator offered Senate Amendment B and moved its adoption:

"Senate Amendment B to Senate Document No. 382, An Act relating to the Protection of Moose. Amend by adding at the end thereof the following: 'Provided, however, that the commissioner of inland fisheries and game, upon application from any person who has legally killed a moose beyond the limits of this state, may issue a special importation license permitting the importation of such moose, or part thereof, for consumption or mounting within this state, under such rules and regulations as said commissioner may establish; provided, however, that no moose, or part thereof, imported by virtue of this act shall be sold or offered for sale at any time, and provided, further, that said commission shall appoint the customs officers or other persons at convenient points along the Maine boundary as agents to issue the importation license above named.'"

Mr. WOODS of Penobscot: Mr. President, in support of the amendment I wish to say that the bill as it now stands repeals the right to the citizens to take into the state a moose that has been legally killed in

Canada and the amendment only restores that right.

Thereupon, Senate Amendment B was adopted and the bill as so amended was passed to be engrossed.

An Act to Amend the Workmen's Compensation Act. (S. D. 383)

An Act Relating to the Trial and Law Terms of the Supreme Judicial Court and to Amend Section Ninety-eight of Chapter Eighty-two of the Revised Statutes Relating to the Exchange of Justices of the Superior Court. (S. D. 392)

An Act to Make Certain the Legal Boundaries of the Town of Old Orchard and Set Off to the Town of Old Orchard from the City of Saco Any Right, Title or Interest Which the City of Saco May Have Within Said Boundaries. (H. D. 230)

An Act providing for the appointment of a Deputy Secretary of State to be Designated a Registrar of Motor Vehicles and to Place the Administration of the Several Motor Vehicle Provisions of Law Under His Jurisdiction and Administration. (H. P. 1331)

Mr. SMITH of Somerset: Mr. President, I would like to get the matter in position where I can move its indefinite postponement.

The PRESIDENT: It is in that position now.

Mr. SMITH: Mr. President, I have been hearing throughout the session something about the proposition of a registrar of motor vehicles but not until yesterday did I get an opportunity to read the proposed legislation. In my opinion the creation of this office at this time is uncalled for. So far as I can learn the registration of motor vehicles is being done carefully, efficiently and satisfactorily. I do not know who happens to be behind this proposition but my judgment is that it would be best to indefinitely postpone it and I so move.

Mr. MITCHELL of Aroostook: Mr. President, as one of the members of the committee of conference I simply want to make this statement before voting. I voted in favor of this bill in the committee of conference. Since then I have learned that the bill is not as I understand it was and I therefore second the motion to indefinitely postpone.

A viva voce vote being taken, the

motion to indefinitely postpone prevailed.

Finally Passed

"Resolve, in Favor of the Chaplains of the Senate of the Eighty-third Legislature." (S. P. 667)

"Resolve, in Favor of Charitable and Benevolent Institutions, for the Care, Support and Medical or Surgical Treatment of Certain Persons." (S. P. 673)

"Resolve, to Provide for the Payment of Certain Resolves Where Special Provision for Payment Has Not Been Made." (S. P. 674)

Reports of Committee

(Out of order and under suspension of the rules).

Mr. Foster from the Committee on Appropriation and Financial Affairs, on bill An Act relating to the contingent fund and the sinking fund resolve, reports that legislation thereon is inexpedient.

The report was accepted.

The Committee of Conference, on bill "An Act to create a Commission to investigate and to negotiate a compact, regarding water power and electricity in New England" (S. P. 524) (S. D. 262) reported as follows:

On motion of Senator Maher, reported in full at his request, voted that the Committee report.

That the House take affirmative action on passage of the said act to create a compact.

On motion by Mr. Oakes of Cumberland the report was accepted.

Additional paper from the House, out of order and under suspension of the rules, disposed of in concurrence.

Finally Passed

(Out of order and under suspension of the rules).

Resolve, in Favor of the Towns of Gardiner and Randolph. (H. P. 1334)

Orders of the Day

The President laid before the Senate, An Act in relation to tax on internal combustion engine fuel (S. D. 319) tabled on April 15th by Mr. Smith of Somerset pending passage to be engrossed; and the President recognized that senator.

Thereupon, on motion by the same

senator the bill was indefinitely postponed.

The President laid before the Senate, An Act relating to marketmen's licenses (S. D. 385) tabled on April 15th by Mr. Crafts of Piscataquis pending enactment; and the President recognized that senator.

Mr. CRAFTS of Piscataquis: Mr. President, I desire to have this bill retabled until other legislation is out of the way.

The motion to retable prevailed.

On motion by Mr. Maher of Kennebec, that senator was given unanimous permission to take from the table Joint Order relative to recall of House Document 365, An Act relating to welfare conditions in the state tabled on April 15th by that senator pending passage.

Mr. MAHER of Kennebec: Mr. President, in the interest of orderly procedure, both branches having passed this order by an overwhelming vote earlier in the session and the committee appointments having been announced and a most unusual and unprecedented attempt having been made to recall the matter from the legislative file at this late date, it seems to me that we ought to kill this order and if we establish a precedent of recalling things in this way it will be a most dangerous precedent and I move that the recall order be indefinitely postponed.

Mr. OAKES of Cumberland: Mr. President, I second that motion.

The PRESIDENT: The Chair will state that the question is on the passage of the order.

Mr. MAHER: Mr. President, is a motion to indefinitely postpone in order?

The PRESIDENT: That motion would be in order but the pending question is on the passage of the order.

Mr. MAHER: I move, then, Mr. President, that we do not pass the order.

A viva voce vote being taken, the order failed of passage.

Mr. MAHER: Mr. President, in order that we may have a termination of this proceeding I move that we reconsider our vote whereby we have just refused to pass this order and I hope that the motion will be voted down.

A viva voce vote being taken, the motion to reconsider failed of passage.

Mr. MAHER: Mr. President, I just hope that I have not made any mistake and I am relying on the Chair to inform me, because I know the Chair knows whether what we have refused to pass is the order of recall. Am I right, Mr. President.

The PRESIDENT: The Senator is right.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, House report from Committee on Ways and Bridges and Taxation, jointly, majority report, "ought to pass in new draft" minority report "ought not to pass" on An Act relating to mill tax (H. D. 626) tabled by Mr. Case of Washington pending consideration; and the President recognized that senator.

Mr. OAKES of Cumberland: Mr. President, I now move that we concur with the House in the acceptance of the minority report "ought not to pass."

The PRESIDENT: The Chair will state for the benefit of the senator that in the House both reports and the bill were indefinitely postponed. Is that what the senator wishes to do.

Mr. OAKES: Yes, Mr. President.

The PRESIDENT: Is it the pleasure of the Senate that we concur with the House in the indefinite postponement of the bill and both reports?

Thereupon, the bill and both reports were indefinitely postponed.

The PRESIDENT: The Chair presents, by unanimous consent at this time, there being no objection, An Act relating to trial terms of the Supreme Judicial Court in the county of Hancock (H. D. 220) tabled on April 15th by the Senator from Cumberland, Senator Oakes pending enactment, and the Chair recognizes that Senator.

Thereupon, on motion by Mr. Oakes of Cumberland, the bill was indefinitely postponed.

The PRESIDENT: The Chair presents, by unanimous consent, there being no objection, House Report from the Committee on Ways and Bridges "ought not to pass" on An Act to amend the distribution of tax on gasoline (H. D. 24) tabled on April 15th by Mr. Oakes of Cumber-

land pending acceptance of the report and the Chair recognizes that senator.

Thereupon, on motion by Mr. Oakes of Cumberland, the bill and report were indefinitely postponed.

The President announced that the Senate would take a recess to reassemble at the call of the Chair.

After Recess

Senate called to order by the President.

Additional papers from the House, out of order and under suspension of the rules, disposed of in concurrence.

Mr. SMITH of Somerset: Mr. President, I rise to a point of personal privilege.

The PRESIDENT: The Chair recognizes the Senator, and he will state his point.

Mr. SMITH of Somerset: Mr. President, some one has thoughtfully said that if a man writes a better book, preaches a better sermon, plays a better game, than his neighbor, though he build his home in the wilderness, the world will make a path to his door.

Mr. President, your associates in this Senate, with hearts pulsating with esteem and with affection, pause at the close of a service which you have so splendidly rendered, to pay their tribute and their esteem.

I believe it was Michael Angelo who, while travelling through the streets of Florence, chanced to see a piece of granite partly embedded in the gutter. Much to the surprise of his companions and unmindful of his holiday attire he commenced to extract the stone and when asked what he intended to do, immediately came the reply, "That piece of stone contains an angel and I must set it free." With patience, with fortitude, with chisel and with mallet he transformed that piece of marble into an angel form of such rare beauty that men marvelled at the genius that could create an image so divine.

Mr. President, the members of this Senate have marvelled at the masterly manner in which you have wielded the mallet. With patience, with fortitude, you have directed the way, have carried the ship over the shoals.

Our circle has already been broken. One member of this body has been permitted to penetrate the veil that screens the beyond. The Great Master has called him home. So far as man can understand he is no more, but that genial, lovable, stalwart friend will live on to enrich our memories, to enoble our lives.

Judging by the common events of man this parting today can never have a meeting where we may all meet again, and as we go to our homes and to our activities, Mr. President, we want to leave with you a token of our admiration, of our affection, and as the days go on and the years pass by may it serve to remind you of the pleasant associations which we have been privileged to enjoy together, and with it may we leave our best and sincerest appreciation and our everlasting devotion. (Sustained applause.)

At this point President Holley was presented with a diamond scarf pin.

