

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

Page 656—Bill an act relating to weights and measures, Senate Paper 568, Legislative Document 849—should be L. D. 859.

Page 656—Senate Paper 571 should be 578.

Page 661—An act closing Middle Range Pond to ice fishing, H. P. 693, L. D. 562—Should be H. P. 693, L. D. 362.

Page 662—New draft 1632, L. D. 948 should be L. D. 984.

Page 664—An act relating to school unions, H. P. 1624, L. D. 970—Should be H. P. 1634, L. D. 970.

Page 669—An act relating to publicity (H. P. 1639, L. D. 975)—Should be (H. P. 1639, L. D. 973)

Page 669—"An act extending the charter of the Fryeburg Village Fire Corporation" (H. P. 80, L. D. 380)—Should be (H. P. 870, L. D. 380)

Page 670—Reading misspelled.

Page 670—Resolve in favor of Frederick A. Burbish of Mt. Vernon (H. P. 747)—Should be Frederick A. Furbish.

Page 673—An act to revise the Charter of the City of South Portland (H. P. 597, L. D. 923)—Should be (H. P. 1597, L. D. 923)

Page 676—The President laid before the Senate, (S. P. 212, L. D. 278)—Should be (S. P. 212, L. D. 279)

Page 679—Resolve providing for a state pension for Mary A. Leighton of Gardiner, (H. P. 74, L. D. 670)—Should be (H. P. 74, L. D. 671)

Page 679—Resolve providing for an increase in State pension for Lester Paggan of Hermon, (H. P. 56) (L. D. 706)—Should be Lester Patten.

Page 680—An act to assure a Balanced Budget, (S. P. 827) (L. D. 998)—Should be (S. P. 627) (L. D. 998)

Page 684—Resolve in favor of a pension for Richard T. Kensall of Alna—Should be Richard T. Kensell.

Page 696—An Act relating to tax foreclosures (S. P. 636)—Should be (S. P. 317)

Page 696—Moe should be move.

Page 714—An act relating to Reports to Towns of Excise Tax Payments (H. P. No. 117) (L. D. No. 561)—Should be (H. P. No. 1170)

Page 716—"said sum to be used as an offset against any accounts due the State of Maine from the city of Maine."—Should be city of Eastport.

Page 727—Thereupon H. P. 1334, L. D. 970—should be H. P. 1634, L. D. 970.

Page 731—Resolve in favor of Lillian R. Cushman" (H. P. 900—Should be (H. P. 800)

Page 733—reported the same in a second new draft (S. P. 837)—Should be (S. P. 637)

Page 733—An Act concerning the improvement, protection or preservation of shade, forest or ornamental trees. (H. P. 164, L. D. 975)—Should be (H. P. 1641, L. D. 975)

Page 755—An Act relating to Disclosures of the Affairs of Corporations and the place within Counties in which Disclosures are to be made" (H. P. No. 110) (L. D. No. 584)—Should be (H. P. No. 1103) (L. D. No. 584)

Page 769—An act relative to closed time on deer, H. P. 1645, L. D. 921—Should be H. P. 1645, L. D. 991.

Page 796—(S. P. 34) (L. D. 696) An act relating to dealer's registration, fees for plates, etc.—Should be (S. P. 347) (L. D. 696)

Page 796—(H. P. No. 1694) (L. D. No. 1008) An act appointing a Commission on Taxation—Should be (H. P. No. 1694) (L. D. No. 1007)

Page 796—(H. P. No. 1694) (L. D. No. 1006) An act relating to pauper settlement.—Should be (H. P. No. 1694) (L. D. No. 1008)

Page 796—(S. P. No. 163) (L. D. No. 989) Resolve to repeal a resolve providing for a State pension for Carrie E. Fitch.—Should be (S. P. No. 165) (L. D. No. 989)

Page 807—An act relating to taxation of motor vehicles (H. P. 865, L. D. 299)—Should be (H. P. 665) (L. D. 299)

Page 812—S. P. 636, L. D. 1015: Resolve providing for a State pension for Elida F. Whitcomb of Montville.—Should be S. P. 633, L. D. 1015.

Page 839—An Act to repeal the act incorporating number XIV Plantation in Washington County (H. P. 623, L. D. 164)—Should be (H. P. 623, L. D. 184)

Page 840—"An act relating to the sale of real estate for taxes" (H. P. 112, L. D. 631)—Should be (H. P. 1122, L. D. 631)

Page 842—An act to Facilitate Recounting of Ballots (H. P. 1644) (L. D. 99)—Should be (H. P. 1644) (L. D. 992)

Page 846—Delete second paragraph.

SENATE

Wednesday, March 22, 1933.

Senate called to order by the President.

Prayer by the Rev. L. D. Porter of Gardiner.

Journal of yesterday read and approved.

From the House:

Bill "An act relating to weights and measures" (S. P. 568, L. D. 859)

(In the Senate March 10th passed to be engrossed).

In the House, passage to be engrossed reconsidered, House Amendment "A" adopted and passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An act relating to apothecaries and the sale of poisons" (H. P. 1527, L. D. 836)

(In the Senate on March 16th passed to be engrossed as amended by Senate Amendment "A" in non-concurrence).

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

In the Senate, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

Papers from the House disposed of in concurrence.

From the House:

Bill "An act relative to application for parole by convicts in State Prison." (H. U. 1579, L. D. 881)

(In the Senate on March 16th passed to be engrossed in concurrence).

In the House passage to be enacted subsequently reconsidered and indefinitely postponed.

In the Senate, on motion by Mr. McLoon of Knox, the bill was tabled pending consideration and especially assigned for tomorrow morning.

House Bills in First Reading

An act relating to publicity (H. P. 1639, L. D. 975)

Resolve providing for a state pension for Fred E. Hilton of Pittston (H. P. 387, L. D. 976)

An act relating to regulation of buying, selling and transportation of clams (H. P. 1640, L. D. 974)

An act concerning the improvement, protection or preservation of shade or ornamental trees (H. P. 1641, L. D. 975)

From the House:

The Committee on Legal Affairs on Bill "An act extending the charter of the Fryeburg Village Fire Corporation" (H. P. 80, L. D. 380) reported the same in a new draft (H. P. 1569, L. D. 879) under a new title "An act extending the powers and rights of the Fryeburg Village Fire Corporation" and that it ought to pass.

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

In the Senate, the report was read and accepted and the bill was given its first reading; the rules were suspended and the bill given its second reading; House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

The Majority of the Committee on Judiciary on Bill "An act relating to pauper settlements" (H. P. 1112, L. D. 621) reported that the same ought to pass.

(Signed) Weeks of Somerset, Holman of Franklin, Holmes of Androscoggin, Hill of South Portland, Farris of Augusta, Tompkins of Houlton, Goudy of South Portland, Eldridge of Eastport, Fernald of Winterport.

The Minority of the same Committee on the same subject reported that the same ought not to pass.

(Signed) Laughlin of Portland.

In the House the Majority Report "ought to pass" accepted, and passed to be engrossed.

In the Senate, on motion by Mr. Weeks of Somerset, the Majority Report of the committee "Ought to

Pass" was accepted in concurrence and the bill given its first reading; the rules were suspended the bill given its second reading and passed to be engrossed in concurrence.

From the House:

The Majority of the Committee on Legal Affairs on Bill "An Act relating to the School Board of the City of Lewiston" (H. P. 637, L. D. 189) reported the same in a new draft (H. P. 1616, L. D. 967) under the same title and that it ought to pass.

(Signed) Farnsworth of Aroostook, Page of Somerset, Chase of Baring, Tompkins of Bridgewater, Sargent of Brewer, Martin of Bangor, Chase of Lubec.

The Minority of the same Committee on the same subject reported that the same ought not to pass.

(Signed) Blaisdell of Hancock, Quine of Bangor.

In the House the Majority Report "ought to pass" accepted and passed to be engrossed.

In the Senate, on motion by Mr. Blaisdell of Hancock, tabled pending acceptance of either report and especially assigned for this afternoon at four o'clock.

From the House:

Bill "An Act relating to prepayment of taxes." (S. P. 662, L. D. 205)

(In the Senate on March 14th passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

In the Senate, the rules were suspended and the Senate voted to reconsider its former action whereby the bill as amended by Senate Amendment "A" was passed to be engrossed in non-concurrence; House Amendment "A" to Senate Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act granting preference to Maine bidders" (H. P. 153, L. D. 85)

(In the Senate on March 20th

voted to adhere to the former action whereby the bill was indefinitely postponed in non-concurrence).

In the House on March 21st that body voted to insist and renew request for a Committee of Conference.

In the Senate, on motion by Mr. Robie of Cumberland, the Senate voted to adhere to its former action where by bill was indefinitely postponed in non-concurrence.

From the House:

The Committee on Legal Affairs on Bill "An Act providing for a purchasing agent for the town of Sanford" (H. P. 872, L. D. 350) reported that the same ought to pass in a new draft (H. P. 1598, L. D. 924) under the same title and that it ought to pass.

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

In the Senate, the report of the committee was read and accepted in concurrence and the bill was given its first reading; the rules were suspended and the bill was given its second reading; House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

The Committee on Legal Affairs on Bill "An Act to provide for the appointment of a Board of Commissioners of Police for the City of Augusta" (H. P. 862, L. D. 304) reported as follows:

Report "A," ought not to pass.

(Signed) Farnsworth of Aroostook, Page of Somerset, Blaisdell of Hancock, Martin of Bangor, Quine of Bangor.

Report "B," ought to pass.

(Signed) Sargent of Brewer, Chase of Baring, Chase of Sebec, Tompkins of Bridgewater, Plummer of Portland.

In the House, Report "B" "ought to pass" accepted and passed to be engrossed as amended by House Amendment "A."

In the Senate, on motion by Mr. Viles of Kennebec, tabled pending acceptance of either report and especially assigned for tomorrow morning.

From the House:

The Committee on Claims on "Resolve in favor of Frederick A. Burbish of Mt. Vernon" (H. P. 747,

L. D. 413) reported the same in a new draft (H. P. 1520, L. D. 842) under the same title and that it ought to pass.

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

In the House that body having insisted on its former action whereby the bill was recommitted to the Committee on Claims and asking for a Committee of Conference, the Speaker having appointed as House members of such a Committee:

Messrs. Rounds of Portland, Norris of Wayne, Mayers of Hallowell.

In the Senate, on motion by Mr. Kitchen of Aroostook, the Senate voted to adhere to its former action whereby the bill was indefinitely postponed in non-concurrence.

Mr. Murchie of Washington presented

Remonstrance of Lewiston and Auburn Chambers of Commerce against the enactment of the Sales Tax Law. (S. P. 624)

Mr. Jackson of Sagadahoc presented

Remonstrance of Lewiston and Auburn Chambers of Commerce against the enactment of the Sales Tax Law. (S. P. 626)

The same Senator presented

Remonstrance signed by Ralph G. Stetson and 78 others of Bath against the enactment of the Sales Tax Law. (S. P. 625)

The same Senator presented

Remonstrance signed by A. S. MacFadden and 104 others of Bath against tax on fuel oil. (S. P. 628)

Which were severally read and placed on file.

Sent down for concurrence.

Bills in First Reading

Resolve in favor of the State Museum. (S. P. 621, L. D. 995)

An Act relating to trust fund of the State Military and Naval Children's Home. (S. P. 622, L. D. 996)

Resolve appropriating money for certain departmental deficiencies. (S. P. 623, L. D. 997)

The rules were suspended and the foregoing resolves and bill were given their second reading and passed to be engrossed.

Sent down for concurrence.

Reports of Committees

Mr. Page from the Committee on Banks and Banking on Bill "An Act to provide for the organization of central banking corporations"

(S. P. 305, L. D. 519) reported that the same ought not to pass.

Mr. Angell from the Committee on Inland Fisheries and Game on Bill "An Act to revise the fish and game law in regard to rules and regulations" (S. P. 195, L. D. 275) reported that the same ought not to pass.

Mr. Seavey from the Committee on Pensions on "Resolve providing for a state pension for Cora Boynton of Montville" (S. P. 235) reported that the same ought not to pass.

Mr. Jackson from the Committee on Taxation on two remonstrances against a tax on fuel and range oils (S. P. 530 and 531) reported that they be placed on file.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Harmon from the Committee on Pensions on "Resolve providing for an increase in state pension for Addie L. Coombs of Montville" (S. P. 112) reported that the same ought to pass.

Mr. Jackson from the same Committee on Petition in favor of a pension for Eva May Snowman of Bar Harbor" (S. P. 566) reported the same in a new draft in the form of a Resolve under the title "Resolve in favor of a pension for Eva May Snowman of Bar Harbor" (S. P. 630) and that it ought to pass.

The PRESIDENT: The Chair is forced to rule under the joint rules of the Legislature that this report is not in order. In the Senate on February 16th a resolve providing for a pension for Eva May Snowman of Bar Harbor was referred to the 87th Legislature, the resolve being introduced after the time limit for private and special legislation had expired. In the House that body concurred in that reference on February 17th. It is therefore the ruling of the Chair that this report is out of order and cannot be received and that the resolve and the petition are referred to the 87th Legislature.

Mr. Harmon from the same Committee on "Resolve providing for a state pension for Hattie Boynton of Montville" (S. P. 234) reported the same in a new draft (S. P. 631) under the same title and that it ought to pass.

Mr. Seavey from the same Committee on "Resolve providing for a state pension for Valdimir B. Jones of Waldo" (S. P. 236) reported the

same in a new draft (S. P. 632) under the same title and that it ought to pass.

Mr. Jackson from the same Committee on "Resolve providing for a state pension for Elida F. Whitcomb of Montville" (S. P. 237) reported the same in a new draft (S. P. 633) under the same title and that it ought to pass.

Mr. Blaisdell from the Committee on Sea and Shore Fisheries on Bill "An Act to protect the propagation and cultivation of quahaugs" (S. P. 341, L. D. 548) reported the same in a new draft (S. P. 634) under the same title and that it ought to pass.

Mr. Kitchen from the Committee on Ways and Bridges on "Resolve in favor of Township No. 10" (S. P. 126) reported the same in a new draft (S. P. 635) under the same title and that it ought to pass.