The PRESIDENT: I am not going to address you as members of the Senate. You are my friends. The love which really exists in my heart, I cannot express. Words are not the proper avenue of expression. By future deeds, by future assistance in your various activities and by conducting myself in a manner which will meet your approval in the future, is the way in which I shall try to express my love and my appreciation of you, my friends.

I have been stimulated to my best efforts from several sources, but the first source from which I have received stimulation is from a wife who never has failed to give me good advice and whose counsel has been sought even in the most trying hours of this legislative session as well as in my entire legislative career. Only through her and through her fortitude have I been able some times to continue on.

And from another source I have been stimulated, and that is from the splendid co-operation and the splendid spirit of loyalty which you, my friends, have shown. There has seemed to be in this Senate a whole-hearted desire to have brotherhood and fraternalism exist between us all. The discordant elements have had their little flashes but, after all, I have observed each day in the corridors those who had opposed one another upon the floor of this Senate, in friendly conversation, and because

of that attitude I have been stimulated to give the best there was in me. And whenever I have been inclined to falter or, perhaps, to show a little bit of the disposition which we all have, which is to sometimes be a little impatient, I have only had to look down into the faces of the two lady senators and I have received the soothing influence of the opposite sex.

They have been an honor to this body and they have been an inspiration to the presiding officer. I want you members to know that while this appears to be the closing hours of our relationship in this legislature, that our little humble home in the remote but pleasant village of North Anson will ever be open to you. It is only a humble home, that in which we live, but we love it, she and I and the young lady who shares it with us and it will give us comfort and delight at any time to have you pay us, not an official visit, but a real, family visit.

We have had some humorous things occur during this session. An outstanding one which has had largely to do with the influence of woman was noted by your presiding officer the other day. When the Senator from York, Senator Granville, was absent from his seat about the time the vote was to be taken on the Maternity Bill, the Chair observed seated upon one of the settees in the rear of this Senate Chamber the little wife of the Senator from York, and apparently she was interested in the Maternity Bill. She evidently conceived the idea that Harvey was going to duck the issue and so she, in her anxiety, proceeded to find Harvey and she discovered him in the corridor. The Chair observed the little, frail wife—about the size of mine—conducting into this assembly the stalwart, upstanding Senator from York, Senator Granville, and she not only escorted him into the Senate Chamber but she saw to it that he was in his seat and after he was properly seated put her hand on the top of his head which meant to me, "Harvey, you stay put."

So, we have had some humorous happenings and I have tried to discover them. I could discuss some others. I will, in rather a round about way. I will say that this has been a semi-silent Senate and the Chair informed the Senator from

Androscoggin only yesterday that that senator would later receive from your presiding officer a legislative record which would be dedicated to him.

It is gratifying to any man to have presided over both branches of this Legislature. It has been given to but seven men in the history of Maine to have so done. Recently you saw in this Senate, seated on my right, a gentleman from Bangor, the Hon. Henry Lord, eighty years old, who had that distinction, and you also saw on my left, the Hon. Frank G. Farrington of Augusta, who also had that distinction. And there before you were the only three living men who have occupied those two positions.

I am not unappreciative of the splendid courtesy which you showed me when you saw fit to elect me as your presiding officer.

And now, friends, as I look upon this gift I know what it will hold for me in the future. As the diamond sparkles it will remind me of the sparkle in your eyes when you rose to battle, but battle of a friendly nature. The value of the stones themselves will remind me of the value of your love and friendship and the purity of the diamond will ever bring to my mind the purity of heart and purpose of this sensible, sincere Senate.

I thank you for the gift. (Prolonged applause).

From the House: Resolve, to appropriate money for the maintenance of State Highway Police. (S. P. 676) (In Senate, April 15, passed to be engrossed).

In the House, passed to be engrossed as amended by House Amendment "A."

In the Senate, that body reconsidered its former action whereby the resolve was passed to be engrossed, House Amendment A was adopted and the resolve as so amended was passed to be engrossed.

From the House: An Act to apply surplus funds toward State construction. (H. D. 646)

(In Senate, April 14, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House passed to be engrossed as amended by House

Amendment "A" to Senate Amendment "A" in non-concurrence.

In the Senate:

Mr. SPEAR of Cumberland: What is this, Mr. President, a resolve?

The PRESIDENT: The Chair will state that this is an act to apply surplus funds toward State construction and in the Senate we adopted an amendment to it which provided in substance, after construction had obtained, the balance should be used for the Highway, at the discretion of the Governor and Council, and the House has passed an amendment which limits the amount to be used for highways at \$150,000.

Mr. SPEAR: Does this increase, Mr. President, the amount of the so-called "pork barrel?"

The PRESIDENT: It does not.

Mr. SPEAR: I now yield to Senator Foster.

Mr. FOSTER of Kennebec: Mr. President, I think from the understanding of the measure as it is brought before us, that there is nothing whatever that is conflicting or derogatory to the program outlined. \$150,000 a year for the two years was what was counted upon for the use of the highways and I see no objection to the Senate adopting the amendment, headed by the House.

Mr. MAHER of Kennebec: I have somewhat lost track of these matters and I ask if this is the matter discussed by Senator Holmes and adopted in the House relative to the sinking funds?

Mr. FOSTER: Replying to the Senator, I will say that this is a resolve having to do with the surplus, the current surplus and having nothing to do with sinking funds.

Mr. MAHER: Mr. President, I know the proponents will not mind if I call attention to a matter there, in all sincerity, which I think is not what they meant. I just want to call it to their attention. I know they won't mind. May I read, Mr. President and members of the Senate, the amendment as drawn and the Senate can take whatever action it deems necessary. "After all new construction of buildings and equipment for state institutions which may be authorized by this legislature has been completed, any amounts remaining may be used in the discretion of the governor and council for mainten-

ance or reconstruction of highways." Now if you mean that just as it reads, then when the last brick has been laid on the new construction covered and intended by this act, then and then only, will the Governor and Council be authorized to take one penny for highway construction.

Mr. FOSTER: Mr. President, replying to the statement of the Senator from Kennebec, Senator Maher, I will say that this is exactly as the Appropriations Committee understood it, exactly in harmony with the program of the Highway Commission and does not miscarry at all.

Mr. HOLMES of Androscoggin: Mr. President, I will not oppose the adoption of the House Amendment because I don't think it makes any difference to me in my position whether it is adopted or not. I am opposed to the bill itself and I think the amendment makes it only more ambiguous. If the Senate wants to pass the amendment, I want, when it comes to enactment, to be recorded "no."

Mr. SMITH of Somerset: Mr. President, there has been some suggestion that a referendum may be asked on the increase of gasoline tax. This is simply for the purpose of taking care of an emergency and I feel sure that we can trust the Governor and Council to look after this matter in a proper manner.

The PRESIDENT: The question is, shall we reconsider our action whereby this matter was passed to be engrossed, and the rules be suspended for that purpose?

Thereupon, on motion by Mr. Foster of Kennebec, the rules were suspended and the Senate reconsidered its action whereby the bill was passed to be engrossed, House Amendment A was adopted in concurrence and the bill as so amended was passed to be engrossed.

The following resolves were received, out of order and under suspension of the rules, and on recommendation by the committee on reference of bills were referred to the following committee—Appropriations and Financial Affairs.

By Mr. MITCHELL of Aroostook, Resolve in favor of Paul N. Devine. (S. P. 678)

By the same Senator, Resolve in favor of Royal F. Overlock. (S. P. 679)

Report of Committee

(Out of order and under suspension of the rules).

Mr. SPEIRS, from the Committee on Pownal State School, submitted its final report.

The report was read and accepted.

Passed to be Enacted

(Out of order and under suspension of the rules).

An Act Relating to a Tax on Gasoline. (H. P. 1304) (H. D. 629)

From the House: Order relative to recalling from the Legislative Files Joint Order relative to Welfare Conditions.

(In Senate, April 16, failed of a passage, in non-concurrence.)

In the House, that branch insisting on its former action whereby the order was passed, and asking for a Committee of Conference, the Speaker having appointed as House members of such a Committee,

Messrs. McKNIGHT of Poland
THURSTON of Appleton
STURGIS of Auburn.

In the Senate:

Mr. MAHER of Kennebec: Mr. President, I move we adhere.

Mr. SLOCUM of Cumberland: Mr. President, I move we insist and join in a committee of conference.

The PRESIDENT: This motion takes precedence over the motion to adhere.

Mr. MAHER: I rise to a point of order, Mr. President, and simply to get myself right with no doubt about it. Before the Senate can put this matter, whether or not it does require reconsideration of our vote here and whether it has got to be done under suspension of the rules and if it requires two-thirds vote.

The PRESIDENT: The Chair is of the opinion that a committee of conference may be joined without suspension of the rules.

Mr. MAHER: I move, Mr. President, that we table the matter.

The motion to table prevailed.

Passed to be Enacted

(Out of order and under suspension of the rules)

An Act to Create a Commission to Investigate and to Negotiate a Compact, Regarding Water Power and Electricity in New England. (S. D. 262)

(On motion by Mr. Maher of Kennebec, tabled pending enactment.)

On motion by Mr. Dunbar of Hancock, recessed until two o'clock this afternoon.

After Recess

Ex-Governor Carl E. Milliken was escorted to the chair at the right of the President, amidst the applause of the Senate.

Additional papers from the House, out of order and under suspension of the rules, disposed of in concurrence.

From the House: An Act relating to trial terms of the Supreme Judicial Court (H. D. 362.).

(In the Senate, April 14, passed to be engrossed in concurrence.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Morrison of Franklin, tabled indefinite postponement in concurrence.

From the House: An Act providing for the appointment of a Deputy Secretary of State to be designated by a Registrar of Motor Vehicles and to place the administration of the several motor vehicle provision of law under his jurisdiction and administration (H. P. 1331).