Which reports were read and accepted, the bill and resolves laid on the table for printing under joint rules.

The majority of the Committee on Judiciary on Bill "An Act relating to tax foreclosures" (S. P. 317) reported that the same ought not to pass.

(Signed) Holmes of Androscoggin, Goudy of South Portland, Laughlin of Portland, Fernald of Winterport, Eldridge of Eastport, Hill of South Portland.

The minority of the same Committee on the same subject reported the same in a new draft under a new title "An act to provide for alternative method of enforcement of tax liens" and that it ought to pass.

(Signed) Tompkins of Houlton, Farris of Augusta.

Mr. STORY of Aroostook: Mr. President, I move that we accept the minority report "ought to pass" in non-concurrence and I have an amendment which I wish to offer.

Mr. HOLMES of Androscoggin: Mr. President, I move that both reports lie on the table until this afternoon and I wish to be heard on the question of assignment only. I will say that I had a talk with the Senator from Aroostook (Senator Story) yesterday and it may be possible with further consultation to work out something and that is why I suggest reference to this afternoon.

Thereupon, the bills and the reports were laid upon the table pending the motion of the Senator

from Aroostook. Senator Story, that the minority report "ought to pass" be accepted and especially assigned for this afternoon.

Mr. Weymouth from the Committee on Taxation on Bill "An Act relating to dealer's registration fees for plates, etc." (S. P. 347, L. D. 696) reported that the same ought to pass.

Mr. Jackson from the same Committee on Bill "An Act relating to payment of tax must precede registration" (S. P. 348, L. D. 697) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act relating to taxation of motor vehicles" (S. P. 351, L. D. 509) reported that the same ought to pass.

Which reports were accepted, the bills read once, the rules were suspended and the bills were given their second reading and passed to be engrossed.

Sent down for concurrence.

Mr. Jackson from the committee on Taxation on Bill "An act establishing a low rate tax on intangible personal property in accordance with constitutional amendment permitting the same" (I. B. 2, L. D. 812) recommends that no action be taken by the Legislature with reference to passing the accompanying bill and that no competing measure be submitted; that the Initiative Bill be submitted to the election of this State in accordance with the Constitution; that a certified copy of this report be transmitted to the Governor.

On motion by Mr. Jackson of Cumberland, tabled pending acceptance of the report and especially assigned for this morning at the end of the calendar.

Mr. Weymouth from the same committee on bill "An act to raise an excise tax on corporations organized for making, generating, selling, distributing and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes" (I. B. 1, L. D. 811) recommends that no action be taken by the Legislature with reference to passing the accompanying bill and that no competing measure be submitted; that the Initiative Bill be submitted to the election of this State in accordance with the Constitution; that a certified copy of this report be transmitted to the Governor.

On motion by Mr. Weymouth of

Penobscot, tabled pending acceptance of the report and especially assigned for this morning at the end of the calendar.

The committee on Interior Waters presented its final report.

The committee on Legal Affairs presented its final report.

The committee on Maine Publicity presented its final report.

The committee on Manufacturers presented its final report.

Which reports were read and accepted.

Sent down for concurrence.

Passed to be Engrossed

Resolve to repeal a resolve providing for a state pension for Carrie E. Fitch. (S. P. 165, L. D. 989).

An act relating to commitment to hospitals by municipal officers. (S. P. 602, L. D. 947).

An act to provide for the nomination of candidates for elective office. (S. P. 604, L. D. 950).

(On motion by Mr. Harmon of Hancock, tabled pending passage to be engrossed and especially assigned for this morning at the end of the calendar.)

An act to extend the charter of Kennebec Reservoir Company. (S. P. 611, L. D. 985).

(On motion by Mr. Viles of Kennebec, tabled pending second reading and especially assigned for tomorrow morning.)

An act to acquire the American portion of the International Bridge at Calais in Washington County and to provide for its maintenance. (S. P. 613, L. D. 990).

An act relating to transportation of intoxicating liquors. (S. P. 614, L. D. 986).

(On motion by Mr. Weatherbee of Penobscot, tabled pending passage to be engrossed and especially assigned for this afternoon.)

Sent down for concurrence.

Resolve for the purchase of 100 copies of "Sketches of Brooks History." (H. P. 35, L. D. 937)

An act to revise the Charter of the City of South Portland. (H. P. 597, L. D. 923).

An act providing for pensions for call firemen in Augusta. (H. P. 879, L. D. 315)

The PRESIDENT: Is it the pleasure of the Senate that this bill be passed to be engrossed in non-concurrence, Senate Amendment "A" not having been adopted in the House?

Thereupon, the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

An act for the preservation of academic records. (H. P. 1012, L. D. 428)

An act to reduce certain fees of deputy sheriffs for the next two years. (H. P. 1399, L. D. 802)

Sent down for concurrence.

An act to redraft the charter of the city of Biddeford. (H. P. 1596, L. D. 922)

An act to grant a commissioner-manager form of government to the city of South Portland. (H. P. 1599, L. D. 925)

Resolve in favor of L. S. Dixon of East Hampden. (H. P. 1603, L. D. 938)

An act relating to changes in location of any school legally established. (H. P. 1604, L. D. 931)

An act in regard to the plantation of Allagash. (H. P. 1605, L. D. 932)

An act relating to personal examination of insurance agents and brokers in certain cases. (H. P. 1606, L. D. 933)

An act providing educational opportunities for the children of soldiers, sailors and marines who were killed in action, or died during the World War. (H. P. 1607, L. D. 934)

An act relating to the shipping and transporting of clams beyond the limit of the State during closed time. (H. P. 1608, L. D. 935)

An act requiring the licensing of operators of creameries or milk distributing plants. (H. P. 1618, L. D. 953)

(On motion by Mr. Weymouth of Penobscot, tabled pending passage to be engrossed and especially assigned for this afternoon.)

Resolve relating to closed season on muskrat on the West Branch of the Sebasticook River. (H. P. 1621, L. D. 963)

An act relative to lumber camps not to serve salmon, trout and togue. (H. P. 1622, L. D. 956)

An act relative to the classification, registration and fees of guides. (H. P. 1623, L. D. 957)

An act relative to definitions of hunting resident, aliens, jacklight and trapping. (H. P. 1626, L. D. 959)

Resolve relating to fishing in Baker Pond. (H. P. 1627, L. D. 965)

Resolve regulating fishing in Day Mountain Pond in the town of Avon. (H. P. 1628, L. D. 966)

An act relating to open season on

fur bearing animals. (H. P. 1629, L. D. 960)

An act relating to the interstate transfer of dependent persons. (H. P. 1630, L. D. 954)

An act relating to certain non-resident operators and exempting from registration certain vehicles owned by non-residents. (H. P. 1635, L. D. 971)

(On motion by Mr. Littlefield of York, tabled pending second reading and especially assigned for tomorrow morning.)

An act relating to personal property. (H. P. 1637, L. D. 980)

An act relating to elections in the city of Biddeford. (H. P. 1638, L. D. 972)

Orders of the Day

The PRESIDENT: The Chair will advise the Senate, before we proceed with the Calendar to take up the matters especially assigned for today, that the first item under Orders of the Day is to advise the Senate that there is now in possession of the Senate Legislative Document 22, An Act to permit the manufacture and sale of non-intoxicating beverages; to derive revenue therefrom; and to create a legal definition of the term "saloon," recalled from the files by the Senator from Penobscot, Senator Weatherbee.

Thereupon, on motion by Mr. Weatherbee of Penobscot, the bill was laid upon the table pending consideration and was especially assigned for this afternoon.

The President laid before the Senate, An Act enabling cities and towns to take advantage of reconstruction finance corporation loans for construction of sewerage works (S. P. 213, L. D. 280), tabled by Mr. Schnurle of Cumberland on March 15th pending motion to indefinitely postpone and today assigned.

Mr. JACKSON of Cumberland: Mr. President, Senator Schnurle was called from the room a few moments ago and will be back very shortly I am sure.

The PRESIDENT: In that case, if there is no objection this matter will be retabled temporarily until the return of the Senator from Cumberland, Senator Schnurle.

Thereupon, the measure was retabled temporarily.

The President laid before the

Senate, (S. P. 212, L. D. 279) Senate Report, "Ought to Pass in a New Draft," from the Committee on Judiciary, on "An Act enabling cities and towns to take advantage of reconstruction finance corporation loans for construction of water works." (L. D. 860), tabled by Mr. Holmes of Androscooggin on March 21st pending acceptance of the report and today assigned.

The PRESIDENT: If there is no objection this matter, like the previous one, will be retabled temporarily and for the same reason.

Thereupon, the report was retabled temporarily.

The President laid before the Senate, House Report from Committee on State Lands and Forest Preservation — Majority Report, "Ought Not to Pass"—Minority Report, "Ought to Pass" on "An Act to authorize the town of Cooper to withdraw from the Maine Forestry District" (H. P. 659), tabled by Mr. McDonald of Washington on March 21st pending acceptance of either report and today assigned; and the Chair recognized that Senator.

Mr. McDONALD of Washington: Mr. President, I move the acceptance of the minority report "ought to pass." This bill is asked by the town of Cooper, a small town in Washington County, that it may be granted the privilege of submitting to its citizens the right to withdraw from the Forestry District. The Forestry District when it was created gave to the Forest Commissioner the privilege of handling all fires within that certain district. It also gave the privilege to certain towns to unite with the Forestry District. This town of Cooper, which is a town of approximately 150 voters, joined the Forestry District and has been in that district for a period of twenty years.

Now, after that twenty years experience they come to this Legislature and ask the privilege of having the matter submitted to them whether they shall still remain in the Forestry District or whether they shall have the right to vote on the question of withdrawal. They feel it to their best interest for them to withdraw. It seems to me that this is the whole matter, whether they shall be given the privilege of staying in or the

privilege of withdrawing from the Forestry District.

Mr. PAGE of Somerset: Mr. President, there is something else to the bill and I speak in opposition to the motion made by the Senator from Washington County (Senator McDonald). The total valuation of this town of Cooper is approximately \$105,000 of which two-thirds is owned by non-residents. The town has 16,500 acres of which 15,000 acres is owned by non-residents. The tax assessed for the year 1933 will be approximately \$218 which would be divided, one-third to the residents of the town, or \$72, or less than fifty cents per capita.

The non-residents are opposed to the measure. The Forestry District maintains in that section a chief warden, a patrolman, gasoline pumps, hose and tools of all kinds and I do not think it is fair to allow the people of the town of Cooper to vote to withdraw from the Forestry District against the better interests of the whole town and the owners. Therefore I am opposed to the motion made by the Senator from Washington, Senator McDonald.

Mr. VILES of Kennebec: Mr. President, I would like to support the stand of the Senator from Somerset, Senator Page. I think the only fair way to handle this matter, if it were to be submitted, would be to submit it to the property owners in the town of Cooper. The non-resident ownership there amounts to 90% of the area of the town. Those people have bought this property and conducted it with the guarantee that it will be protected from fire by the very efficient system of the Forest Commissioner. It is on the edge of the Forest District, of the woodland district, and properly comes within his protection. I don't think it is fair to disregard the interest of 90% of the property owners of the town.

A viva voce vote being had

The motion to accept the minority report "ought to pass" did not prevail.

Thereupon, on motion by Mr. Page of Somerset, the majority report "ought not to pass" was accepted.

The PRESIDENT: The Senator from Cumberland, Senator Schnurle, having returned to the Senate Chamber, the Chair lays before the

Senate, An Act enabling cities and towns to take advantage of reconstruction finance corporation loans for construction of sewerage works, Senate Paper 213, Legislative Document 280, tabled by that Senator on March 15th pending motion to indefinitely postpone and today assigned; and the Chair recognizes that Senator.

Mr. SCHNURLE of Cumberland: Mr. President, after conferring with the Senator who made the motion to indefinitely postpone it has been found or it is believed advisable to confer on this motion with the Committee on Judiciary and I therefore ask that it be retabled and I would like to ask that it be assigned for as late a date as possible because if we work out what we believe we can work out it will take some time. It is a rather lengthy matter and will require some considerable time.

The PRESIDENT: Would the Senator be willing to make an effort to take care of it tomorrow afternoon?

Mr. SCHNURLE: I do not believe that can be done, Mr. President.

The PRESIDENT: Will the Senator himself assign a day?

Mr. SCHNURLE: Well, Mr. President, I assume that we propose to be here next week. Will the Chair correct me if I am in error on that?

The PRESIDENT: The Chair would be glad to correct you but it has no power to do that.

Mr. SCHNURLE: I believe that if it is possible it will be safer to assign it for Monday of next week.

The PRESIDENT: The Chair will suggest, since the Senator has given him the opportunity, that it would seem infinitely better to the Chair to assign an earlier date rather than a late date and hurry along at the last.

Mr. SCHNURLE: Well, Mr. President, I do not do it for that purpose. I think perhaps it would be unnecessary to assign it for tomorrow and then reassign it but I am willing to do that if the Chair wishes.

The PRESIDENT: The matter is in the power of the Senate. The Chair will put any motion that the Senator desires.

Mr. SCHNURLE: I will move, Mr. President, that the matter be retabled and especially assigned for Friday morning.

Thereupon, the bill was retabled

pending motion to indefinitely postpone and next Friday, March 24th assigned.

The President laid before the Senate, (S. P. 212, L. D. 278) Senate Report, "Ought to Pass" in a New Draft," from the Committee on Judiciary, on "An act enabling cities and towns to take advantage of reconstruction finance corporation loans for construction of water works." (L. D. 860), tabled by Mr. Holmes of Androscoggin on March 21st pending acceptance of the report and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by that Senator the matter was retabled pending acceptance of the report and next Friday, March 24th assigned.

The President laid before the Senate, Resolve providing for a state pension for Katherine L. Prescott of Wilton (S. P. 88, L. D. 773), tabled by Mr. Weeks of Somerset on March 21st pending final passage and today assigned; and the Chair recognized that Senator.

Mr. WEEKS of Somerset: Mr. President, I wish to make the motion that this resolve be finally passed and I would like to state my reason for making the motion. We have on the statutes a general pension law which provides, of course, generally for the distribution of pension money to residents of this State. On the information as printed on Legislative Document No. 952 I note that Androscoggin has 85 under the general law, Penobscot 62 under the general law, Waldo County 48 under the general law and that Aroostook County has only 9 under the general law, that Lincoln County has only 5 under the general law and Piscataquis only 4 under the general law. Under the special resolves that have been previously passed by this Legislature I note that Androscoggin has 21, Kennebec County has 30, Waldo County has 16, Penobscot County has 13, Aroostook County has only 1, Franklin County has 3, Sagadahoc only 1, and Piscataquis only 3.

Now the purpose of these special resolves and this legislative act have been to take away from the towns the support which they should give to the citizens under their control and has placed the support of those people upon the State. Now, the general trend, as

you can see from Legislative Document 952 is for various counties who wish to take advantage of the general law and of the special resolves to rush through as fast as possible these resolves which have no service connection so that the towns will be relieved of the support of these persons. So far I have caught going through this Legislature sixty-three special resolves and of those sixty-three I find that twenty-four are in Kennebec County, so that you have over a third of the amount carried by these resolves distributed in Kennebec County and of course that is being paid for by the rest of the State and by the various counties and towns where they have not received this kind of relief.

In Kennebec County alone I note that in this session Augusta has had 4, Chelsea has 1, Farmingdale 2, Gardiner has 7, Monmouth 1, Pittston 4, Randolph 2, Readfield 1, Windsor 1 and Sidney 1.

Now, while I am making this motion for this resolve to be finally passed I want to register my objection to the fact that the rest of the State of Maine is called upon to furnish supplies and take care of people in special sections to the detriment of others and I hope that the next Legislature will not see fit to increase pensions as I believe eight or ten have been increased this session and will try to have a fair distribution of these pension resolves and the money that is carried with them.

Mr. HARMON of Hancock: Mr. President, I don't know that there is very much that I can say. Your committee has considered the cases that have been laid before it irrespective of what town of county they came from.

The special resolves which your Committee on Pensions have recommended both for increases, of which there are sixteen and the original pensions, of which there are fifty-four, making seventy in all; some of those seventy are from a distance so they were not reported until recently, but the total amounts to \$10,518 per year, a total of seventy pensions which will require an appropriation of approximately \$8,500 per year. The reason for this lesser amount is because the death rate is so high in this class of sick, aged and infirm persons.

The rate of deaths amounts to something over 20% for the two

years and the average cost of these pensions which your committee has recommended to be allowed will therefore only average approximately \$8,500 per year. These cases are worthy, distressed and infirm persons, who with a little assistance can keep themselves from becoming objects of charity or state and municipal charges.

Your committee has investigated these cases conscientiously and as carefully as possible and have tried to relieve the greatest number of distress cases with the least possible money, as the average of all pensions and increases this year is \$250 each per year against an average of \$170 per year for the last legislative session. The increases, of which there are sixteen, amount to a total of only \$1206 per year and these were recommended to relieve what your committee believes to be very deserving distress cases. The total amount of new special pensions recommended by your committee, of which there are fifty-four, totals \$9,312, average \$14.40 per month. Your committee has a greater number of distress cases presented to it than usual owing to the present conditions and you may have noticed that whereas your Pensions Committee at the last session recommended and had passed fifty-nine pensions with a total of \$10,065,—and I know that there were carefully considered—your committee has recommended a total of seventy pensions at this session at an increased amount of only \$462 over the total of 1931, not that your committee in the last session did not use the same care, but that the same money today will relieve more distress than it would in 1931.

I cannot conceive of any moneys appropriated by the State of Maine for the relief of distress that is used to so good an advantage or go so far to relieve suffering as these special pensions which are used in their behalf.

In administering this work of relief your committee may have made errors. We do not claim that we are perfect but we have tried to recommend relief for the distress cases which have been presented to us, irrespective of what section they come from.

I trust that the members of this committee will uphold the recommendation of your pension committee, as has been done in former sessions, and that these unfortunate

aged and infirm people whom your committee have recommended for your relief will not look in vain for the help which is in your province to give them.

Mr. HOLMES of Androscoggin: Mr. President, I want to say that I am going to vote as the Senator from Somerset, Senator Weeks, has said that he is going to vote, for the passage of this particular resolve for a state pension and without knowing anything about the facts of it, because the pension committee favors it.

As well as I followed his remarks I gather that we are faced with really a serious problem and a serious proposition and that we should try to solve it for the best interests of the State as we see them, and I want to assure you, Mr. President and the Senate, that just as I believe the Senator from Somerset, Senator Weeks, is talking as an individual Senator concerned for the welfare of the whole State and not as a Republican leader, so I am speaking as an individual Senator and not as the Democratic minority.

It seems to me that the situation is like this, that, as in the case of the Salaries and Fees Committee, we have either got to trust that committee or we have got to overrule them entirely. I don't see any alternative. I don't see how we can safely try to pick out some pension cases and say that they are meritorious and on other cases say that we will refuse to pass them. Above all things, it seems to me, it is not a question of county or town, and in dealing with a matter of charity we would be running a great risk and, I think, doing wrong by the whole State if we should allow county pride or county prejudice, or town pride or town prejudice, to influence our actions in the slightest respect.

I want to say that I myself introduced only one pension resolve and I appeared before the committee in favor of it and that was at the request of one of those connected with the State Department of Health and Welfare and I did not do it until I first ascertained that Mr. Leadbetter, the head of that department, knew and understood the facts and was satisfied.

And if it is the policy of this Legislature to pass no special resolves for pensions at all I can vote with them on that and that

will overrule the committee altogether. Otherwise it seems to me, as I said, that we must support the Pension Committee as, I believe, we think that we must support the Committee on Salaries and Fees.

I took the trouble to count the number of those that had been signed by the Governor, according to the bulletin posted outside, and I did not have time to compare the numbers with the printed documents so I am not certain, because on some of them the title is, perhaps, "Resolve in favor of John Doe" and perhaps the next one is in favor of a pension for Richard Roe, and whether or not the Resolve in favor of John Doe is a pension resolve I could not be sure. But assuming that they were all pension resolves there would then be sixteen.

Now if we stop right here and pass no more we ought to repeal those already passed and if we are going to pass this one I know nothing about the merits of it. It must be that everyone of us, unless the Senator from Somerset, Senator Weeks, has himself looked into the merits in which case I will say most everyone of us, must trust to the Committee on Pensions. Perhaps I am not speaking to the question, Mr. President, but I will say that we have reached the point where we must try to make a wise decision for the benefit of the whole State regardless of our personal wishes or prejudices of our pride of town or county.

Mr. ROBIE of Cumberland: Mr. President, I would like to inquire of the Senator from Somerset, Senator Weeks, whether I heard him correctly in saying that some of these pensions have no service connection?

The PRESIDENT: The Senator from Cumberland, Senator Robie, asks a question through the Chair of the Senator from Somerset, Senator Weeks, which that Senator may answer if he desires.

Mr. WEEKS: In explaining that I will say that in some cases the person who receives the pension has no service connection but is related to someone who has had service connection.

Mr. ROBIE: I thank the Senator.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Weeks, that this resolve be finally passed.

Thereupon, the resolve was finally passed.

The President laid before the Senate, Senate Report from the Committee on Public Utilities, "Ought Not to Pass" on "An Act relating to connections made by water utilities between street mains and abutting properties (S. P. 339, L. D. 542), tabled by Mr. Schnurle of Cumberland on March 21st pending acceptance of the report and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by that Senator the report of the committee "ought not to pass" was accepted.

The President laid before the Senate the following resolves retabled by Mr. Weeks of Somerset on March 21st pending second reading and today assigned, and recognized that Senator.

Resolve Providing for an Increase in State Pension for Harry E. Troop of Pittston, (H. P. 889) (L. D. 783).

Resolve Providing for a State Pension for Harrison B. Bowley, Jr., of Rockport, (H. P. 897) (L. D. 782).

Resolve Providing for an Increase in State Pension for Olive E. Brann of Augusta, (H. P. 649) (L. D. 781).

Resolve Providing for a State Pension for Addie L. Wakefield of Saco, (H. P. 900) (L. D. 784).

Resolve Providing for a State Pension for Frank C. Davis of Jefferson, (H. P. 901) (L. D. 785).

Resolve Providing for a State Pension for Nellie E. Hatch of Monmouth, (H. P. 911) (L. D. 786).

Resolve Providing for a State Pension for Eva E. Binford of Portland, (H. P. 912) (L. D. 787).

Resolve Providing for a State Pension for Clara M. Ware of Pittston, (H. P. 918) (L. D. 788).

New Draft, Resolve Providing for a State Pension for Sidney Potter of Gardiner, (H. P. 1488) (L. D. 789).

New Draft, Resolve Providing for a State Pension for Charles Dowling Kidder of Otisfield, (H. P. 1489) (L. D. 790).

Thereupon, on motion by Mr. Weeks of Somerset, the above resolves were given their second reading and passed to be engrossed in concurrence.

The President laid before the Senate, New Draft, Resolve provid-

ing for a state pension for Joseph B. Pelletier of Winterville Plantation (H. P. 1490, L. D. 791), retabled by Mr. Weeks of Somerset on March 21st pending second reading and today assigned.

Thereupon, on motion by Mr. Kitchen of Aroostook, the resolve was laid upon the table pending second reading and tomorrow assigned.

The President laid before the Senate the following resolves, retabled by Mr. Weeks of Somerset on March 21st pending final passage and today assigned, and recognized that Senator:—

Resolve providing for a state pension for Mary A. Leighton of Gardiner, (H. P. 74, L. D. 670).

Resolve providing for a state pension for Augusta O. Goodwin of Augusta, (H. P. 75, L. D. 670).

Resolve providing for a state pension for Susie May Harding of Hampden (H. P. 569, L. D. 736).

Resolve in favor of John E. Parker of Windsor, for State pension, (H. P. 99) (L. D. 672).

Resolve providing for a State pension for William H. Rankin of Wintertport, (H. P. 385) (L. D. 673).

Resolve providing for a State pension for Susie E. Simmons of Belfast, (H. P. 570) (L. D. 674).

Resolve providing for an increase in State pension for Eva J. Rundlette of Readfield, (H. P. 1306) (L. D. 676).

Resolve providing for a State pension for Cassie E. Spencer of Wintertport, (H. P. 1307) (L. D. 677).

Resolve providing for a State pension for Frank F. Clark of Gardiner, (H. P. 1308) (L. D. 679).

Resolve providing for a State pension for Mary L. Merrill of Gardiner, (H. P. 1309) (L. D. 678).

Resolve providing for a State pension for Meretta McFarland of Augusta, (H. P. 1310) (L. D. 680).

Resolve providing for a State pension for Agnes Gilson of Gardiner, (H. P. 1311) (L. D. 681).

Resolve providing for an increase in State pension for Lester Paggen of Hermon, (H. P. 56) (L. D. 706).

Resolve providing for a State pension for Georgia M. Sproul of Liberty, (H. P. 223) (L. D. 707).

Resolve providing for a State pension for Arria S. Sargent of Auburn, (H. P. 383) (L. D. 708).

Resolve providing for an increase in State pension for Horatio Lawrence of Pittston, (H. P. 388) (L. D. 709).

Resolve providing for a State pension for Ida S. James of Randolph, (H. P. 389) (L. D. 712).

Resolve providing for a State pension for Emma J. Brown of Belfast, (H. P. 393) (L. D. 710).

Resolve providing for a State pension for Hannah J. Batchelor of Belfast, (H. P. 394) (L. D. 747).

Resolve providing for a State pension for George L. Harvey of Belfast, (H. P. 396) (L. D. 748).

Resolve for State pension in favor of Mary Barton Redlon of Augusta, (H. P. 398) (L. D. 733).

Resolve providing for an increase in State pension for Mary J. French of Carmel, (H. P. 399) (L. D. 734).

Resolve Providing for a State Pension for Oscar Lund of East Machias (H. P. 567) (L. D. 735).

Resolve Providing for a State Pension for Leland Palmer of Carmel (H. P. 645) (L. D. 737).

Resolve Providing for an increase in State Pension for Kate Bird of Farmingdale (H. P. 987) (L. D. 750).

Resolve Providing for an Increase in State Pension for Ellen Bird of Farmingdale (H. P. 988) (L. D. 751).

Resolve Providing for a State Pension for Fred E. Stevens of Chelsea (H. P. 991) (L. D. 740).

Resolve Providing for a State Pension for Rufus V. Libby of Thomaston (H. P. 1395) (L. D. 713).

Resolve Providing for a State Pension for Ida G. Reed, of Pittston (H. P. 1396) (L. D. 714).

Resolve Providing for an Increase in State Pension for Grace Griffin of Auburn (H. P. 1397) (L. D. 715).

Resolve Providing for a State Pension for Eleanor C. Ryder of Newport (H. P. 1398) (L. D. 716).

Resolve Providing for a State Pension for Alida Jackson of Waldo (H. P. 1423) (L. D. 745).

Resolve Providing for a State Pension for Frank G. Downer of Palermo (H. P. 1466) (L. D. 757).

Resolve Providing for a State Pension for Melissa M. Bailey, of Portland (H. P. 458) (L. D. 762).

Resolve Providing for a State Pension for Hattie A. Harris of Auburn (S. P. 459) (L. D. 775).

Thereupon, on motion by Mr. Weeks of Somerset, the above resolves were finally passed.

The President laid before the Senate, Final Report from the Committee on State Lands and Forest Preservation, tabled by Mr. Page of Somerset, on March 21st pending acceptance of the report and

today assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the final report of the committee was accepted.

The President laid before the Senate, House Report from the Committee on Legal Affairs, "Ought to Pass in a New Draft" on An act Relating to the Incorporation of Cousins and Littlejohn's Island Village Corporation, (H. P. 220) (L. D. 124), tabled by Mr. Jackson of Cumberland on March 21st pending acceptance of the report and today assigned; and the Chair recognized that Senator.