(In the Senate, April 16th, indefinitely postponed in non-concurrence.)

In the House, that branch voted to adhere.

In the Senate, that body voted to adhere.

The President announced that the Senate would recess to reassemble at the call of the gavel.

After Recess

Mr. HOLMES of Androscoggin: Mr. President, I wish at this time to offer a resolution and move its adoption, and after it is adopted I wish to make a supplementary motion in regard to its disposition.

The Secretary read the following resolution:

In Memory of Senator Charles B. Carter

The Senate of Maine pauses in the closing hours of the session of the Legislature held in 1927 to record

its appreciation of the life and character of its fellow member, Senator Charles B. Carter, one of the Senators from the county of Androscoggin, who died in Augusta, April 6th, 1927.

Senator Carter was a friendly, genial man of ardent spirit, to whom principle was a duty to be met and discharged but who never allowed the asperities of debate to enter his social relationships.

The sudden passing of Senator Carter brought grief to his associates, his friends and his family. He had a broad view point. He easily grasped situations. He delighted in legislative activities. He believed in Maine, loved her hills, hoped for his state to have a richer and happier future because of the natural resources of Maine.

THEREFORE BE IT RESOLVED BY THE SENATE, that in the death of Senator Carter, the State of Maine lost an exemplary citizen and the Senate a most useful member.

RESOLVED, that an engrossed copy of this memorial, signed by the President of the Senate, be sent to Mrs. Carter as a pledge of our respect and friendship for our late colleague.

RESOLVED, that these resolutions be spread in full upon the record.

THE PRESIDENT: The Resolution will be adopted by the Senators standing in their places until they are seated by the sound of the gavel.

Thereupon the Senate unanimously adopted the resolution by a rising vote.

Mr. HOLMES: Mr. President, I move that the engrossed copy be signed by the President and be suitably framed and sent to Mrs. Claire Scammon Carter.

The motion prevailed.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills:

"An Act Relating to the Protection of Moose." (S. P. 645) (S. D. 382)

"An Act Relating to Non-resident Hunting Licenses." (H. P. 1315) (H. D. 643)

Which bills were passed to be enacted and having been signed by the President were by the Secretary presented to the Governor for his approval.

Mr. FOSTER, from the Committee on Appropriations and Financial Affairs, reported on the following resolves:

"Resolve in favor of Clarence C. Hunt, for preparing index to House Documents." (H. P. 1273)

"Resolve in favor of Lena I. Robertson, typist and proofreader for the House Reporter, for extra services required after the close of the session as to proofreading." (H. P. 1310)

"Resolve in favor of E. H. Simons." (S. P. 675)

Reported that the same ought not to pass, subject matters having been covered by other legislation.

Which report was read and accepted.

Sent down for concurrence.

On motion by Mr. Maher of Kennebec, the Senate voted to take from the table An Act to create a commission to investigate and to negotiate a compact, regarding water power and electricity in New England, (S. D. 262), tabled by that Senator earlier in today's session, pending enactment.

Mr. MAHER: Mr. President, I now move that this bill be indefinitely postponed.

Mr. OAKES of Cumberland: Mr. President, I ask for yeas and nays.

The PRESIDENT: All those in favor of "yeas and nays" will rise. A sufficient number having arisen, "yeas and nays" were ordered.

The PRESIDENT: The Chair will explain. As many as favor indefinite postponement of the so-called Oakes compact will vote "yes" when their names are called and those who are opposed to indefinite postponement will vote "no." The Secretary will call the roll.

Mr. BUZZELL of Oxford: Mr. President, I will say that I am paired with Mrs. Allen on the Oakes bill. She was against the bill and I am for it.

Those voting "yes" were, Senators Bond, Bragdon, Case, Douglas, Dunbar, Dwinal, Foster, Granville, Holmes, Maher, Miner, Mitchell, Morrison, Roberts, Smith—15. Those voting "no" were Senators Crafts, Drake, Harriman, Lord, Nickerson, Oakes, Perkins, Pinkham, Slocum, Spear, Speirs, Woods—12. Paired: Senators Buzzell, Allen.

Fifteen senators voting "yes" and twelve voting "no" the motion to indefinitely postpone prevailed.

Mr. MAHER of Kennebec: Mr. President, I move we reconsider the vote whereby this measure was indefinitely postponed, and I hope it will be voted down.

The PRESIDENT: As many as favor reconsideration will say "aye" and those opposed to reconsideration will say no."

A viva voce vote was had, and the motion to reconsider failed of passage.

On motion by Mr. Morrison of Franklin, the Senate voted to take from the table An Act relating to trial terms of the Supreme Judicial Court, (H. D. 362) tabled by that Senator earlier in today's session pending indefinite postponement.

Mr. MORRISON of Franklin: Mr. President, this matter is already taken care of by another bill which has gone through the Legislature and I now move this be indefinitely postponed, in concurrence with the House.

The motion to indefinitely postpone prevailed.

On motion by Mr. Crafts of Piscataquis, the Senate voted to take from the table An Act relating to marketmen's licenses, (S. D. 385), and on further motion by that Senator the bill was passed to be enacted.

The PRESIDENT: The Senator from Cumberland, Senator Spear, has a matter on the table. Does the Senator care to take it from the table?

Mr. SPEAR of Cumberland: I would rather take it from the table after recess, Mr. President.

Additional House Paper:

The following order:

ORDERED, the Senate concurring, that the Treasurer of State pay to each member and officer of the Senate and House of Representatives immediately after final adjournment of the Eighty-third Legislature the amounts indicated opposite their respective names on the payrolls of the Senate and House of Representatives.

Came from the House read and passed.

Was read and passed in concurrence.

On motion by Mr. FOSTER of Kennebec,

Ordered, that the Superintendent of Buildings be directed to deliver to the Secretary of the Senate, at his home, such equipment and supplies as the Secretary shall deem necessary for use in compiling and indexing the Journal of the Senate.

Which was read and passed.

Mr. Smith submitted in behalf of the Committee on Ways and Bridges its final report.

The PRESIDENT: Does the Senator from Kennebec, Senator Maher, care to take from the table at this time the Joint Order recalling House Document 365, the pending question being to insist and ask for a committee of conference?

Mr. MAHER of Kennebec: Yes, Mr. President, and I second the motion for a committee of conference.

The motion to insist and ask for a committee of conference prevailed, and the President appointed as committee of conference on the part of the Senate, the following Senators, Maher of Kennebec, Bond of Lincoln and Miner of Washington.

Additional House Papers disposed of in concurrence.

Mr. PERKINS of Penobscot: Mr. President, I wish to rise at this time for question of personal privilege.

The PRESIDENT: The Senator will state his point.

Mr. PERKINS: Many, many years ago in what is known as the third district, a man who had been active in the political affairs of the state, having retired, was called upon by his constituency to again enter the political field. In due course of time he was elected to Washington and shortly after being elected to office his good wife said to him, "Now father, as you are going down to the Capital City, possibly you had better go down to the county seat and get some new clothes and some that are more in style than those you have been wearing for some time past." He told the good wife that by the time he had arrived in Washington they would be out of style anyway, so he had better go just as he was. So after a long and weary journey of some days, we found the worthy gentleman entering Washington clad

in homespun and escorted by carpet bags. Having arrived at the main assembly hall he found that a ball was in progress and having once entered the portals he was seized upon by some of the younger set, thinking they would have some fun at the expense of the old gentleman. So they called him "Grandpa" and introduced him to all those assembled in the midst and a waiter having arrived with a tray of wine (it was before the days of prohibition) the old fellow eagerly accepted a cordial and he started to drink it and one of the ladies said, "Hold on grandpa, we will have a toast before we drink our wine." He said, "I do not see any toast." She said, "You don't get me." I mean by that, a saying of some author of olden times or the present day." Then he said, "I get you, a sentiment." She said, "Yes, a sentiment. Perhaps you would give to us a sentiment." He said, "I certainly will." So, raising his glass up high, these are the words he said, "Ladies and gentleman, appearances are often times deceitful. When I arrived here this afternoon by my clothes and general appearance you mistook me for a country dud. I likewise mistook you for ladies and gentlemen. The mistake has been mutual. Drink 'er down."

Appearances are often times deceitful and one would think, looking into the faces of this stern and dignified body of men that they were as stern and dignified as they look, but such is not the case. This body of men have learned through association covering a period of years to love the wife of our very capable president of this Senate and Mrs. Holley, with these flowers, whose language bespeaks our profound respect and appreciation for the support and counsel you have given to your very worthy husband, this Senate of the Eighty-third Legislature wants to go upon record at this time, wishing you all that life may give to you in the future. (Prolonged applause)

Mrs. HOLLEY: My friends, all I can say is, I thank you. (Applause).

The PRESIDENT: The Senate having no further business before it at this time, the Senate will recess for a few moments and re-assemble at the sound of the gong.

After Recess

The PRESIDENT: The Chair presents Veto Message from the Governor:

"STATE OF MAINE
Office of the Governor
AUGUSTA

April 16, 1927.

To the Honorable Senate and House of Representatives:

There is returned herewith without my approval, An Act to Provide for the Exportation of Surplus Power.

The Attorney General is the constitutional legal adviser selected by this Legislature for the State. He is clear and emphatic in his advice that there is grave danger that this Act may be ineffectual to accomplish the end in view. Decisions of the Supreme Court of the United States indicate a serious possibility that the attempted control by the State of electrical transmission by this method might be pronounced invalid and the exportation left without control by the State or nation. When lawyers disagree we are entitled to be guided by his opinion in determining a legal course.

Under the existing policy Maine today leads the United States in the per capita development of hydroelectric power. The value of the stock of the chief public utility in the electrical field in our State has doubled in the past few years. The largest electrical interests in the country have entered our State within the past two years with full knowledge of our restrictive law and assumed the responsibility for an investment of more than fifty million dollars.

Primarily because of the advice of the Attorney General that this Act is altogether likely to mean the loss of all State control, but also because of the considerations indicated in a recent message to the Legislature it does not seem to me wise or prudent to approve this Act.

The people of the State have a right to expect that a Statute submitted to them for consideration shall be reasonably calculated to accomplish the end it has in view. In this case the probabilities are all the other way.

Respectfully submitted,

(Signed) RALPH O. BREWSTER,
Governor of Maine."

The PRESIDENT: The question is: Shall this bill become a law notwithstanding the objection of the Governor. A "yea and nay" vote is necessary under the Constitution. As many as wish for the bill to become a law notwithstanding the objection of the Governor will answer "yes." Those who wish to sustain the veto of the Governor will answer "no" when their names are called.

Mr. BRAGDON of Aroostook: Mr. President, before the vote is taken, I wish to announce that I have paired with Senator Allen and Senator Douglas on account of Mrs. Allen's unavoidable absence. I would have voted "no." Senators Allen and Douglas would have voted "yes."

The PRESIDENT: The Secretary will call the roll.

Those voting "yes" were, Senators Bond, Case, Dunbar, Dwinal, Foster, Granville, Holmes, Maher, Miner, Mitchell, Morrison, Pinkham, Roberts, Smith.—14.

Those voting "no" were, Senators Buzzell, Crafts, Drake, Harriman, Lord, Nickerson, Oakes, Perkins, Slocum, Spear, Speirs, Woods.—12.

Paired: Bragdon, Allen and Douglas.

The PRESIDENT: Fourteen having voted "yes" and twelve having voted "no" the veto of the Governor is sustained.

Mr. FOSTER, from the Committee on Appropriations and Financial Affairs, reported on the following resolves:

"Resolve in favor of Erlon L. Newdick." (S. P. 638)

"Resolve in favor of Beatrice Roderrick." (S. P. 639)

"Resolve in favor of Francis J. Cayouette as Clerk and Stenographer of Aeronautics and Radio Control Committee." (S. P. 605)

"Resolve in favor of Earle R. Hayes, for services as Clerk of Committee on Banks and Banking, 83rd Legislature." (S. P. 615)

"Resolve in favor of George M. Day, Clerk to the Committee on Bills in the Second Reading." (S. P. 659)

"Resolve in favor of Robert B. Williamson, Clerk of the Committee on Bills in the Third Reading." (H. P. 1309)

"Resolve in favor of the Clerk of the Committee on Claims." (S. P. 623)

"Resolve in favor of Ruth Jordan, stenographer to the Committee on Claims." (S. P. 658)

"Resolve in favor of Marjorie L. Lee for services to the Committee on Claims." (H. P. 1293)

"Resolve in favor of Joseph B. Campbell, Clerk to the Committee on Counties." (S. P. 581)

"Resolve in favor of George M. Day, Clerk to the Committee on Education." (S. P. 619)

"Resolve in favor of Josephine Marshall for services to the Eighty-third Legislature." (S. P. 609)

"Resolve in favor of Francis J. Cayouette as clerk and Stenographer of Federal Relations Committee." (S. P. 622)

"Resolve in favor of Ellis F. Baker for services as Clerk for the Committee on Indian Affairs." (S. P. 616)

"Resolve in favor of the Clerk and Stenographer to the Committee on Inland Fisheries and Game, of the 83rd Legislature." (S. P. 632)

"Resolve in favor of the Messenger to the Committee on Inland Fisheries and Game of the 83rd Legislature." (S. P. 631)

"Resolve in favor of Fred C. Barnes." (S. P. 672)

"Resolve in favor of Joseph B. Campbell, Clerk to the Committee on Interior Waters." (S. P. 621)

"Resolve in favor of Smith Dunning for services to the Eighty-third Legislature." (S. P. 634)

"Resolve in favor of Goldie Brooks for services to the Eighty-third Legislature." (S. P. 633)

"Resolve in favor of Frank H. Treworgy for services to the Eighty-third Legislature." (S. P. 635)

"Resolve in favor of John Curry for services as Clerk of Committee on Labor." (S. P. 567)

"Resolve in favor of Kenneth F. Lee for services to the Eighty-third Legislature." (S. P. 570)

"Resolve in favor of Adrienne Theberge for services to the Eighty-third Legislature." (S. P. 569)

"Resolve in favor of Paul N. Devine for services to the Eighty-third Legislature." (S. P. 568)

"Resolve in favor of Francis J. Cayouette as Clerk and Stenographer of Library Committee." (S. P. 557)

"Resolve in favor of Henry Wass, Clerk of the Committee on Maine Publicity." (S. P. 649)

"Resolve in favor of C. P. Lyford." (S. P. 608)

"Resolve in favor of Joseph B. Campbell, Clerk to the Committee on Mercantile Affairs and Insurance." (S. P. 582)

"Resolve in favor of Francis J. Cayouette as Clerk and Stenographer of Military Affairs Committee." (S. P. 651)

"Resolve in favor of John Curry as Messenger and Sergeant at Arms of the Military Affairs Committee." (S. P. 652)

"Resolve in favor of Edith Bissett for services as Clerk and Stenographer of Committee on Pensions." (S. P. 584)

"Resolve in favor of John Leighton, Clerk of Committee on Public Buildings and Grounds." (S. P. 668)

"Resolve in favor of Philip Carroll, Clerk of the Committee on Public Health." (S. P. 583)

"Resolve in favor of Paul Giddings for services during the Eighty-third Legislature." (S. P. 606)

"Resolve in favor of Earle R. Hayes for services as Clerk of the Committee on Salaries and Fees, 83rd Legislature." (S. P. 640)

"Resolve in favor of Francis J. Cayouette for services as Messenger to Committee on Salaries and Fees." (S. P. 641)

"Resolve in favor of Ellis F. Baker for services as Clerk of the Committee on Sea and Shore Fisheries." (S. P. 602)

"Resolve in favor of the Clerk of the Committee on State Lands and Forest Preservation." (H. P. 1272)

"Resolve in favor of Walter E. Wade, for Services as Clerk of the Committee on State Sanatoriums." (S. P. 558)

"Resolve in favor of Herman Martin, Jr., Clerk of the Committee on State School for Boys, State School for Girls and State Reformatories." (S. P. 650)

"Resolve in favor of Lawrence P. Barton." (S. P. 625)

"Resolve in favor of J. Thomas Dionne for services as Clerk of Ways and Bridges Committee." (H. P. 1336)

"Resolve in favor of Ruth Jordan as Stenographer for Ways and Bridges Committee." (S. P. 670)

"Resolve in favor of Paul Giddings as Messenger for Ways and Bridges Committee." (S. P. 669)

"Resolve in favor of Edith Bissett." (H. P. 1335)

"Resolve in favor of Marjorie L. Lee, stenographer to the President of the Senate." (S. P. 657)

"Resolve in favor of James O'Brien for services as page." (H. P. 1338)

"Resolve in favor of Herman Martin, Jr., for services as page." (H. P. 1337)

"Resolve in favor of Royal F. Overlock." (S. P. 679)

"Resolve in favor of Paul N. Devine." (S. P. 678)

Reporting the same in a new draft, under the title of "Resolve in favor of clerks, stenographers and messengers of the several committees of the Eighty-third Legislature" (S. P. 680) and that it ought to pass.

Which report was read and accepted; the rules were suspended and the resolve given its two several readings, and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following resolve:

"Resolve, to Appropriate Money for the Maintenance of State Highway Police." (S. P. 676)

Which resolve was finally passed, and having been signed by the President was by the Secretary presented to the Governor for his approval.

Mr. FOSTER of Kennebec: Mr. President, I wish to introduce at this time the following Act, under suspension of the rules.

The PRESIDENT: Is it the pleasure of the Senate that the rules be suspended for that purpose?

Mr. HOLMES of Androscoggin: Mr. President, if that is the appropriation resolve, I should like an opportunity to examine it.

The PRESIDENT: The Chair would suggest that we first get it before the Senate by having the Secretary read the title of the act.

The Secretary read the following title: An Act to appropriate moneys for the expenditures of the government and for other purposes for the year from July first, 1927 to June 30, 1928.

Thereupon, the bill was given its two several readings without reference to a committee, under suspension of the rules, and was passed to be engrossed.

The PRESIDENT: Does the Sen-

ator now wish an opportunity to examine this bill?

Mr. HOLMES: Yes, Mr. President, I should like to examine it.

The PRESIDENT: Does the Senator wish to come to the desk?

Mr. HOLMES: I don't think it necessary to be so conspicuous. I can examine it here in my seat, can I not?

The PRESIDENT: The Chair will state the Senator may have the bill in his seat if he wishes it.

Mr. FOSTER: Mr. President, under suspension of the rules, I wish to introduce another act, which is an appropriation for the second year.

The PRESIDENT: Is it the pleasure of the Senate that the rules be suspended that the Senator from Kennebec, Senator Foster, may introduce An Act to appropriate moneys for the expenditures of the government and for other purposes for the year from July first, 1928 to June 30, 1929?

Thereupon, the rules were suspended and the bill was introduced, and was given its two several readings without reference to a committee.

Mr. HOLMES: I should also like to have that bill so that I can look it over after I examine this one.

Mr. SPEAR of Cumberland: Mr. President, is there any motion before the Senate?

The PRESIDENT: There is not. Thereupon on motion by Mr. Spear of Cumberland, the Senate voted to take from the table An Act to establish a uniform license law for summer camps (S. D. 87), tabled by that Senator earlier in today's session, pending enactment.