Mr. JACKSON of Cumberland: Mr. President, just a word of explanation before making a motion. This is a Cumberland County matter, affecting one of the towns in Cumberland County, the town of Yarmouth. The Cumberland county representation in the Senate has been in communication with the Senators of the Committee on Legal Affairs, and also in touch with the selectmen of the town of Yarmouth. Apparently conditions have been ironed out and everybody seems, at this time, to agree that legislation would be inexpedient. Therefore, Mr. President, I move this bill be indefinitely postponed, in non-concurrence.

The motion prevailed, and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, An act Relative to Interest on Taxes, (S. P. 352) (L. D. 510), tabled by Mr. Littlefield of York on March 21st, pending consideration and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the rules were suspended and the Senate reconsidered its action whereby the bill was passed to be engrossed, as amended by Senate Amendment "A"; and on further motion by the same Senator, the rules were suspended and the Senate reconsidered its action whereby Senate Amendment "A" was adopted.

Mr. LITTLEFIELD of York: Mr. President, I now move the bill be passed to be engrossed, in concurrence.

The motion prevailed, and the bill was passed to be engrossed, in concurrence.

The President laid before the

Senate, An act Relative to Collection of Taxes, (S. P. 353) (L. D. 511), tabled by Mr. Littlefield of York on March 21st, pending consideration and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the rules were suspended and the Senate reconsidered its action whereby the bill was passed to be engrossed, as amended by Senate Amendment "A"; and on further motion by the same Senator, the rules were suspended and the Senate reconsidered its action whereby Senate Amendment "A" was adopted.

Mr. LITTLEFIELD of York: Mr. President, I now move the bill be passed to be engrossed.

The motion prevailed, and the bill was passed to be engrossed, in concurrence.

The President laid before the Senate, Resolve Providing for a State Pension for Laura Witham of Lisbon, (S. P. 535) (L. D. 799), tabled by Mr. Weeks of Somerset on March 21st, pending final passage and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by that Senator, the resolve was finally passed.

The President laid before the Senate, Resolve Providing for an Increase in State Pension for Hannah C. McLaughlin, (H. P. 1422) (L. D. 744), tabled by Mr. Weeks of Somerset, on March 21st, pending final passage and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by that Senator, the resolve was finally passed.

The President laid before the Senate, An act to Assure a Balanced Budget, (S. P. 827) (L. D. 998), tabled by Mr. Weeks of Somerset, on March 21st, pending consideration and today assigned; and the Chair recognized that Senator.

Mr. WEEKS of Somerset: Mr. President, I do not find that this document is printed and on our desks, and I would ask, on account of its importance, it be retabled and especially assigned for consideration tomorrow morning.

The motion prevailed, and the bill was retabled pending consideration, and especially assigned for tomorrow morning.

The President laid before the

Senate, An act to Reduce Salaries of Members and Certain Officers of the Legislature, (S. P. 574) (L. D. 865), tabled by Mr. Littlefield of York, on March 21st, pending adoption of Senate Amendment "A", and today assigned; and the Chair recognized that Senator.

Mr. LITTLEFIELD of York: Mr. President, I do not hardly know what I want to say in regard to this amendment. Now, this amendment seems to me to be peculiar in itself. I suppose every member of the Senate still has in his and her mind what this amendment referred to, but I would ask that the amendment—Sections 1, 2, 3 and 4, be read by the Secretary, so that it will be fresh in the mind of each senator.

The secretary read Senate Amendment "A".

Mr. LITTLEFIELD: Now, Mr. President, I do not care how much you reduce the salaries but I do think this, that every member of this legislature came here with the understanding that he was to draw \$600 for his salary. Every clerk that came to this legislature came here with the same understanding, that they were to draw what they had drawn heretofore. I do not think that we should cut those salaries at this time. More than that, I do not think that the present legislators should be cut in any such way. Imagine this coming out in the paper, '\$540 for Legislators' Salaries'. They must think we figured this down pretty close to get \$40. That is closer than I can figure my expenses at the Augusta House. But be that as it may, we started to cut salaries and it came out just as I expected it would come out—some got cut and some didn't. I think the best thing we can do is stop all cutting and take all salaries as we have had them in the past.

Now, when you talk about cutting salaries of officials who work week in and week out, it is different, in my mind. I am not going to take the time of the Legislature to stand here and say what I think about it because I think it would do no good, but I do say this about this argument of giving \$540 in one check and then another check for a donation for \$60 more—some of the members I have heard say, and I have said, myself, that I should not donate my \$60 and I shall not. I do not think that I have earned it, but it is what they agreed to give me. The only thing that will happen is

that there will be great headlines that Senator Schnurle didn't return his \$60 or someone else didn't return his \$60 and everybody will have a good—I don't know whether to call it laugh or kick—out of it. Mr. President, I am going to move the amendment.

Mr. HOLMES of Androscoggin: Mr. President, I want to correct a misapprehension on the part of, and in the mind of the Senator from York, Senator Littlefield, that his speeches are not effective. I want to assure him, and I think other senators will agree with me, that his speeches do a lot of good.

The PRESIDENT: The Chair thinks, as does the Senator from Androscoggin, Senator Holmes, that the Senator from York, Senator Littlefield, is over-modest.

Mr. WEEKS of Somerset: Mr. President, I hope my motion for the adoption of the amendment will prevail. I take it for granted that the Senator from York, Senator Littlefield, has been attending town meetings recently, but I do not think that he appreciates the real feeling of the people of the State of Maine as to the attitude which has been previously taken by this legislature, as carried in editorials in all the newspapers of this State, that we were cutting every salary except our own. Now, as I attended my town meeting, I found the people there were incensed about the way we were spending money. They were cutting right and left, salaries and appropriations and everything they possibly could cut, to reduce expenses. Now, down here in Augusta, we are undoubtedly going to cut the salaries of the employees of the State. We are undoubtedly going to cut the salaries of county officers, including county attorneys, and we are endeavoring to cut in every possible way. How in Heaven can you go back to your people and say, 'We cut in every instance we could, but didn't cut ourselves'. I do not know how you are going to explain it.

Mr. WEYMOUTH of Penobscot: Mr. President, I didn't intend to discuss this matter at all, but I guess perhaps I am not a good politician. I personally feel that I am entitled to the \$600. I have lived at a little hotel down here, known as the Augusta House. I have not noticed any great cut in the cost of living expenses this session. I have found as many people interested in legislative matters this year as two years past. They ask

for as much attention and considerable consideration on certain matters. In my rough, crude way, I have done my best, and I feel I am entitled to the amount of \$600. However, if there are members of the Senate who feel that their conscience troubles them, that they have not earned that sum, I think they should not stop in turning back \$60.00, but turn back \$100 or \$200, in order to ease their conscience.

I am not afraid to go back home and say to my people that I have taken \$600, and I do not think they expect us to take any less. If our expenses were less, why I would be willing to take a cut, but I do not think it is necessary, nor is it expected, and while I may be back, or ask for re-election, I do not think anyone is going to criticise, and I am willing to go on record by saying if a check for \$60.00 is passed me, I am going to take it.

Mr. HARMON of Hancock: Mr. President, personally I do not feel that I can afford to lose the \$60.00 any more, probably than anyone in the Senate, but I do feel, when we go back to our people and our county officers, and if we have cut them ten percent, and we have not taken a cut here for ourselves, even though we cannot afford it, I am not going to feel that I have done my part in paring the State expenses. I therefore feel that I want to take this cut with the rest of them.

Mr. KITCHEN of Aroostook: Mr. President, in regard to the reduction of salaries of the members of the Legislature, so far, I have not had much to say on the matter. I have attended two caucuses in which this salary cut for ourselves was discussed at some length, yet through it all I think we have failed to recognize the real significance of the whole situation. It is not, as I look at it, the immediate amount of money which we would be saving, ourselves, in granting this small reduction, but the way it would be looked on by the people at home, also by the way it would be looked upon by the employees of the State. Now they, at the present time, are talking this salary cut over, as we are. But we have the whip hand, apparently, and their toes are being stepped on and they do not like it. Now in this case, in making this move, we are stepping on our own toes, and some of us don't like it.

I served in this Legislature in 1923, 1925, 1927, and 1929, at a salary of \$400. I paid my expenses. I have lost money—no question about that, but the difference between what I received and what it cost me, I attributed to education. It costs money to go to school. This is an excellent school. It is an excellent experience for any man. I want to say to you, it is stated, and I believe true, that the book of experience is the one best seller in the market. It must be, for we are constantly acquiring that experience every day.

Now, so far as I am concerned,—I live in Aroostook County, some 250 miles from here,—and possibly I would be affected by this cut as much as any man in this body. There may be a few others who live farther away. But I believe in the interest of all concerned, we should say to ourselves, in making these cuts here, 'Let's put our own house in order.' Let's place ourselves in a position where we can say to the heads of departments, 'We must stand together in this.' And we must all be willing, to a certain extent, to 'bite the dust' with the other fellow.

Mr. HOLMES of Androscoggin: Mr. President, I am going to vote against the motion of the Senator from York, Senator Littlefield, in order to vote for the amendment. But I regret extremely that some method could not have been worked out in order to have the members of the legislature accept a cut of at least ten percent. Probably those elder statesmen who have formulated this method, have found they could not find any method within the law. On account of the fact that I have not had an opportunity to give that question any study, I am going to take their word for it that there is no method inside of the law and the Constitution, and that the voluntary method must be adopted, by ourselves making a voluntary contribution to the State, but before I vote, I think that I am entitled to some information in order that I may vote intelligently, and I have never heard that information publicly, although I have heard remarks privately. I do not understand, and ask the information from anyone who has the information and will give it to me,—why it is, in this amendment, the employees of the legislature are not asked to voluntarily contribute the same percentage of their pay? Will the

Chair please ask some member who has given this any study, what is the answer to that?

The PRESIDENT: The Senate hears the question of the Senator from Androscoggin, Senator Holmes. Is there any Senator who desires to answer it?

Mr. WEEKS: Mr. President, as I understand it, the organization in the Senate was entirely by contract with the different employees, and it was felt generally, that contracts made in good faith and for the purpose of obtaining help for the legislature, should be carried out.

Mr. LITTLEFIELD: What about our contracts, Mr. President? Didn't we have any contract? I would like to ask the Senator, but I do not care particularly. The idea was when we started in, that everyone was to have their pay cut. That went along first rate. The Salaries and Fees Committee met, and I think did a good job. They told us they wanted the salaries all cut. We had delegation meetings,—I think four in number,—and were told that the salaries were to be cut from ten to thirty percent, and we immediately recommended a cut in the York County salaries of ten percent right through. I do not know who did it, but it was done—some one drew a lead pencil through a part of our salary cut, and when the bill came in here, some of them were not there. A member of the Salaries and Fees Committee, the gentlemen in the House from York County, came to me and asked me to put on an amendment which he passed me, and I did.

The PRESIDENT: The Chair will suggest that the Senate is not considering the County salary list at this time.

Mr. LITTLEFIELD: No, Mr. President, but I was just going to tell you what was going to happen. Well, I will confine it to the Senate. Yesterday, at any rate, there was an amendment introduced here to change some salary, and that is what started me to believe they were going to be changed right through. It doesn't make a lot of difference to me how anyone votes, but I would like to see this amendment killed, and it is my opinion it will not be the only one that will be killed.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Weeks, that Senate Amendment "A" be adopted.

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

Mr. HOLMES: Is the Chair not in error? Did not the Senator from York, Senator Littlefield, make a motion to indefinitely postpone the amendment?

The PRESIDENT: The Chair understood the Senator from York, Senator Littlefield, to urge that the amendment be indefinitely postponed.

Mr. HOLMES: I would like to know what the record says, Mr. President.

The PRESIDENT: The Senator from Androscoggin, Senator Holmes, is correct in his hearing, that at the close of his remarks, the Senator from York, Senator Littlefield, said, 'I am going to move indefinite postponement of the amendment.' In the opinion of the Chair, the motion to adopt the amendment, and the motion to indefinitely postpone the amendment are converse motions, neither of which take priority over the other, and the one first made should be given priority. A motion to indefinitely postpone the bill, taking the whole matter, would, of course, take priority over a motion to do anything to the amendment. The Chair would therefore rule that the motion of the Senator from York, Senator Littlefield, being only equal in rank to the other motion to adopt the amendment, does not take priority. A vote 'no' on the motion to adopt the amendment, and a vote 'yes' on the motion to indefinitely postpone the amendment are equivalent to each other and accomplish the same result.

Mr. HOLMES: Mr. President, I do not want to quarrel with the Chair over a question of parliamentary law. Personally, I accept the ruling of the Chair, if it is also satisfactory to the Senator from York, Senator Littlefield.

Mr. LITTLEFIELD: Mr. President, I am willing to withdraw my motion.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Weeks, that Senate Amendment "A" be adopted. On that motion, Senator Weeks has asked for a division. A vote "yes" is a vote to adopt the amendment, and attach the emergency clause with the provisions that have been noted. A vote "no" is a vote to reject the amendment, and is, of course, equivalent to a motion to

indefinitely postpone that amendment, although such a motion would be subsequently put.

A division of the Senate was had.

Sixteen having voted in the affirmative and fourteen in the negative, the motion to adopt Senate Amendment "A" prevailed.

Thereupon, on motion by Mr. Weeks of Somerset, the rules were suspended and the bill was given its second reading.

Mr. BLAISDELL of Hancock: Mr. President, am I in order for the introduction of an amendment?

The PRESIDENT: The Chair will state that the Senator is in order.

Thereupon, Mr. Blaisdell of Hancock, offered the following amendment and moved its adoption:

"Senate Amendment "A" to Senate Amendment "A." Insert after Section 7 of Senate Amendment "A" to L. D. 865: Section 8. The Treasurer of State is hereby expressly forbidden from publishing the names of any members of the legislature who accepted a reduction, or the name of any member of the legislature who did not accept a reduction."

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

Sent down for concurrence.

The President laid before the Senate, An Act to Reduce Salaries of County Attorneys, (S. P. 575) (L. D. 863), tabled by Mr. Littlefield of York on March 21st pending passage to be engrossed and today assigned; and the Chair recognized that Senator.