Mr. SPEAR: Mr. President, the reason I tabled that act was because it did not seem to be fair and did not seem to be clear. These people along the roadsides have camps from one room to as many as twenty-five and I thought it unfair to charge different prices without having any price fixed. For that reason and for the reason that they may be put up from time to time—I mean for succeeding legislatures—and for the further reason that the large camp owners and the small camp owners want to charge the same price. I therefore offer

Senate Amendment B and move its adoption.

The Secretary read the following amendment:

Senate Document 87 as amended by Senate Amendment "A" is hereby amended by striking out the whole of said section and inserting in place thereof the following, so that said Section shall read as follows:

"Sec. 3. Such licenses shall be issued by the public health council under such terms and conditions, and such fees for licenses not exceeding two dollars for camps with not more than five rooms, two dollars to five dollars for camps with five to twenty-five rooms, and ten dollars for camps with more than twenty-five rooms shall be charged, as shall be approved by the governor and council."

The PRESIDENT: The Chair will suggest that for the purpose of expediting business, and to get the amendment before the Senate, we should reconsider the vote whereby the bill was passed to be engrossed.

Thereupon, on motion by Mr. Spear of Cumberland, the Senate reconsidered its vote whereby the bill was passed to be engrossed.

The PRESIDENT: The question is now on the adoption of Senate Amendment B. Is it the pleasure of the Senate that Senate Amendment B be adopted? As many as favor the adoption of Senate Amendment B will arise.

Mr. MINER of Washington: Mr. President, is it debatable?

The PRESIDENT: It is.

Mr. MINER: Mr. President, I wish to say a few words in the matter. It seems to me that there is a misunderstanding about this act, the creation of which was for two purposes. The first and principal purpose is that we may get a check on these very many summer cottages and camps along our highways in the more remote districts. This does not apply in any way to the compact sections of the towns, restaurants, hotels or anything else. Outside of the compact portions as you know, in the last decade numbers, almost multitudes of summer camps, eating saloons and overnight cottages have been reared. In some places we have dancing pavilions and I am sorry to say in a great many instances a lot of these cottages are not conducted in a

proper manner. It has given the State Police of our section in particular very much trouble in looking after these cottages. People come there in their cars and stay all night. They don't have to register their cars, in fact they don't have to register according to this act and people whose whereabouts we know nothing and they leave at times we know naught. They park their cars and I am sorry to say these cottages are used in a great many instances for immoral purposes. In a great many instances I know and you know that liquor is being sold and it is impossible for our motor cops or the officers in charge of such work to find out where they store such liquor and it has been reported to me, as no doubt to you, that there is no way of getting our hands on these fellows.

The idea of this act is that they may be licensed for a very nominal charge and a sliding scale is conceived by the Public Health Council. In that way their licenses may be revoked and they may be put out of business if they do not conduct orderly places satisfactory to the citizens living in adjacent homes who know and understand what is going on.

The second reason is for the financial help to the Health Department. As Chairman of that Committee we reduced the amount with the idea that that \$19,000 would be partially returned to the department for the examination of tissues and analyses of water from these corporations supplying cities and towns and partly from this source as contained in this act, but I wish to repeat the principal idea is to have something to check up on.

Now the amendment as proposed by the Senator from Cumberland. Senator Spear, in my opinion is complicated. It is a higher fee charged than is necessary, being double what we suggest and I think it is ambiguous and hard to understand and I certainly hope it will not prevail.

(At this point Senator Morrison was escorted to the chair.)

Mr. SPEAR: Mr. President, the bill in the first place is ambiguous. It says that any roadside camps can be charged from one to five dollars

for a fee. Now this amended bill if it should be adopted would be fairer for the summer camp owner. Under the amendment I proposed, the amount would be one dollar to two dollars for a farmer or any person who had a one room camp for the purpose of serving refreshments, and a big camp owner would have to pay more. Under the bill as it exists without an amendment, a man who had a fifty-room camp would have to pay only five dollars. I do not think that is fair.

I do not think that all liquor is served in roadside camps. I do not think that all immoral people are confined to roadside camps.

I hope the amendment will be adopted. I ask for a division.

(At this point President Holley resumed the Chair.)

The PRESIDENT: The question is on the adoption of Senate Amendment B. A division of the Senate is asked for.

As many as favor adoption of Senate Amendment B will arise and stand in their places until counted, and then those opposed will rise.

A division of the Senate was had.

Three having voted in the affirmative and sixteen in the negative, the motion to adopt Senate Amendment B failed of passage.

Mr. SPEAR: Mr. President, is a motion in order?

The PRESIDENT: It is.

Mr. SPEAR: I move then, Mr. President, that the bill be indefinitely postponed.

The PRESIDENT: As many as favor indefinite postponement will say "aye" and those opposed will say "no."

A viva voce vote was had, and the motion to indefinitely postpone failed of passage.

Thereupon the bill was passed to be engrossed.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following resolve:

"Resolve, for the Construction, Maintenance and Repair of Roads, Bridges and Ferries." (S. P. 677)

Which resolve being an emergency measure, and having received the affirmative vote of two-thirds members of the Senate, was passed to be enacted, and having been signed by the President was by the Secretary presented to the Governor for his approval.

Mr. HOLMES of Androscoggin:

Mr. President, I move that we reconsider the vote whereby we passed to be engrossed acts entitled An Act to appropriate moneys for the expenditures of the government and other purposes for the year from July first, 1927 to June 30, 1928, and I make this motion for the purpose of offering an amendment.

The PRESIDENT: As many as favor reconsideration will say "aye" and those opposed will say "no."

Mr. MAHER of Kennebec: Mr. President, I trust that the Senate will not take any hasty action on this matter and it would seem to me it might be the part of wisdom to reconsider the vote and listen to any amendment which is proposed and if that amendment does not meet with the approval of the Senate, decisive action can be taken on the amendment, and I hope that the Senate will put this measure into shape. I know nothing about what is in the Senator's mind but I hope the measure can be put in shape so the amendment can be offered.

Mr. FOSTER of Kennebec: Mr. President, I am in favor of reconsideration of this matter that the Senator from Androscoggin may introduce one or more amendments.

The PRESIDENT: As many as favor reconsideration will arise and then those opposed will rise.

A division of the Senate was had. Twenty-one having voted in the affirmative and none in the negative, the motion to reconsider prevailed.

Thereupon Mr. Holmes of Androscoggin introduced and moved the adoption of the following amendment:

"Senate Amendment A to An Act to appropriate moneys for the expenditures of the government and other purposes for the year from July first, 1927 to June thirtieth, 1928. Amend the above entitled act by striking out on Page 6 in the item for the Contingent Fund of the Governor and Council, the words 'fifteen thousand' and substituting therefor the words 'ten thousand'; and by striking out the words 'fifteen thousand' and substituting therefor the words 'ten thousand'."

Mr. HOLMES: Mr. President, of course it is very clear that what I mean is that I am opposed to raising that item to \$15,000. I believe \$10,000 is sufficient and the amount should be left there. It is the item

of what is called Contingent Fund, which may be spent by the Governor, if I read the law properly, without any auditing or any report to the legislature and it can be treated by the Governor either as a part of his salary, making his salary \$10,000 instead of \$5000 as it has been up to date, or it may be treated as a fund to spend in any way he pleases.

Now the wisdom is unquestionable of giving the governor a contingent fund and certainly I am not opposed to it and it has been in force for some time, but this comes along in this general appropriation resolve, and I will say to my surprise. And the first intimation I got of it was when I happened to read the Portland Press Herald this morning and I supposed it would come in as a separate resolve that we might discuss it separately, but that is why of course I had to watch for this general appropriation resolve. Now there has been no opportunity for the public, so far as I know, to have notice that such a proposition of increase of \$5000 in that fund was proposed. The public has never had an opportunity to come and express their opinion on it.

Now, I am not taking the position that I am opposed to any sum right and proper and we all realize the necessity of some fund, but what has happened? Within the past two years it has become suddenly necessary to increase it and do it in such a manner as this, without the public having notice that it was proposed. Now, you can look at the increase as you please, either as an increase in the Governor's salary or as an increase in the amount of money which he has carte blanche authority to spend in any way he pleases. That is all right, but in whatever way you look at it I oppose it. I expect to be voted down. I don't care anything about that. Whether this money is given to the Governor or not won't make any difference to me and how much the appropriations are increased makes no difference to me, personally, except in a very remote way as one of the small tax payers of the state, so I want you to understand that I have no personal feeling in this matter. But if I am the only one in this Senate who votes against it I am going to record myself in that

way. I am opposed to it and opposed to way that it is done and you will remember that all during this session and the discussion in regard to increased bills and salaries that I have protested and the only one that has seemed to me to have any virtue was the raising of the salaries of the Justice of the Supreme and the Superior Courts. I protested against the raising of the pay of the legislature and against all the other increases that have been made throughout the state and I don't believe those increases are popular with the people because they come out of the pockets of the people in the last analysis, the ordinary citizens, the farmers and the working men as well as the men of greater means. I don't think the people of this state are going to approve what this legislature has done this winter and now is the time to call a halt. I am sorry that those others went through and I hope you won't do this but if you are bound to do it, why, do it, but record me against it.