Thereupon on motion by the same Senator the bill was passed to be engrossed as amended by Senate Amendment "A".

Sent down for concurrence.

The President laid before the Senate, An Act to Reduce Salaries of Certain County Officials, (S. P. 597) (L. D. 930), tabled by Mr. Kitchen of Aroostook on March 21st, pending adoption of Senate Amendment "C" and today assigned; and the Chair recognized that Senator.

Mr. KITCHEN of Aroostook: Mr. President, I now yield in this matter to the Senator from Somerset, Senator Page.

Mr. PAGE of Somerset: Mr. President, I would like to table this

matter and especially assign it for this afternoon, and I would ask that the different senators from the different counties, between now and three-thirty o'clock, come to some final conclusion as to what they are going to recommend on the different county salaries, and have it ready so we can take it off the table at four o'clock and pass it or not pass it. I therefore move this bill be retabled and especially assigned for this afternoon.

The motion to retable the bill, and especially assign it for this afternoon, prevailed.

The President laid before the Senate, Senate Report from the Committee on Public Utilities and Ways and Bridges, Majority Report, "Ought to Pass in New Draft;" Minority Report, "Ought Not to Pass" on An act Providing for the Regulation of the Use of the Highways by Motor Vehicles Transporting Property for Hire in the State of Maine and for the Supervision and Control of such Motor Vehicles, (S. P. 168) (L. D. 160), tabled by Mr. Weatherbee of Penobscot on March 21st pending acceptance of either report, and today assigned; and the Chair recognized that Senator.

Mr. WEATHERBEE of Penobscot: Mr. President, owing to the fact that the print of the new draft is not on the desks of the members of the Senate, and to convenience the Senator from Aroostook, I move the bill be retabled and especially assigned for consideration tomorrow morning.

The motion to retable and especially assign for tomorrow prevailed.

The President laid before the Senate, the following Resolves, tabled on March 21st by Mr. Weeks of Somerset, pending final passage, and today assigned; and on motion by that Senator, the resolves were finally passed:

Resolve in favor of a Pension for Richard T. Kensall of Alna, (H. P. 1570) (L. D. 892).

Resolve providing for State Pension for Fred Witham of Washington. (H. P. 1571) (L. D. 893).

Resolve providing for a State Pension for Lottie J. Jones of Washington. (H. P. 1572) (L. D. 894).

Resolve providing for a State Pension for Frank Cunningham of Washington. (H. P. 1573) (L. D. 895).

Resolve providing for a State Pension for William E. Dill of Randolph. (H. P. 1574) (L. D. 896).

Resolve providing for a State Pension for Jennie Briery of Gardiner. (H. P. 1575) (L. D. 897).

Resolve providing for a State Pension for Frank E. Wheeler of Newport. (H. P. 1576) (L. D. 898).

Resolve providing for a State Pension for Wallace Taylor of Whitefield. (H. P. 1587) (L. D. 901).

Resolve providing for a State Pension for Arthur P. Sanborn of West Baldwin. (H. P. 1588) (L. D. 902).

On motion by Mr. Weatherbee of Penobscot, the Senate voted to reconsider its action earlier in today's session, whereby Resolve in favor of Daniel Mahar of Bangor (L. D. 962), was indefinitely postponed in concurrence; and on further motion by the same Senator, the resolve was laid upon the table pending consideration, and especially assigned for this afternoon.

The President laid before the Senate, Report from the Committee on Taxation on An act Establishing a Low Rate Tax on Intangible Personal Property in Accordance with Constitutional Amendment Permitting the Same, (I. B. 2) (L. D. 812), tabled earlier in today's session by Mr. Jackson of Cumberland, pending acceptance of the report; and today assigned, and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the report of the committee was accepted, and on further motion by the same Senator, a certified copy of the report was transmitted to the Governor.

The President laid before the Senate, Report from the Committee on Taxation on An act to Raise an Excise Tax on Corporations Organized for Making, Generating, Selling, Distributing, and/or Supply Electricity or Electric Current for Power, Lighting, Heating, Manufacturing or Mechanical Purposes. (I. B. 1) (L. D. 811), tabled earlier in today's session by Mr. Weymouth of Penobscot, pending acceptance of the report, and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by same Senator, the report of the committee was accepted, and on further motion by the same Senator, a certified copy of the report was transmitted to the Governor.

The President laid before the Senate, New Draft—An Act to Provide for the Nomination of Candidates for Elective Office, (S. P. 604) (L. D. 950), tabled earlier in today's session by Mr. Harmon of Hancock, pending passage to be engrossed, and today assigned; and the Chair recognized that Senator.

Mr. HARMON of Hancock: Mr. President, I now wish to move that this bill be indefinitely postponed, and in doing so, I desire to state my position. Have I the floor?

The PRESIDENT: The Senator from Hancock, Senator Harmon has the floor.

Mr. HARMON: Mr. President, I have had requests from many organizations and my constituents, requesting that I oppose this bill. I wish to state at this time I am opposed to the old convention form of nominating candidates as provided in this bill. I believe that it would be a step back into the old days when candidates were slated for years ahead. There was no incentive of the younger political aspirants under the old convention form. Although our present primary law may have some faults, it is not comparable with the conditions which existed under the old convention form, or would exist if this bill should become a law.

I now move for the indefinite postponement of this bill, and when the vote is taken, I ask for a division.

Mr. WEEKS of Somerset: Mr. President, may I have read the different reports and who signed them?

The Secretary read the reports.

Mr. WEEKS: Mr. President, I want to correct one statement that was made by the Senator from Hancock, Senator Harmon. He said that he was opposed to going back to the old convention form for nominating candidates. Might I enlighten the Senator from Hancock, Senator Harmon, and say that this bill does not return us to the old form, but to a form surrounded and protected by such guards that I believe it is much better protected than the primary law which we have today. The majority of the committee, which was eight, was absolutely in favor of this new draft, which seemed to take out any possible objection, and I certainly hope the motion to indefinitely postpone will not prevail.

Mr. WEATHERBEE of Penob-

scot: Mr. President, not having received any remonstrances from Penobscot County to interfere with my well formed judgment on this matter, and when I realized that the opinion that I had formed is also shared in by the able gentlemen who signed the majority report, I am glad that I am in accord with them, and I believe this is a meritorious measure, and that the motion of the Senator from Hancock, Senator Harmon, ought not to prevail.

The PRESIDENT: The question is on the motion of the Senator from Hancock, Senator Harmon, that this bill be indefinitely postponed, and on that question he has asked for a division.

A division of the Senate was had.

Five having voted in the affirmative and twenty-five in the negative, the motion to indefinitely postpone the bill was lost.

Thereupon, on motion by Mr. Weeks of Somerset, the bill was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: This matter concluding the matters that have been especially assigned for consideration this morning, everything remaining on the table being especially assigned for consideration at some later day, the Chair assumes there is no further business to come before the Senate at this time.

On motion by Mrs. Gay of Lincoln,

Recessed until four o'clock this afternoon.

AFTER RECESS

The Senate was called to order by the President.

Additional House Papers, out of order, disposed of in concurrence.

Passed to Be Enacted

An Act authorizing life insurance companies organized under the laws of Maine to pay pensions. (H. P. 73, L. D. 40)

An Act requiring the filing and preservation of annual statements of insurance companies. (H. P. 123, L. D. 74)

An Act relating to taxes on insurance premiums. (H. P. 126, L. D. 79)

An Act relating to time limit for adjusting fire losses. (H. P. 127, L. D. 70)

An Act repealing the law relating

to auxiliary state forests. (H. P. 228, L. D. 128)

An Act to amend the charter of Parsonsfield Seminary. (H. P. 585, L. D. 234)

An Act creating an Art Commission. (H. P. 618, L. D. 183)

An Act relating to the taking of smelts, minnows and other bait fish, white fish, cusk, and suckers. (H. P. 694, L. D. 363)

An Act relating to closed season in the several waters of the State. (H. P. 710, L. D. 371)

An Act relating to protection of quahaugs and mussels. (H. P. 1065, L. D. 452)

An Act to amend the charter of privileges of the West Bangor and Hermon Mutual Fire Insurance Company. (H. P. 1080, L. D. 434)

An Act relating to state aid for academies. (H. P. 1090, L. D. 577)

An Act relating to the foreclosure of real estate mortgages. (H. P. 1105, L. D. 561)

An Act relating to reports to towns of excise tax payments. (H. P. 1170, L. D. 561)

An Act relative to dealers in live bait; license therefor. (H. P. 1522, L. D. 845)

An Act relating to appropriations for private and public hospitals. (H. P. 1581, L. D. 908)

An Act to define the pauper status of Indians. (H. P. 1583, L. D. 909)

An Act legalizing the operation of airplanes on Sunday. (H. P. 1588, L. D. 910)

Finally Passed

(Out of Order)

Resolve providing for a state pension for Archibald Mullen of Washington. (H. P. 894, L. D. 838)

Resolve providing for an increase in state pension for William S. Smith of Alna. (H. P. 904, L. D. 839)

Resolve providing for a state pension for Anna Foley of Lewiston. (H. P. 907, L. D. 840)

Resolve relating to fishing in McWain Pond, Long Pond, so-called. (H. P. 1393, L. D. 907)

Resolve in favor of Mary E. Rogers of Carmel. (H. P. 1519, L. D. 841)

Resolve in favor of beautifying Fort Knox. (H. P. 1582, L. D. 915)

Resolve creating an unemployment insurance recess committee. (H. P. 1584, L. D. 916)

The PRESIDENT: Under Orders of the Day the first matter to come

before the Senate is the first especially assigned matter for this afternoon, An Act relating to the purchase and sale of lobsters, House Paper 1155, Legislative Document 616, which comes from the committee on Sea and Shore Fisheries in a divided report, Majority Report "Ought Not to Pass", Minority Report "Ought to Pass". In the House the Majority Report "Ought Not to Pass" was accepted and the matter now lies upon the table, on motion by the Senator from Knox, Senator McLoon, the pending question being the motion of the Senator from Hancock, Senator Blaisdell, that the Majority Report "Ought Not to Pass" be accepted in concurrence; and the Chair recognizes the Senator from

Mr. McLOON of Knox: I am opposed to the motion of the gentleman from Hancock and hope that the minority report will be accepted.

This proposed law would be a great help to the lobster industry and would not hurt one single person in Maine.

The bill provides that Maine lobster dealers under a license and bond act may import and temporarily hold for trans-shipment chicken lobsters produced in Canada. It requires the dealer to file an application for a license, to put up a bond of five thousand dollars, forfeitable if he violated the lobster laws of the State of Maine, and to pay two hundred and fifty dollars for that license. It also provides that none of these lobsters shall be sold in the State of Maine where Maine lobsters should have the preference, and where the sale of chicken lobsters might make complications for the enforcement of our laws.

Now, why do we need this law? It is because the lobster business of Maine is being ruined by restrictions.

Because of the increased export into the United States of Canadian lobsters, and especially of chicken lobsters, many of which were formerly yanned, there has sprung up a popular demand for this size lobster which is considered by many more tender and which because of size can be served at a lower price.

The customers order these lobsters from Maine and we have to politely inform them that we cannot ship them because our laws do not permit. Now, this would not

be so bad if it were the end of the matter, but the customer has been disappointed, through the delay he has lost the sale and profit on the order, and the next time he wants lobsters he orders from Gloucester or Boston where he can get the size he requires.

He not only orders the chicken lobsters, of which the demand averages approximately 25% of the whole, but he also orders there the larger lobsters of which the demand is about 75% of the whole, and it is on this larger size where the State of Maine, the dealers and the fisherman lose out. The customers will not order one size from Maine and the other from Massachusetts, but orders where he can get both sizes packed in one barrel, and by sending one telegram or letter instead of two.

Suppose you had at one end of your town two grain stores, the more distant one selling oats only, of the same grade, and at the same price as the nearer one. The nearer store sells not only oats but also corn and meal. Which do you think would sell the more oats? The farmer would back his truck up to the nearer store and load it up with all the different goods he required, and the dealer who sold only oats would be out of luck.

The same thing applies in the lobster business. We have seen our business on large lobsters steadily go to Massachusetts until about all we have left is the business of such customers as use large lobsters only, and we will lose those as soon as they begin to handle chicken lobsters. I know this to be a fact because I have seen the business of our branch house in Boston steadily increased, while our business in Maine has steadily gone down and good customers who formerly bought from us in Maine are now buying from us in Massachusetts.

Now, what can we do to help this industry? I maintain that the selling end of any industry is more important than the producing end.

There is no trouble with the producing end of the potato industry in Aroostook County. What they need is help on the selling end.

I do not know how to help the farmers in that respect. If I did, I would gladly do so, but I do know how the lobster industry can be helped.

Pass this bill and by enabling us to fill orders for chicken lobsters,

help us to bring back the large lobster business to Maine. The demand is about 25% for chickens and 75% for large. In other words, for every thousand pounds of Canadian chickens we shipped we would get back orders for three thousand pounds of large lobsters.

How could this help but benefit the fishermen of Maine and the lobster industry in general?

Now, under this bill not one single pound more of lobsters is coming on to the market than is now coming on to the market in competition with Maine lobster.

The only difference will be that some of those lobsters now going to Gloucester, Lynn and Boston will come back to Rockland, Boothbay, Portland and other Maine shipping points for trans-shipment to the middle west.

They would not compete with Maine lobsters because they are of a size which Maine does not care to produce, but which Maine cannot help Canada and other states from producing.

All we want is the chance to ship a limited quantity of lobsters that Maine does not produce in order to get business on a much larger quantity of lobsters which Maine does produce.

Now, this is no new experiment. The Grand Manan Islands and Charlotte County in New Brunswick have the same laws regarding sizes of lobsters that we have. They also have lobster pounds, lobster dealers and fishermen the same as we do.

But the Canadian government by the same kind of license for which we are asking, except that it costs only fifty dollars, allows the lobster dealers there to hold and trans-ship chicken lobsters produced in other parts of Canada just as we could under this bill.

Now, I ask you, is the State of Maine going to refuse to give the help to her lobster industry that New Brunswick has been able and willing to do.

I hope you will vote no on the motion now before the Senate and will eventually pass this bill for the benefit of all concerned.

Mr. BLAISDELL of Hancock: Mr. President, the distinguished Senator from Knox, Senator McLoon, has properly and accurately explained to the Senate the effect and purpose of this bill, that it shall cost \$250 to have a license

and that there shall be bonds of \$5,000 for the prevention of the violation of the fisherman's license. What is this bill? It is another dealer's bill. The dealer came here at the beginning of the Legislature and introduced a bill asking that the legal length of the lobster be reduced from 10 1-2 down to 9 inches. The Legislature on the matter of that bill said "No." The dealers asked that they might be allowed to take the larger sized lobsters, break them open and use the meat in order to assist them in handling the certain type of lobsters that they did not feel they had a proper market for and up to the present time the Legislature, or at least the committee, has said, "Yes, you may have it." The dealer comes in with another bill which is the one now before you and asks us to permit him to go down to Canada, New Brunswick, Nova Scotia or any of the maritime provinces for the purpose of purchasing the lobster which is below the legal limit which is allowed to be caught in Maine waters.

Now, Mr. President and members of the Senate, the very fact that he has to pay such a high license, the very fact that the bond is as high as it is, indicates in itself the enormous danger which is involved in the passage of such an act. The temptation which would result from the passage of this act would be more than it would be possible for the present staff of the enforcement agency or the Sea and Shore Fisheries to ever take care of. Every ship that came down from Nova Scotia or the New Brunswick coast line, after they had become acquainted with the routes over which they were to travel, would be met by our Maine fishermen who are willing to violate the law and they would catch and keep and hold and kill the 9-inch lobsters and meet the incoming ship from the foreign port, dump their lobsters into it and receive the going price or any price they would be able to receive in order that they themselves might get a few more dollars into their pockets. That, I mean, for the dishonest fishermen; not the honest ones. It sets up the most perfect system for the bootlegging of lobsters on the Maine coast that could be devised. It sets up an perfect system to make it absolutely impossible for the Commissioner of Sea and Shore Fisheries to enforce any of the laws on our statute which he is supposed

to enforce. It does another think. All over the country they recognize the fact that Maine has the finest lobster that is grown in any waters of the Atlantic coast, and you are considering a law as to whether or not you will permit the intermingling of foreign lobsters with our native lobsters, because there is no way on earth of telling one lobster from another when they have once been mixed. And they will be taken out of the ponds here in Maine, the foreign and the Maine lobsters, mixed together and sent into our market to the disadvantage of the wonderful reputation which Maine has for its own lobsters. I object to the mingling of foreign commodity with our own commodity, when the reputation of one does not equal the reputation of the other.

I do not blame the dealer for being very anxious to fill his order and if he received orders which are graduated in that he has to produce so many nines and so many tens and a half and so many larger, I am sorry if he is unable to fill the first portion of his order, but I feel that you are being led to believe that the first portion of that order is much more important than any other part of it. I am unable to learn that the demand for the 9-inch lobster exceeds the demand for the other sizes and I see no reason or argument that could be set forth here that would convince me of the fact that the purchasers of Massachusetts or New York or in the West or other places where lobsters are in demand are not aware of the fact that we do not produce a 9-inch lobster in Maine, and if they are aware of that fact why would they incorporate in every order they send a request for 9-inch lobsters. They know where to send to get those. They don't need to send to Maine and they will not because they must know that we do not have them.

Now, I am in favor of the dealer getting his share of the business and making money but I am not in favor of his getting it at the expense of the fishermen because the present situation is that only six or eight of the dealers in this State could take advantage of this law if you pass it and it might mean the ruination of some 3,000 lobster fishermen along our coast because they might not be able to resist the temptation to make a few more dollars by meeting that foreign in-

coming ship and loading them up with short lobsters.

There is no tariff on lobsters between Canada and Maine and it has been clearly demonstrated that it costs approximately seventeen cents to catch a pound of lobsters in the State of Maine while only approximately twelve cents in Canada. What is the result of that? The result is that the cost of catching lobsters in Canada is far less than it is in Maine and our fishermen in Maine are placed in a competitive position against Canadian sellers. That is what the difficulty is there, and Maine fishermen should not be placed in competition with Canadian seller.

Finally, we refused to grant the fishermen—and this is the concluding point—we refused to grant the fishermen, a week or ten days ago, the right to catch, kill and have possession of 9-inch lobsters. If you pass this bill you will grant the privilege to the dealer that ten days ago you refused to give to the fishermen. That is what would result by the passage of this bill.

My whole object is that for the time being the situation must be left strictly as it is because under present conditions the dealer will survive, as we all have got to fight and survive, and the fisherman and his safety in the production of the commodity from which he gets his livelihood will be protected but never by the importation of a foreign product to mingle with his own and to be sold by many in competition with him.

Mr. LITTLEFIELD of York: Mr. President, the last statement of the Senator "to mingle with his own," I can't quite get that because of the fact that he doesn't have any of his own. He has told us here for the last twelve years to my knowledge that they didn't catch any 9-inch lobsters in the State of Maine, so that product couldn't be mingled with the 9-inch lobsters from Canada. Now, it does seem to me that this is a fair proposition. The idea to my mind and the way it was thrashed out in our committee was that the dealers in the State of Maine have been driven out of the business and that they are going to stay out of the business if they cannot get a 9-inch lobster, or in other words a chicken lobster, to sell with the larger lobsters. Now he says that the very fact that they are

willing to pay so large a license and give so large a bond to do this business means that they are crooked. Now, if we had an opportunity to give a \$5 license and put up a \$10 bond he would say it was because we were crooked. Now that doesn't make a mite of difference one way or the other. Look at it fairly. Here are ten dealers in the State of Maine, wholesalers, that are willing to pay \$250 a year to handle a Canadian lobster that today is caught in Canada and delivered in Massachusetts. The simple fact is that a majority of those lobsters would stop in the State of Maine. What would happen then? I don't know how many men it would take to handle those lobsters, to put them in to the pounds, to take them out of the pounds, to transport them from the pounds to New Hampshire, Vermont and Massachusetts, but it certainly will mean some revenue to this State.

Now, it looks to me that when this is refused to the wholesale lobstermen of this State you simply say that they are all a pack of liars and they cannot do as they agree to do. They have agreed in black and white what they will do and I heard the Commissioner of the Sea and Shore Fisheries talk it all over with these dealers. They are to show how many lobsters they take from Canada and how many they sell. That seems to me to be a good proposition. They certainly would have to sell about what they bought.

Now, it looks to me, gentlemen, as if we were keeping business away from the State of Maine because the 9-inch lobster will be shipped from Canada to Massachusetts and other points and will be sold because it is legal. This would simply make it legal for these dealers to have these 9-inch lobsters and sell them legally. They are not to sell one of them in the State. If they do and are caught there is a \$5,000 bond and it goes to the State.

You talk about cutting salaries here and getting a thousand or fifteen hundred dollars one way or another. Isn't here a chance to get a little money and get it honestly out of these wholesale lobster dealers.

I hope, gentlemen, that you will vote to allow these lobster dealers to try this and you can tell pretty soon how it will work out.

Now, before the committee did

the Commissioner of Sea and Shore Fisheries oppose this law? No. He didn't say one word against it and it was all thrashed out there before the committee on Sea and Shore Fisheries. I hope that you will give these dealers one chance. I have been in the Legislature now, this is the sixth consecutive session. In every session of this Legislature there has always been presented a lobster law. I am not going to say it was right or wrong but it has always been turned down, the 9-inch lobster law, and I suppose that was all right or it wouldn't have been turned down. Now, here is a proposition, a business proposition. This is not a bootleggers proposition. I hope this Senate will allow the dealers this privilege.

Mr. SCHNURLE of Cumberland: Mr. President, I do not believe that the lobster dealers of Maine are in a unique position inasmuch as they are fighting for their existence. We have listened in the last two days to the protests of thousands of merchants who claim they are fighting for their existence. I believe we are all fighting for our existence. I do not believe that reflects at all upon the lobster dealer. It seems to me that the lobster dealers had in here three bills which were prepared to be to their advantage. One of them has surely been turned down. The other one is in the machinery somewhere and no one knows what is going to happen to it. This is the third. Now I believe that a spirit of fair-play ought to prevail somewhere along the line. I do not believe that the lobster dealer is trying to injure the fishermen. I can't see it that way at all. I have been told from several sources, and I believe on good and reliable authority, that if they can secure the privilege of impounding the Nova Scotia lobster, the 9-inch lobster, that it will increase the business in the legal lobsters, that is what we call the legal lobsters, approximately 25%. And that means a million five hundred thousand pounds of additional legal lobsters because I have been told that the figure of the total amount sold by the dealers in this state was about six million pounds and the 25% increase would be a million five hundred thousand pounds.

Now, that business is going to the lobster dealers in this State. They are going to supply those lobsters. I just want to offer a comparison. A

few years ago I myself was placed in a very similar position to this. I sell cement for a living as some of you gentlemen may have heard before and one of our competitors in that industry suddenly began to ship mixed cars of lime and cement. I had at that time nothing to sell but cement. Immediately I began to feel the reaction in that a great many customers began to want to buy mixed cars. They would buy a few barrels of lime and the balance of the cars in cement and I want you to know that because I could not meet that demand it hurt my business. Our company couldn't go into the lime business but we did produce a mortar cement which we began to ship in mixed cars and immediately we began to feel the effects. It gave us a chance to compete with the other company and helped us to regain lost accounts and secure new accounts. I think that is a very pertinent example of what the lobster dealer in this State wants to do. He wants to supply what the customer wants and wants to get all from one place. The customers don't want to buy one size of lobsters in one place and the other sizes in another. If I was in the hotel business I would much rather buy from one concern than from two concerns. It seems a logical thing to do.

Now, the gentleman from Hancock (Senator Blaisdell) spoke about this only working for a few dealers. There is no reason why it couldn't work for all of them. If a man doesn't have the impounding facilities now there is nothing to prevent him from building more or larger pounds. Every dealer in the State can take advantage of this if he wants to. There is no reason why not. The gentleman spoke about the bootlegging of lobsters. I want you to visualize, if you will, what he means by that. A lobster smack goes down to Nova Scotia and starts back with a cargo of 9-inch lobsters. Now here is the procedure that would be followed if he wanted to be a bootlegger, which I don't believe he would. Each individual fisherman every day gets only a few of the 9-inch lobsters when he visits his traps. I don't know what the proportion is but it is a small proportion. It must be. Now then, someone has got to keep those short lobsters until such time as the smack arrives. There has got to be a destination appoint-

ed somewhere to receive them. They have got to take care of them in some way or another until they get enough to make it worthwhile to take it out to the smack and load them in and let the smacks proceed on their way, wherever they are going. All along the line there is the chance that the arm of the law will intercept this traffic in illegal lobsters. I think it is absolutely unfair to the bill to say that it will create bootlegging in lobsters. Of course you might say that there is bootlegging of lobsters today with our borders, but it is a minor proposition. The real fisherman does not want to do it and the other fellow is taking a chance all the time so I don't really believe that this bootlegging of lobsters is a serious proposition at all.

It seems to me that in fairness to the dealer, if the dealer is willing to accept the tremendously high license fee and is willing to be bonded that he should be allowed this privilege. The majority of the men—I don't know them all personally—but they bear a good reputation in their communities as being upright and honest businessmen and I think these men should have the chance to carry on their business the same as any other man in a competitive business.

Mr. HARMON of Hancock: Mr. President and members of the Senate there are a few cold facts, I would call them, that I would like to bring out if I may. I have been in contact in a business way for more than thirty years with the lobster fishermen along the coast of Maine and also with people who car and pound lobsters. Now the fact has been brought out that there is a temptation to the fishermen in the boats coming along our shores and picking up short lobsters the same as they did twelve or fourteen years ago until that was stopped. It used to be a regular business and there are always some who are willing to take a few extra dollars, even at the detriment of their brother fishermen, if they can see them.

Now the fact remains that in impounding lobsters and in those lobsters which are put in cars, what we call storage cars there is a shrinkage in those lobsters from the moment they are put in those cars and it has been said here that the same number of thousands of

pounds put in the cars must be taken out. But there is a shrinkage in those lobsters which will run from 8 to 10%. I don't recall the exact figures, but it is a large amount. Now the coast-lines of our two counties of Hancock and Washington are the ideal places for impounding lobsters. You may not all of you know just what it means to have a good place to impound lobsters. It is where the tide flows in and out and there is a little cove with a good bottom, not muddy, and where no fresh water runs in. That is the ideal place and those places are found along the coast of Hancock and Washington counties. As you go further west you don't come in contact with them. Now the fact remains that thousands and thousands of pounds of lobsters could be put into the pound and with that shrinkage and the temptation of picking up short lobsters to make up that shortage those short lobsters could easily be absorbed and you could not tell by the amount put in what amount to take out. There is absolutely no way of telling that.

I know what I am talking about as far as the shrinkage goes because I have had two brothers in the wholesale lobster business for years and I know somewhere near what the shrinkage is. Now, if you put the temptation in the way of the fishermen where they can sell their short lobsters that will gradually keep creeping in and in until you have your whole coast of Maine on practically a 9-inch lobster basis the same as it crept along the coast from the western section of our State and gradually came along until as far as Cape Elizabeth, as I understand, they have almost entirely 9-inch lobsters. That is what will happen to our fishermen along the coast of Maine and I hope that you will consider this well if you think of permitting the Canadian lobsters to come into our Maine waters and then be shipped out.

This bill is even more vicious to the fishermen than its predecessor. It would permit 9-inch Canadian lobsters to be imported into Maine waters to come into direct competition with our Maine fishermen's 10½-inch lobsters in the open market, and I hope the motion of the Senator from Hancock, Senator Blaisdell, will prevail.

Mr. KITCHEN of Aroostook: Mr. President, It was not my intention

to take a side in this matter. In fact, I am not. Rather, I am seeking information. Until very recently I knew nothing about the business of lobster fishermen but as I have sat and listened to the discussion pro and con I feel that I am vitally interested in the lobster business. For, for every lobster that is served there goes with that lobster an order of French fried potatoes and I would like, if there is any Senator present who can answer this question to know what I can do in this matter to increase the sale of French fried potatoes.