Mr. FOSTER of Kennebec: Mr. President, I hardly understand the attitude of the senator who has just spoken, whether or not it is an insinuation that the work of the Appropriations Committee this winter has been done under cover and in the dark, but for fear he may have the wrong impression, through the Chair I would state to the distinguished senator that every session of our committee which has been held with regard to appropriation matters has been open to the public and attended in most every case by those especially interested and had the senator had any interest at all in this matter when it came up he could have been at the hearing and could have been heard on this matter. It is true that the blanket resolves to which the senator refers does increase the contingency fund so-called. It was the unanimous vote of our committee that that be done at the recommendation of the Governor and Council. Later, addressed to myself as chairman of the committee, a letter was received which I ask permission to read into the records. It is from the office of the Governor under date of April 12, 1927:

"My dear Senator Foster: In accordance with your request I am

glad to furnish you information as to the item in the Executive Budget relating to the Contingent Fund of the Governor and Council. This was originally fixed at \$10,000 in 1911 and has continued at that amount ever since. In 1909 it was \$12,000. This item is used to cover the travelling expenses of the Chief Executive and other expenses for which a Governor is responsible by reason of his office. Prior to 1917 it was customary for the Chief Executive to spend only one or two days a week in connection with the office either here at Augusta or elsewhere. Since 1917, by Legislative action, the Governorship has been made a full-time office and the responsibilities incident to it have rapidly grown. Since the War the expense of travel has practically doubled and the amount of travel seemingly required has very greatly increased. No automobile is furnished by the State for the use of the Chief Executive for travel of any character. The Blaine House has meanwhile been made the home of the Governor and the expenses incident to its occupancy as an official residence, other than its physical care, are not provided for by the State except as they may be chargeable to this fund. In 1915 the general Contingent Fund was created by the last Democratic administration of this state and during the next eight years approximately \$1,000,000 a year was expended from this fund for a great variety of purposes. This eliminated any occasion for concern as to the limitations upon the restricted Contingent Fund of the Governor and Council since the broader provisions of the law afforded considerable latitude. The last Legislature was in agreement with the Governor and Council that the amount and purposes of the State Contingent Fund should be strictly limited. The result has been the practical abolishment of the general Contingent Fund for any purposes other than certain overdrafts in departments that it seems difficult to avoid. A further result has been the accumulation of over a million dollars of surplus cash that is available for such disposition as the Legislature may deem best. The restriction of expenditures from the general Contingent Fund has, however, brought out in sharp

relief the difficulties of carrying out the responsibilities of an office upon a sum that was fixed twenty years ago under conditions that were radically different from those that now prevail. There has been a revolution both in the expense and in the number of things that are now required as incident to the office. It is accordingly the considered opinion of the Governor and Council that an increase of \$5,000 in this fund at this time would be well warranted by the conditions that exist. This also represented the opinion of the other members of the Budget Committee, but as Chairman of the Committee I thought it better that any change should be considered by you without reference to any recommendation that has been made.

Very truly yours,

(Signed) RALPH O. BREWSTER.

I will simply say that that was the reason—and I consider it a very good reason—why your committee changed the item from \$10,000 to \$15,000 in this resolve.

Mr. HOLMES: Mr. President, I do not intend to be drawn off by any red herring dragged across the trail. I am not going to get into any argument about the Governor's letter although there are plenty of answers that could be given to the points made and especially with regard to the Democrats creating the contingent fund. They did it legally but they didn't abuse it. It was the Republicans that came along afterwards who abused it. I still object for the same reasons and I need not state them over again. I do not consider that I have been answered and there is therefore no need for further rebuttal.

The PRESIDENT: The question is on the adoption of the amendment. As many as are in favor of adopting the amendment will say "aye." Those opposed, "no."

The motion to adopt the amendment failed of passage, and the bill was then passed to be engrossed.

Emergency Measure

An Act to apply Surplus Funds toward State Construction (H. D. 646).

Mr. FOSTER of Kennebec: Mr. President, there has been in the closing days of this Legislature more or less discussion and speculation as

to the Sinking Fund Reserve. Chapter 164 of the Public Laws of 1925. Statements have been made on the floor of this Senate that the proposed plan of drawing from this Reserve to reduce State taxes was in affect contrary to the intent and purport of the law of 1925. Again to correct any misunderstanding or apprehension in that line I will state that it was not proposed nor has it been suggested by your Committee on Appropriations and Financial Affairs that any money whatever from the Sinking Fund Reserve should be used for any other purpose than the retirement of bonds. No changes in the law of two years ago affecting the manner in which the Sinking Fund Reserve should be used have been proposed nor will any changes be included in the legislation of this session. War Bonds to the amount of \$350,000 are maturing in each of the next two years and these bonds will be retired from the existing Sinking Fund Reserve relieving to that extent funds secured from direct taxation for the general purposes of the State. The remainder of this fund may be used to such extent as the Governor and Council may deem prudent in the retirement of Highway Bonds or in any other maturing obligations of the State, but under the limitations of the law which are left untouched these funds can not be used for any other purpose than those specifically stated in the Act of 1925. Legislation providing for the use of future surplus revenue for the purpose of new construction and for Highways has already been introduced. Again I would repeat that this does not, however, in any way affect the disposition of the present Sinking Fund Reserve which must be used under the provision of the existing law.

The PRESIDENT: This bill being an emergency measure requires the affirmative vote of two-thirds of the membership of the Senate. The question is on the passage to be enacted. Those who are in favor of this bill being passed to be enacted will rise and stand until counted. Those opposed will then rise.

A division of the Senate was had.

Twenty-five senators having voted in the affirmative and one in the negative, the bill was passed to be enacted.

On motion by Mr. Holmes of Androscoggin,
 Recessed until eight o'clock this evening.

After Recess

Additional House Papers disposed of in concurrence.

Mr. MINER of Washington: Mr. President, I wish a few moments of personal privilege.

The PRESIDENT: The Senator is granted the privilege.

Mr. MINER: It is not my intention at this late hour to occupy but a few moments of the Senate's time. We have had this winter, while in the Senate, instilled in our minds, the idea of honor to whom honor is due. We have also learned to appreciate the services of those who have been serving us. We feel, as a Senate, and I speak for the Senate, as though we had been very ably demonstrated unto by those with whom we have come in contact.

I, as one of the Senators from the eastern section of this state, appreciate the remarks that were made by the Senator from Somerset, Senator Smith, concerning our President.

I wish I had the oratory to make a presentation to his Secretary, the Secretary of our Senate, Roy Brown, that was made on that occasion.

It is sufficient for me to say that personally, I appreciate very much the services that Mr. Brown has given us, and especially to myself, not having a legal mind and understanding in detail the workings of the Senate, I appreciate very much the services he has rendered to me personally and right now let me yield, Mr. President, to the Senator from Aroostook, Senator Mitchell.

Mr. MITCHELL of Aroostook: Mr. President, Secretary, Assistant Secretary, Visitors, Ladies and Gentlemen, Members of the Senate, Everybody, I am in rather a peculiar position tonight. I have been asked to furnish just a little bit of entertainment but my thunder is already spent. My room-mate stole and read my stuff before I came in here, but to show you I can repeat it in very much better form than he did. I hope you will allow me to read it. I am liable to say things when not looking at the paper, that would not be proper in this company.

When Caesar first invaded Gaul
 He made a wise division
 And not a Roman in the bunch
 Could question his decision.
 And Washington at Delaware
 If we believe tradition
 Was laying plans—a strategy
 He wasn't going fishing.
 Now Angelo—the famous Mike
 Might take a piece of granite
 And find the hidden angel face
 Or possibly he'd a can-it.
 But Julius Caesar in his prime
 Or Georgie at his best
 Or even Michael Angelo
 Would find the acid test.
 If called upon as I am now
 To paint in glowing figures
 The hero of a three months scrap
 With all its hellish rigors
 Now Prexy puts his stuff across
 He's keen as any briar
 But there's a power behind the
 throne
 Or Forrest Bond's a liar.
 He seldom smiles—great men are
 loath
 To yield to wild suggestion
 He knows the game, he plays his part
 Without the slightest question.
 We've learned to love his dignity
 He's honest, straight and fair
 When Gabriel blows his final blast
 Roy Brown will sure be there.
 So please accept from loyal friends
 This spacious souvenir
 May every moment of your life
 Be filled with greatest cheer.
 Till grown old, and bowed with time
 A sunset sweet with joy
 Just roll your memory down the
 years
 The Senate's with you, Roy.

(Applause).

Mr. MINER: Roy Brown, at the suggestion of Senator Crafts, we got something made of bear-skin for you. (Applause).

(At this point Secretary of the Senate, Royden Brown was presented with a leather traveling bag).

The SECRETARY: Mr. President and Members of the Senate, I did not suppose that I would ever be the means of inspiring such a great lyric as I have listened to. While I am somewhat impressed by its facetiousness, I do appreciate this very useful gift which you have so kindly presented me, and not only do I appreciate it because of its worth but for that spirit of generosity which prompted it. I do not feel as though I were worthy of this consideration

at your hands but I do feel that if I have been of any service to you at all, it has been due to that splendid co-operation of the two young ladies in the office, Mrs. Lee and Miss Hodgkins, and I wish to thank them for their splendid co-operation and loyalty. And Mr. President, I wish to thank you for your kindness during the session.

Mr. MINER: The same sentiment to Chester T. Winslow, I wish to convey. The Senator from Aroostook had Mr. Winslow in mind when he penned that wonderful verse. We have for him at the suggestion of the Senate, a portfolio, which I hope he will find useful to him in his future.

Thereupon, Assistant Secretary Chester T. Winslow was presented with a leather brief-case.

The ASSISTANT SECRETARY: Mr. President and Members of the Senate, it is very nice of you to present to me this gift and I appreciate it very much. I have enjoyed working for you this winter and it is through your kindness that made it enjoyable, and I thank you. (Applause).

Mr. MINER: Mr. President, we recognize also the worth of your assistant, your stenographer, Ethel Hodgkins. She certainly has done her part ably and we appreciate to the greatest extent her services not only to you but to the senators in general, and to her I have here a small remembrance from the Senators present and it was procured at the suggestion of the Senator from Aroostook, Senator Pinkham. I believe it will be of service to Miss Hodgkins in the future. (Applause).