Mr. McDONALD of Washington: Mr. President, I have heard so much about the lobster industry that I really feel as if I belonged in the lobster class myself, representing as I do quite a number of the lobster fishermen who live along the shores of Washington County. And I feel that they have the idea that the passage of this law would very seriously handicap their business and I hope that the motion of the Senator from Hancock (Senator Blaisdell) will prevail.

Mr. McLOON: Mr. President, I have listened with a great deal of admiration to the finished address of the Senator from Hancock County (Senator Blaisdell). I only regret that my training has not been such that I could speak as he does. But I will not concede that he knows more about the lobster business than I do, because I have been in that business all my life and in growing grain. Now, like the good lawyer that he is, as lawyers do when they are addressing a jury they make the most of small points in order to influence the jury especially if they haven't a good case. He has attempted to create bogies to scare you in this matter and he has made claims which cannot be substantiated by facts or precedent. In fact it reminds me of the horse race at a country fair. There was one old fellow who had an old raw-boned horse that you could count the ribs on and he kept scoring down behind all the other horses. Finally the starter called the old man to the stand and told him he was delaying the race and that he must come down next time with the rest or else if the other horses were bunched he would let them go. The next time he came down away behind all the other horses and they were well bunched and the starter

said Go. The result was that the old man was incensed. He drove up to the stand and made a great fuss and ranted around and claimed that he had been robbed and that the race ought to be started again. Finally one of the judges became exasperated and he said, "Well your old reprobate of a horse couldn't win a race anyway." And the old man said, "I know it, but it costs nothing to make a claim." Now I think that is what the Senator is basing his claims on.

He speaks about fishermen breaking the law. I don't believe that the fishermen are as dishonest as he tries to make them out. There would certainly be no reason for us to break the law. We can get all the lobsters we desire in order to stimulate our trade without breaking the law and why should we run the risk of a fine on short lobsters at \$5 apiece? Why should we pay a \$5,000 forfeit and have our franchise taken away from us if our licenses are revoked? If there is any bootlegging done it will not be done by the dealers. If the fishermen want to do it they can do it with the summer visitors or the smacks or any way they want to but we're not going to help them. I have been in the business for thirty-five years and have never been called upon to pay a fine for short lobsters, and I don't intend to begin now.

He speaks about the short lobsters coming into direct competition with the Maine lobsters. I am surprised that, living in the next town to the largest pound in Maine and in the same county where there are a dozen other pounds, that he knows so little about the pound business. The lobster pounds of Maine are not filled with Maine lobsters. The dealers buy what Maine lobsters they can and put the surplus in the Maine pounds. They also buy Canadian lobsters and have for fifty years and have brought them into Maine and impounded them. Every year one-fourth of the lobsters put into the pounds of Maine are Canadian lobsters. And those are shipped from Maine. We have only one variety of lobster on the Atlantic coast. In Europe they have several varieties but we have only one, just the same as with the black duck. The black duck is just as good whether he is shot in Canada or Maine or South Carolina and

you cannot tell the difference. Now these lobsters are put into the pounds for convenience and to keep from breaking the market just the same as goods are put into the warehouse or cold storage plant. When there is an overproduction of lobsters they are put into the pounds to hold until such time as they can be put on the market without ruining it and to provide for the times of scarcity. There is a shrinkage in the pound which varies from 3 to 7 per cent according to whether it is in the spring or fall. These lobsters are only put into the pounds from one to ten months at a time and they are a help to the fishermen just as the warehouse and cold storage plant are a help to the producers of other products because if it weren't for the pounds at times we have heavy catches and the market would be ruined. And you might say that if it weren't for the pounds the fishermen would get more lobsters than he does now in times of scarcity. There is some truth in that but you know that whenever the market is flooded there are more lobsters being produced than there are shorts and it is a great deal better to get a fair price on the greater bulk than to get a better price on a few when there are very few caught. The pounds are a help to the fisherman.

This law would be a great help to the fishermen, I don't know but more so than to the dealers, but perhaps the fishermen would not see that point. They have not studied into it enough.

The gentleman speaks about the dealers introducing this 9-inch law. I will say that the law was really promoted by the fishermen and that the dealers at this time all sided in with the fishermen because they thought an emergency existed and the fishermen would need some extra money in order to get through the next two years. The dealers for the last twenty years have all been in favor of a double-gauge law and that is what our whole committee on Sea and Shore Fisheries were in favor of but we thought perhaps the dealers weren't ready for it at this time.

He speaks of need of a tariff for the benefit of the Maine lobsters and also those of the other states. I agree with him there but where does he expect to get it. The Party we have in Washington now is not likely to enact a tariff for the bene-

fit of Maine. I don't want this law in order to compete with the Maine fishermen's lobsters. This 9-inch lobster would not compete with their lobster. As I have said before, it comes on to the market and is in competition anyway. It wouldn't compete any more with the Maine lobster than it does with Massachusetts.

Now, in regard to the enforcement of the law I want to point out again that Charlotte County, New Brunswick, has this same law and we haven't heard of its working any difficulties on the fishermen there. Why doesn't Maine have the same law? Canadian lobsters are mixed with the Maine lobsters anyway. Our laws don't forbid our going into Nova Scotia and buying what lobsters we want of the size that we want in Maine and there is no reason why they should forbid us going there and buying the other size provided Maine doesn't care to handle them so long as we don't sell them in Maine.

And I think it is very proper that the fishermen should have a great deal to say about the size of the lobsters they produce and sell themselves but I think when they go out of their province and try to control the customers and the business of the State of Maine that they are wrong.

Mr. BLAISDELL: Mr. President, I feel that I would be slightly remiss in my duty if I didn't rise to express my appreciation of the kind and courteous remarks that have been addressed to me by the senator from Knox, Senator McLoon. I appreciate the position that the senator takes. You cannot blame him for taking that position. He is perfectly right when he says that I don't know any too much about this lobster situation, especially the impounding, because I am not a lobster fisherman and I am not a dealer. But he won't deny that he is looking at the thing from one angle and I am looking at it from another. He is looking at it from the standpoint of the dealer while I am looking at it from the standpoint of the fisherman and for that reason, perhaps, he makes the statement that I don't know any too much about it, for we have different points of view.

Now, regarding the lobsters that are brought from Canada into Maine, impounded and later on picked up again and shipped from there into the market. What does

that mean? Does it cost anything to stop that smack that brings in those lobsters and unload it into these pounds? Is there any destruction, is there any death amongst the lobsters that are transferred? There must be. There cannot help but be. And so, what is the reason for the anxiety about bringing the lobsters in? Why not let the ship keep right on and go to the pounds in Massachusetts? There they would be closer to the market and they would have saved one handling with all of the necessary injury to the lobsters themselves.

I cannot avoid making reference to the senator from Cumberland county, Senator Schnurle, when he concludes that the way his business was saved, the cement business, was by meeting the competition of the mixed cars of lime and cement. I don't know whether the combination of lime and cement makes an explosion but to my mind he makes a terrific explosion when he introduces that as an analogy of the point he attempted to make in that the dealer should have the small lobster to mix with his larger ones so that he would have a complete line to sell to his customers and I ask the Senator from Cumberland (Senator Schnurle) whether or not when he picked lime as a side order with his cement there was a chance that he would ruin the lime industry. His analogy failed because there was no danger of harm to result from his taking on other lines, but in Maine there is danger when the fisherman is permitted the opportunity to take on a 9-inch lobster.

The Senator from Cumberland (Senator Schnurle) says that the bootlegging isn't of any great consequence, although he says that there may be a little of it. Is the bootlegging of liquor of any consequence? Does those fellows know how to take out their boats and go out in the nighttime or in the daytime when the weather is rough and make their contacts, get what they are after and get back? I say they do and I think the gentleman from Cumberland will say they do. And these fishermen know how to make contacts just the same as does the bootlegger.

Now the difference in the points of view between the Senator from Knox (Senator McLoon) and myself is this, that there are only six or eight or ten of those lobster dealers who can get any advantage, if there is any law. And I say to you that

the opposition represents 3000 fishermen. You may take your choice.

The PRESIDENT: If there is no objection the senator may proceed.

Mr. McLoon: Mr. President, I wish to resent the implication that we wish to deal in short lobsters and also that I am speaking only for myself. I want this law for the benefit of the whole industry. My business depends upon the fishermen and if they prosper I prosper. In the same way, if I prosper they prosper. Now, if we can get business into Maine by selling another article, that must help the fishermen. The gentleman from Hancock spoke of my having lobsters go right through to Massachusetts and there impounding them. I want to state to him that we don't impound all the lobsters we get from Canada any more than we do all the lobsters we buy from the Maine fishermen, and besides that, there are no lobster pounds in Massachusetts. The lobster pounds are all in the State of Maine and in Canada. What we want today is to be able to ship a few chicken lobsters in order to get back the business we have lost through not being able to fill the orders. As I said before, all we can get now is the business from those who do not use chicken lobsters and we are liable to lose that if they have a demand for chickens and we can't meet the demand.

Now, he thinks I have a business in Massachusetts and that I can just as well handle the lobsters there. If we could get rid of some of these restrictions in Maine I would be glad to bring my business back from Massachusetts. Would that hurt the State of Maine? On the other hand, there are dealers who have already been selecting places in Massachusetts in which to do business unless they can get some sort of relief from this Legislature.

The PRESIDENT: The question is on the motion of the Senator from Hancock, Senator Blaisdell, that the Majority Report of the committee "ought not to pass" be accepted.

A viva voce vote being doubted

A division of the Senate was had.

Eleven having voted in the affirmative and nineteen in the negative the motion did not prevail.

Thereupon, on motion by Mr. McLoon of Knox the Minority Report

"ought to pass" was accepted in non-concurrence, and the bill was given its first reading.

Thereupon, on motion by Mr. Blaisdell of Hancock, the rules were suspended and the bill was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, House Report from the Committee on Legal Affairs, on bill, (H. P. 637, L. D. 189) An Act relating to the School Board of the City of Lewiston; Majority Report "Ought to Pass in New Draft," (H. P. 1616, L. D. 967) (Minority Report "Ought Not to Pass," tabled by Mr. Blaisdell of Hancock earlier in today's session pending the acceptance of either report and this afternoon assigned; and the Chair recognized that Senator.

Mr. BLAISDELL of Hancock: Mr. President, I want to apologize to the Senate for being on my feet so much but I wish to move the adoption of the Minority Report "Ought Not to Pass" in non-concurrence and will say in defence of my motion and in explanation thereof that I listened very carefully to the hearing on the Lewiston School Board bill and we had a wonderful array of fine talent on both sides.

The present bill for which they are asking passage simply provides that the mayor shall appoint two members of the School Board from one party and two members from the other party. The control would therefore naturally go to whichever party the mayor belonged, he making up the fifth member of the School Board. At present they have a School Board of fourteen but the charter grants them the privilege of reducing it to seven and it also gives to the council of that city the right to choose their own School Board or they may elect to allow the people to vote on them. So the only thing that would be accomplished by this bill is the difference between five members on the School Board and seven which they could have if they saw fit.

I took pains to look the matter up with the Department of Education and I learned with a great deal of pleasure that the record of the schools in Lewiston is second to none in the State, regardless of whether or not there seems to be some difference of opinion. The

Commissioner has informed me that they have the most splendid schools in the State and the finest buildings with all the equipment necessary and so it seems to me that at this particular time there is no necessity for this legislation and I move the adoption of the Minority Report "Ought Not to Pass."

The motion prevailed and the Minority Report of the Committee "Ought Not to Pass" was accepted in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, Senate Report from the Committee on Judiciary on, An Act relating to tax foreclosures (S. P. 636), Majority Report "Ought Not to Pass," Minority Report "Ought to Pass in a New Draft," tabled by Mr. Holmes of Androscoggin earlier in today's session pending motion of the Senator from Aroostook, Senator Story, to accept the Minority Report; and the Chair recognized the Senator from Androscoggin, Senator Holmes.

Thereupon, that Senator yielded to the Senator from Aroostook, Senator Story.

On motion by Mr. Story of Aroostook, the Minority Report of the committee "Ought to Pass in a New Draft" was accepted and the bill was laid upon the table for printing under the joint rules.

The President laid before the Senate, An Act Reating to Transportation of Intoxicating Liquors, (S. P. 614) (L. D. 986), tabled this morning by Mr. Weatherbee of Penobscot, pending passage to be engrossed, and this afternoon assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the bill was retabled, pending passage to be engrossed; and especially assigned for tomorrow morning.

The President laid before the Senate, An Act Requiring the Licensing of Operators of Creameries or Milk Distributing Plants, (H. P. 1618) (L. D. 953), tabled this morning by Mr. Weymouth of Penobscot, pending passage to be engrossed, and this afternoon assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the bill was passed to be engrossed in concurrence.

The President laid before the Senate, An Act to Permit the Manufacture and Sale of Non-intoxicating Malt Beverages; to Derive Revenue Therefrom; and to Create a Legal Definition of the Term "Saloon", (H. P. 38) (L. D. 22), which was recalled from the files on order by Mr. Weatherbee of Penobscot; and the Chair recognized that Senator.

Thereupon, on motion by the Senator, the bill was retabled, pending consideration, and especially assigned for tomorrow morning.

The President laid before the Senate, An Act to Reduce Salaries of Certain County Officials, (S. P. 597) (L. D. 930) tabled this morning by Mr. Page of Somerset, pending adoption of Senate Amendment "C", and this afternoon assigned; and the Chair recognized that Senator.

Mr. PAGE of Somerset: Mr. President, during recess I consulted with all the different county delegations through one or more of the Senators, and have finally arrived at a temporary solution of the County Salaries bill, and I will offer this as an amendment to Legislative Document 930, but before offering this, I would like the privilege of moving the indefinite postponement of all of the present adopted amendments.