(Miss Hodgkins was presented with a scarf and with flowers).

Miss HODGKINS: I certainly appreciate the thoughtfulness of the members of the Senate. I have worked here during six sessions, and it is the first time within my recollection that anything of this kind has happened, and I sincerely thank you, each and every one. (Applause).

Mr. MINER: Likewise, the stenographer to our Secretary, Mrs. Lee. We have the deepest appreciation for her services to the Senate through this past session. (Applause).

(Mrs. Lee was also presented with a scarf and with flowers).

Mrs. LEE: There are a very few times when a woman can't talk. I am afraid this is one of them. I thank you. (Applause).

Mr. WOODS of Penobscot: Mr. President, I rise for personal privilege.

The PRESIDENT: This is what I call a landslide. The Senator is granted it.

Mr. WOODS: I regret very much that I was never endowed with a sweet sense of humor. Mr. President, I want to speak of a kindly man, a man of whom all Maine is proud, a man whose character is symbolized by the oak and the rock, whose sympathies and feelings are as tender as the flowers and the vine, a man who has demonstrated to us that in his every purpose he has been actuated to do right. And by this testimony we desire to express to you our feelings and our appreciation for the frank and impartial way in which you have presided over our deliberations.

(At this point the President was presented with a large framed picture of the members and officers of the Senate).

Mr. WOODS, continuing: The Senate takes great pleasure in presenting to you this token of our esteem and affection, and we hope, sir, as it hangs by your fireside, that it may ever be an expression of our loyalty and good-fellowship, from the Senators who served in this body during the Eighty-third Legislature of Maine. (Applause).

PRESIDENT HOLLEY: Members of the Senate, I knew that I was going to get the pin. I admit it. I didn't know that I was going to get the picture. It will not hang in my living room, Senator Woods, as suggested by you, but it will hang in the room in which I sleep where hangs the picture of the House of 1923 over which I presided, and I admit to you members, and some of you went through that House with me, I admit to you frankly that there is hardly a night in my life but what I say "good-night" to that picture, and now again I shall say "good-night" to the Senate of the 1927 Legislature. I appreciate more deeply than I can tell, this splendid thing. It was entirely unexpected and I am not sure but what it is the first time that it has ever been done. I can see just one man on there who doesn't

look just as I would like to have him, and that is myself. I thank you very cordially for it. (Applause). (Three cheers were then given for President Holley).

At this point the President called a recess until the call of the gavel.

After Recess

The PRESIDENT: The Chair presents Veto Message from the Governor:

"STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April 16, 1927.

TO THE HONORABLE SENATE
AND HOUSE OF REPRESENTATIVES:

There is returned herewith, without my approval, a Resolve in Favor of the Town of Skowhegan.

This provides for a new and expensive bridge over the Kennebec River at a location within a short distance of an existing bridge in good condition that is adequate for all traffic.

In addition to the share contributed by the State under the new Bridge Act this Resolve provides that the State shall contribute \$25,000 toward the share of the cost that under the terms of the law would be paid by the town of Skowhegan.

Maine already has six thousand bridges and many of these are in urgent need of reconstruction as the character of the traffic has changed. It does not seem to me that new and expensive locations should be authorized except where the need is very great.

Respectfully submitted,
(Signed) RALPH O. BREWSTER
Governor of Maine."

Mr. SMITH of Somerset: Mr. President, at this late hour I am not going to trespass upon the time of the Senate or make any extended argument in behalf of the bridge or against the Governor's veto.

I will simply state that leading into our town over the state road, the way is narrow and crooked and during the past few years there has been one death, a little boy. Within three weeks time a prominent citizen, a druggist was nearly killed. About four months ago a woman who was in the insurance business was nearly killed.

This is exactly the same proposition that many of you Senators have asked for here during my legislative experience. Only this winter the Senators from Ponooscoot asked for exactly the same proposition. They have three bridges leading over the Kenduskeag river but because of a congested condition in that Queen City, they asked for another bridge and it was my part to do my bit to help them to obtain the bridge. Again, in Aroostook, another and similar condition prevailed, and again I was pleased to assist in obtaining an appropriation for their bridge.

It is the first time in 16 years, as a member of this legislature that I have asked for anything of the kind. During this time I believe the most of you will agree that I have always been ready to assist you. And without arguing further, I believe that I already know the sentiment of the members of this body and I am going to ask you to vote to over-ride the veto of the Chief Executive.

Mr. CASE of Washington: Mr. President, I want to say in behalf of this resolve that it has the unanimous support of the Committee on Ways and Bridges, after carefully considering the matter.

The PRESIDENT: The question is, shall this resolve become a law notwithstanding the veto of the governor. A yea and nay vote is necessary and requires the two-thirds affirmative vote of those present and voting. As many as are in favor of the resolve becoming a law notwithstanding the objection of the governor will vote "yes" when their names are called. Those who wish to sustain the veto of the governor will answer "no" when their names are called. The Secretary will call the roll.

The Secretary called the roll.

Those voting "yes" were, Senators Bond, Bragdon, Buzzell, Case, Douglas, Dunbar, Dwinal, Foster, Granville, Holmes, Maher, Miner, Mitchell, Morrison, Nickerson, Oakes, Perkins, Pinkham, Roberts, Smith, Slocum, Spear, Woods—23.

Those voting "no" were Senators Crafts, Harriman, Lord, Speirs—4.
Absent: Allen, Drake—2.

The PRESIDENT: Twenty-three having voted in the affirmative and four in the negative, the veto of the governor is not sustained.

The President laid before the Senate the following communication from the House of Representatives:

"STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK

Augusta, April 16, 1927.

"To Royden V. Brown,
Secretary of the Senate
of the Eighty-third Legislature.
Sir:

"The Governor having returned to the House without his approval and with his objections to the same

"An Act granting the Right of Eminent Domain to Electric Power Companies doing a Public Utility Business (H. P. 1287) (H. D. 614) the House proceeded to vote on the question

"Shall the Bill become a law notwithstanding the objections of the Governor?"

"The Clerk called the roll. Fifty-six members voted in the affirmative and seventy-two in the negative, and according the Bill failed to become a law.

"Respectfully,
(Signed) CLYDE R. CHAPMAN,
Clerk of the House."
Which was read and placed on file.

House Bills in First Reading

(Out of order and under suspension of the rules).

An Act for the assessment of the state tax for the year one thousand nine hundred and twenty-seven. (H. P. 1340)

An Act for the assessment of the state tax for the year one thousand nine hundred and twenty-eight. (H. P. 1341)

Mr. HOLMES of Androscoggin: Mr. President, after the bills have been given their two readings and when they are on their passage to be engrossed I wish to address the Senate in consideration thereof.

Thereupon, the bills received their two several readings.

Mr. HOLMES: Mr. President, will the Chair please have the Secretary inform me what is the rate on each of the bills separately?

The SECRETARY: The 1927 bill reads: "The rate of said tax is hereby fixed at six and one half mills on the dollar." The 1928 bill reads: "The rate of said tax is hereby fixed at six and one half mills on the dollar."

The PRESIDENT: Has the Senator from Androscoggin, Senator Holmes, any objection to the 1927 tax bill being passed to be engrossed at this time?

Mr. HOLMES: Not at all, Mr. President.

Thereupon, An Act for the Assessment of the State Tax for the year one thousand nine hundred and twenty-seven (H. P. 1340) was passed to be engrossed.

The PRESIDENT: The Chair now recognizes the Senator from Androscoggin, Senator Holmes, on the passage to be engrossed of the 1928 tax bill. (H. P. 1341)

Mr. HOLMES: Mr. President, the rumor has gone about the corridors and come to me that I intend to hold the Senate in their seats to listen to me discuss taxation for three hours. I am sure I do not understand how such rumors get going. I haven't any intention of discussing this subject for three hours and I never had any such intention whatever. I presume that at times within the last two or three days some of my distinguished colleagues in the Senate have thought the voters of Androscoggin County made a mistake and should have elected me to the state institution on the east side of the river instead of the one on the west side but I think that on reflection they will say that it may be something of a surprise and a shock to have a minority senator in the Senate who takes the duty of an opposition seriously—that the duty of an opposition party is to oppose—and that they will upon consideration agree that when the opposition party is opposing it is doing as much for the benefit of the state as the majority party which constitutes the state government, and any attempt whatever to interfere or shut of the free criticism on the part of the minority party of the Senate is not an offense against the minority party but it is an offense against the majority party.

With this preface I will say that I am not going to try to prove at this time that I, for instance, in consultation with the Appropriations Committee or with their financial experts connected with the legislature, could write a tax resolve which would raise the needed money for

running the state this next two years at a lower rate. I am only going now to make a few suggestions and I choose this time when this bill is on its passage to be engrossed instead of waiting until it is on its passage to be enacted for the reason that if, by some miracle, I should convince this Senate that there is still a chance to write a tax bill at a rate of five mills and a fraction instead of six mills and a fraction, it can be done before engrossment much easier than after engrossment.

Now, I tried, the day before yesterday when I was discussing the bill relating to surplus funds, which I considered and maintained in argument was the sinking fund reserve created by the law of 1925, when I was discussing that I had in mind then to offer my assistance in writing the tax bill by offering some suggestions at the time which the Committee on Appropriations could consider and if they thought I was right they would follow the suggestion and if they thought I was mistaken they would not follow them and would show me that I was mistaken. Of course, as I said then, and say now, it is impossible for me to be certain of my figures for the reason that the minority party was carefully and conscientiously kept out from any consultation with the elder statesmen who decided the financial policy for the coming year. So that, if we of the minority party were not taken into consultation we do not have to assume the responsibility if it turns out to be a mistaken policy.

Now, I will say briefly, as the hour is late and as we are all tired and most of us with voices worn and throats sore, that the suggestion I was going to make the day before yesterday when I was ruled out of order on the ground of not discussing the particular bill before the Senate, was that in the plan that was being considered that was laid on the desks of the members of the Legislature, the item—and I will say it was published yesterday in the newspapers—the item of indirect taxation which was deducted from the full amount—I am now speaking of the first year's tax and the same thing would apply in principle to the second year's tax—the amount of indirect income was estimated at \$4,875,000.66

and I was going to ask what I have since found out from Mr. Deering, Secretary of the Committee on Appropriations, whether or not the Committee had taken into consideration and figured into that the \$1,000,000 that the Governor in his inaugural message told the legislature that the state would get during the coming year by way of an estate tax if we took advantage of the Federal Estate Tax by obtaining the credit—and we did take advantage of it, that is, we passed the act and it has been signed, I believe.

Now, I found out from Mr. Deering that they estimated the probable receipt from the Federal Estate Tax at \$50,000 each year. Now, that was far from being a million and with regard to the state of Maine Inheritance Tax under our own law that they estimated that as a probable income of \$700,000 per year making \$1,400,000 for the two years. Now, I do not believe the Governor would have said that about a million dollars in regard to the Federal Estate Tax unless he knew what he was talking about, because the statement was very clear and can be found by any of you by referring to the pamphlet copy of his inaugural address and if it is true that we will receive a million dollars out of the same estate by way of the credit on the Federal Estate Tax, we ought to get, then, a larger inheritance tax than \$700,000. Now, if instead of \$50,000, estimating that indirect income, it is assumed that we get a million, and waiving the matter of the \$50,000 which the committee did estimate and figure in, and assuming that that would probably be offset by an increased amount of our own inheritance tax, it is fair to say that it would be safe to estimate the indirect income which the state will receive at one million more than they have it here.

The committee, I understand, estimated it at \$4,857,000.66. Now then, if I am right in my theory then that should be five million odd. Now, that would make a difference, instead of four million odd, the difference between the nine million and the four million, the indirect income being on the committee's estimate four million odd dollars, it would be a million less to be raised by direct taxation, that is, three million dollars less and it would work out on the committee's own figures a tax

rate of not 6 1-2 but practically 5 1-2—I would put it at 5 48-100ths mills, practically one mill lower.

Also I found out from Mr. Deering by consultation with him that they did make an allowance for safety, which I found on the typewritten sheets that were laid on our desks and published in the papers, of \$150,000. Now, where we already make an allowance for a contingent fund of \$300,000, it is my opinion—and only my opinion and I may be mistaken—that that item of \$150,000 could still be left out. Now, there are also the items of unexpended dollars and cents on legislation amounting to \$100,000. I noticed in looking over the figures this afternoon that they figured in \$35,000 for damages by dogs. Now, that is not paid by direct taxation. That is paid out of the dog license fees and there may be other items like that.

Now, I am not going further into that and I am going to leave the matter—and of course this bill will be passed to be engrossed and will be passed to be enacted and I am simply getting my views into the record as briefly as possible and as I said in the beginning performing my duty as the minority senator in this Senate—and the time will come—and if some of the members still think I am an obstacle and a stumbling block and a filibuster—the time will come when they will revise that opinion and upon sober consideration will come to the conclusion that an opposition party that does not oppose might just as well not be in the legislature.

Now of course I don't want to be replied to by the chairman of the Committee on Appropriations that the opposition party should not indulge in captious criticism because I do not mean captious criticism of opposition merely for the sake of opposing but I mean opposition that is sincere and based upon whatever little information the majority party has condescended to give to the minority party before they presented the final document and said, "Sign here by your vote."

(At this point the Senator from Franklin, Senator Morrison, assumed the Chair).

Mr. FOSTER of Kennebec: Mr. President, in the back part of the Legislative Record as it is usually made, every Senator's and every

Representative's name appears. Following that is the reference to the page and the date upon which that member spoke during the session of the legislature. I am very sure that after this legislature has adjourned, the distinguished Senator from Androscoggin County, in his leisure moments may peruse this volume in question and he will find to his satisfaction that he has been accorded every possible consideration, whether he belongs to the majority or the active and zealous minority party of the Eighty-third Legislature.

I see nothing to discuss in the statements made by the Senator from Androscoggin, Senator Holmes. Nothing is needed to be said in support of what I tried to present this afternoon in the Senate in reference to the financial program.

I think it is rather late, Mr. President, to prolong this agony, and if the Senator from Androscoggin has, to his satisfaction, put into these records sufficient political capital to suit himself, I am sure none of the majority party will object, and I am in favor of the measure before us taking its regular course.

Mr. HOLMES: Mr. President, I perceive to my profound regret that I have been unable to convince the Senator from Kennebec, Senator Foster, that my opposition is sincere. He is still of the opinion that it is purely political. I am sorry that my logic is so weak that I have been unable to convince him. I will agree with him on another point, however, that so far as debate goes I have been accorded the same treatment as Republicans. I hardly see how I could have been denied it under the rules of the Senate. And, strange as it may seem, a Democrat is not an interloper in this Senate but is here by the same constitutional right as a Republican.

The PRESIDENT pro tem: The question before the Senate is, shall this bill, which is the 1928 tax bill, be passed to be engrossed. Is this the pleasure of the Senate?

Thereupon, An Act for the assessment of a state tax for the year one thousand nine hundred and twenty-eight (H. P. 1341) was passed to be engrossed.

At this point President Holley resumed the Chair.

The PRESIDENT: The Senate will now recess to reassemble at the sound of the gavel.

After Recess

The following communication was received from the House:

"STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK

Augusta, April 16, 1927.
To Royden V. Brown,
Secretary of the Senate
of the Eighty-third Legislature,
Sir:

The Governor having returned to the House without his approval and with his objections to the same,

Resolve, in favor of H. H. Havey and Bradbury Smith to Reimburse them for Loss under Highway Construction Contract. (H. P. 1270) (H. D. 595)

the House proceeded to vote on the question:

"Shall the Resolve be finally passed notwithstanding the objections of the Governor?"

The Clerk called the roll. Thirty-seven voted in the affirmative and eighty-eight in the negative, and accordingly the Resolve failed to pass.

Sincerely,

(Signed) CLYDE R. CHAPMAN,
Clerk of the House."

Which was read and ordered placed on file.

Passed to be Enacted

(Out of order and under suspension of the rules).

An Act to Appropriate Moneys for the Expenditures of the Government and for Other Purposes for the Year from July First, Nineteen Hundred and Twenty-seven to June Thirtieth, Nineteen Hundred and Twenty-eight. (S. P. 681)

Finally Passed

(Out of order and under suspension of the rules).

Resolve, in Favor of Clerks, Stenographers and Messengers of the Several Committees of the Eighty-third Legislature. (S. P. 680)

Resolve, in Favor of the Town of West Gardiner. (H. P. 1339)

Report of Committee

(Out of order and under suspension of the rules).

Mr. FOSTER, from the Committee on Appropriations and Financial Affairs, submitted its final report.

Which was read and accepted.
Sent down for concurrence.

Passed to be Enacted

(Out of order and under suspension of the rules).

An Act for the Assessment of a State Tax for the Year One Thousand Nine Hundred Twenty-eight. (H. P. 1341)

An Act to Appropriate Moneys for the Expenditures of the Government and for Other Purposes for the Year from July First, Nineteen Hundred and Twenty-eight to June Thirtieth, Nineteen Hundred and Twenty-nine. (S. P. 682)

(Emergency Measure)

An Act for the assessment of a state tax for the year one thousand nine hundred twenty-seven. (H. P. 1340)

This bill carrying the emergency clause required the affirmative vote of two-thirds the membership of the Senate.

A division of the Senate was had.

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

On motion by Mr. MORRISON of Franklin,

ORDERED, that a message be sent to the House of Representatives informing that body that the Senate has transacted all the business which has come before it and is ready to adjourn without day.

Which was read and passed, and the Senator from Franklin, Mr. Morrison, was appointed to convey the message, subsequently reporting that he had discharged the duty assigned him.

Subsequently a message was received from the House of Representatives by Mr. Deering of Saco, that that body had transacted all the business before it, and was ready to adjourn without day.

On motion by Mr. MAHER of Kennebec,

ORDERED, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters

before them, and are now ready to receive any communication which he may be pleased to make.

Which was read and passed, and the President appointed as Senate members of such a Committee,

Senators MAHER of Kennebec
CASE of Washington
PINKHAM of Aroostook

Subsequently the foregoing order came back from the House, read and passed in concurrence, and the Speaker having appointed on the part of the House:

Messrs. HALE
LAIT
WING
KINSMAN
PIPER
GAY
INGRAHAM
MERRILL

Mr. MAHER from the Committee subsequently reported that they had attended to the duties assigned them, and that the Governor was pleased to say he would communicate with the two branches of the Legislature forthwith through the Secretary of State.

Subsequently the Secretary of State, the Honorable Edgar C. Smith, came in and laid before the Senate the following communication:

**"STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA**

April 16, 1927.

To the President of the Senate and Speaker of the House:

I herewith transmit a list of 397 Acts and 244 Resolves passed by the present session of the Legislature.

Ten resolves and one act have become laws without my signature.

I have no further communication to make.

Respectfully,

(Signed) RALPH O. BREWSTER."

Which was read and ordered placed on file.

Subsequently the foregoing communication came back from the House, ordered placed on file in concurrence.

On motion by Mr. SPEIRS of Cumberland, at eleven o'clock and five minutes, in the afternoon, Saturday, April 16, 1927, Frank H. Holley, President, declared the Senate of the Eighty-third Legislature adjourned without day.