Thereupon, on motion by Mr. Page of Somerset, the rules were suspended, and the Senate reconsidered its vote whereby Senate Amendment "A" was adopted; and on further motion by the same Senator, the Senate reconsidered its vote whereby Senate Amendment "B" was adopted.

Mr. PAGE: Mr. President, I now move that Senate Amendments "A", "B" and "C" be indefinitely postponed.

The motion prevailed and Senate Amendments "A", "B" and "C" were indefinitely postponed.

Thereupon, the same Senator offered Senate Amendment "D" and moved its adoption.

On motion by Mr. Towle of Kennebec, the bill and amendment were laid upon the table, pending adoption of Senate Amendment "D", and especially assigned for tomorrow morning.

Mr. LITTLEFIELD of York: Mr. President, it seems to me that anything so important as this, should be printed. While it is on the table

tonight, there is plenty of time to have it printed, and I move that it be printed.

The PRESIDENT: The Chair will state to the Senator from York (Senator Littlefield) before putting his motion, if he will bear with the Chair, that the amendment as offered, is drawn in the form of a printed copy of Legislative Document 930, in which the changes are new salary amounts for salaries in Knox County, in York County, writing in one in Washington County, three additional in York County, and the addition of a Section 19.

Mr. LITTLEFIELD: I was fully informed, Mr. President, and it was not for my own benefit that I wanted it printed. But if it is all right for it not to be printed, I am perfectly willing, but I do think it should be printed for the rest of the Senate and for the House.

Mr. TOWLE of Kennebec: Mr. President, if the changes could be read, I would be glad to take this bill from the table now.

The PRESIDENT: The Chair will state that the Senator from York, Senator Littlefield, has expressed a desire to have it printed in any event.

Mr. LITTLEFIELD: Mr. President, I have no desire to hold up the wheels here to do that, but I do think in fairness to the whole, that bill, if it is going to be changed, as I see it myself, should be printed. I am perfectly willing for the bill to go through, on my part, as it is.

The PRESIDENT: In compliance with the request of the Senator from Kennebec, Senator Towle, the Secretary will read the amendment.

The Secretary read Senate Amendment "D".

Mr. PAGE: Mr. President, I took this matter up, as I said a while ago, during the recess, with the different Senators from the different counties. The matter was taken up with the Senator from York, Senator Littlefield, and some of the salaries in his county were changed. In Washington County there was one that had been left out. In Knox County some were changed. Some counties were cut three per cent. In some cases some have cut as high as twenty per cent and more. Some counties have cut a straight ten per cent. I do not see what difference it makes

to one county what another county does, if the county delegations make these recommendations, and if we cannot decide upon something in such a form as this, I do not think we will get anywhere with this salary reduction business.

Mr. TOWLE: Mr. President, I have no desire to delay the passage of this bill. These county officials with cuts, were supposed to be as the delegations wanted, as we had unanimous reports from delegations except in two counties. If these counties in which these changes have been made, if they are the changes they desire, I would be the last to oppose them. I do not think it is my business in Kennebec County what they pay in Knox County. If it will speed us up any, I will take this from the table now.

The PRESIDENT: The Chair will state that it would not speed it up because the Senator from York, Senator Littlefield, has a motion for printing pending.

Mr. LITTLEFIELD: Mr. President, I wanted it printed simply in fairness to all, as I thought the members of the Senate should have this for their information. I will move it lie on the table for printing, and if the Senate feels disposed not to have it printed, it can so vote. It is nothing to me. I know how we are in our county, and we are satisfied.

Mr. WINN of Androscoggin: Mr. President, I am wondering sometimes as I sit here, what we are here for—

The PRESIDENT: May the Chair remind the Senator from Androscoggin, Senator Winn, that the pending motion is to table and print.

Mr. WINN: I think it is very important, Mr. President, that we have the amendment printed, and I certainly hope that the Senate will vote to have it printed. If we want to come to any final conclusion after the committee has brought in its report as to wages, I hope the motion will prevail and that we will have the amendment printed.

Mr. ROBIE of Cumberland: Mr. President, is a motion to print and table debatable?

The PRESIDENT: The Chair would understand it is not debatable. The bill is now on the table and we are discussing entirely the question of printing.

Mr. ROBIE: It seems to me, Mr. President, this is the fourth

amendment that has been offered to this bill, and this particular amendment may have a stormy passage through the House. I think the printing is somewhat expensive in view of the fact that it may have to be printed three or four times if there are changes in the House. As anyone who wants information on this matter can get it by stepping into the Secretary's office, I oppose the motion to print.

Mr. HOLMES of Androscoggin: Mr. President, I arise for a question. Can the Chair inform me whether the printing could be ready tomorrow morning?

The PRESIDENT: The Chair will state that the Secretary and Assistant Secretary say they think it could be ready. The question is on the motion of the Senator from York, Senator Littlefield, that this amendment, which lies on the table with the bill, and which is assigned for tomorrow morning, be printed. As many as are in favor of this motion will manifest by saying "Aye". Those opposed will say "No."

A viva voce vote being doubted, a division of the Senate was had.

Thirteen having voted in the affirmative, and sixteen in the negative, the motion to print failed of passage.

The PRESIDENT: The present status of the bill, is, that it lie on the table and be especially assigned for consideration tomorrow morning.

The president laid before the Senate, Resolve in favor of Daniel Mahar of Bangor, (H. P. 1620) (L. D. 962), tabled this morning by Mr. Weatherbee, pending motion to indefinitely postpone in concurrence, and especially assigned for this afternoon; and the Chair recognizes that Senator.

Mr. WEATHERBEE of Penobscot: Mr. President and members of the Senate, this is a resolve to pay Daniel Mahar for making moving pictures of the funeral of the late Governor Parkhurst, and the original resolve called for the sum of \$400.00. It was heard before the Committee on Claims, and at the hearing the Committee determined it would be right and proper to report it in a new draft for the sum of \$300.

Now, it is not disputed that Daniel Mahar, a citizen of Bangor,—who is, by the way, a poor man and needs all the sums that may

be due him from the State or anyone else,—did make some moving pictures of the funeral of Governor Parkhurst. He did, and was authorized to make those pictures, and he is legally entitled to have pay for that service rendered. There was no evidence to show that any sum was agreed upon for the production of those pictures, and for that reason, the Committee on Claims reduced the sum he claimed from \$400 to \$300. This bill was reported by the Committee on Claims, but someone made an error by calling them talking pictures instead of moving pictures; and the resolve finally went up to the Committee on Appropriations and Financial Affairs, and someone there said the bill should go back to the committee because there was no talking pictures at the time the service was rendered. Therefore, the bill went back to the Committee to make that change, and was reported out again in the form in which it now exists.

Now, I talked with Mr. Chadbourne, who was the private secretary of Governor Parkhurst, and he told me he knew that Mr. Daniel Mahar had authority from someone to make those pictures. He said they had a committee appointed to take charge of the funeral arrangements, and he was one of the committee, but he didn't know just who did authorize Mr. Mahar to do that work. Mr. Mahar, himself, doesn't know because all these men were strangers to him.

Now, is it not fair to assume that Mr. Chadbourne is correct in that regard? If that be not evidence enough to convince the Senate of the State of Maine that this man must have had some authority, let me call your attention to the circumstances of the case.

I have seen these moving pictures. It takes nearly 25 minutes to reproduce them on the screen. To these pictures of the funeral were added previous pictures of the inaugural of Governor Parkhurst, the entire inaugural proceedings are contained in the pictures, and so the whole picture is a whole and valuable historical record of the funeral services held in the State House, and other pictures of the funeral until the burial at Bangor, Maine.

Now, is it fair to assume that those who had charge of the funeral of Governor Parkhurst would allow anybody to enter this Capitol

and take moving pictures of the coffin in which the dead Governor lay, surrounded there with soldiers on guard? All the details appeared in that picture, pictures of the notables of the State of Maine, many of whom are now dead, as they came down the steps of the Capitol; pictures of them carrying the body out, placing it on the military wagon; pictures of the procession going down the main street here in Augusta, of loading the body upon the train; pictures, too, of the casket and of the soldiers guarding it in the baggage car in the train; pictures of the people congregated at the stations along the route from Augusta to Bangor,—all showing that he (Mr. Mahar) was a member of the funeral party. There are pictures of the arrival at Bangor; pictures showing the procession going up the streets of Bangor, and of the body being taken to the church and carried into the church.

Now, would any sane person say for one moment, that those who had that funeral in charge would have permitted any fellow without authority, to come in for mere commercial purposes, and take pictures of the funeral of the Governor of the State of Maine? You know better, each and every one of you. This man rendered that service, which he was authorized to render, and there is no reason in the world why he should not be paid, and I am surprised that anyone would attack this bill for such a service, when the charge is but \$300.

The Committee on Claims have tried to do their duty at this session. We had before us claims aggregating over \$418,000, and outside of the claims covering support for paupers, which were approved by Mr. Leadbetter, the Committee has reported favorably on claims amounting to only \$9,716.33 and I am surprised that anyone would attack this particular bill after it has been favorably reported by that Claims Committee, and I hope that the motion to indefinitely postpone may not prevail, but that this bill may be paid as it should be paid. It is a reflection on the State of Maine that it has not been paid before.

Mr. PAGE of Somerset: Mr. President, I would like to inquire through the Chair of the Senator from Penobscot, Senator Weatherbee, who ordered these pictures taken?

The PRESIDENT: The Senator from Somerset, Senator Page, asks a question through the Chair of the Senator from Penobscot, Senator Weatherbee, and that Senator may answer if he wishes.

Mr. WEATHERBEE: Mr. President, I said that Mr. Chadbourne, who was on the committee, knew it was authorized, but could not say which one authorized it because everything was in such a hubbub at the time.

Mr. PAGE: The man who took the pictures doesn't know?

Mr. WEATHERBEE: He doesn't know, Mr. President. And I will say that the reel is, of course, to be given to the State of Maine and will be their property and they can use it in the future.

The PRESIDENT: The question is on the motion to indefinitely postpone, in concurrence with the action of the House. As many as are in favor of indefinite postponement of this resolve will manifest by saying "Aye." Those who are opposed to indefinite postponement will say "No."

A viva voce vote being had, the motion to indefinitely postpone the resolve, was lost.

Thereupon, on motion by Mr. Weatherbee of Penobscot, the report of the Committee on Claims, "Ought to Pass" was accepted in non-concurrence, and the resolve was given its first reading.

On further motion by the same Senator, the rules were suspended, and the bill was given its second reading, and passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Towle of Kennebec, the Senate voted to reconsider its action whereby An Act to Reduce Salaries of Certain County Officials, (S. P. 597) (L. D. 930) was laid upon the table earlier in today's session, pending consideration, and especially assigned for tomorrow.

Mr. TOWLE of Kennebec: Mr. President, owing to the fact that the Senate has not authorized any printing, I cannot see any particular reason why we should not adopt Senate Amendment "D". I so move.

Mr. WINN of Androscoggin: Mr. President, this matter is of vital importance. It is getting to be a late hour and we are considering one amendment and then another. I do not know where it will end. I move it lie on the table and be es-

pecially assigned for tomorrow afternoon.

The PRESIDENT: The question is on the motion of the Senator from Androscoggin, Senator Winn, that the bill and amendment be tabled and assigned for tomorrow afternoon. As many as are in favor of the motion to table will manifest by saying "Aye." Those opposed will say "No."

A viva voce vote being had, the motion to table was lost.

The PRESIDENT: The senator from Kennebec, Senator Towle, moves the adoption of Senate Amendment "D". Is it the pleasure of the Senate that Senate Amendment "D" be adopted?

Senate Amendment "D" was adopted; and the bill as amended by Senate Amendment "D" was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Chair will advise that the Senate is in receipt of the answers from the Supreme Court, in reply to the questions propounded with reference to the Highway bill, and the secretary read the communication:

"To the Honorable Senate of Maine:

The undersigned Justices of the Supreme Judicial Court have the honor to submit the following answers to the questions propounded to us, bearing date of March 20, 1933, relating to highway loan funds.

QUESTION

Does the provision contained in said Section 8 that the State Highway Commission may use highway loan funds to meet outstanding contract obligations incurred in anticipation of aid for state aid or 3rd class highway construction projects contravene the 17th section of Article IX of the Constitution as amended by said Article LII?

ANSWER

We answer this question in the affirmative.

QUESTION

If the provision contained in Section 8 of said Act does contravene the Constitution and becomes void because of such contravention, does the unconstitutionality of said Section or any particular provision thereof make the entire Act and all the provisions thereof unconstitutional?

ANSWER

When legislative provisions are so related in substance and object that it is impossible to suppose the stat-

ute would have been enacted exact as an entirety, if one portion offends the Constitution, the whole must fall. That part of Section 8 of the Act, to which the inquiry of the Senate relates, being stricken out, the remaining portion of the legislation appears incomplete and incapable of being executed in accordance with apparent intent. The Act is unconstitutional.

These answers make it unnecessary to consider the third and fourth questions.

Very respectfully,

(Signed) W. R. PATTANGALL

" CHARLES D. DUNN

" GUY H. STURGIS

" CHARLES P. BARNES

" SIDNEY ST. F. THAXTER

Dated March 22nd, 1933.

MEMORANDUM: Mr. Justice Farrington is unable to act because of illness.

(Signed) W. R. PATTANGALL."

The secretary read the communication, which was ordered placed on file.

Mr. LITTLEFIELD of York: Mr. President, somewhere—and I don't know just where this morning—there was a second reader, House Paper 1638, Legislative Document 972, relating to elections in the City of Biddeford. As I understand it now, Mr. President, this bill is wrong, and they simply wanted it stopped, if we could stop it, somewhere, to change it, and I don't know where it was or whether we can do it.

The PRESIDENT: The Chair will advise the Senator that the matter has gone to the Engrossing Department, but the Senate may recall the document from the Engrossing Department by an order. The Chair believes it would be sufficient if the Senator served notice that he wants the bill held for reconsideration, and it can then be recalled without an order.

Mr. LITTLEFIELD: I would like to serve such notice, Mr. President.

The PRESIDENT: The notice is received.

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

On motion by Mr. McLoon of Knox,

Adjourned until tomorrow morning at ten o'clock.