

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
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ERRATA:

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

Page 854—New draft H. P. 1804, L. D. 1031—Should be H. P. 1704, L. D. 1031.
 Page 882—Should be Tompkins of Houlton.
 Page 885—Hamel of Wales should be Ham.
 Page 888—An Act Relating to the Forty-eight Hour Law, (H. P. 1060) (L. D. 184)—Should be (H. P. 1060) (L. D. 450)
 Page 897—An act for the regulation of the practice of hairdressing and beauty culture (H. P. 1513, L. D. 833)—Should be (H. P. 1513, L. D. 823)
 Page 900—An act regulating the manufacture and sale of ice cream and other frozen desserts (S. P. 287, L. D. 544)—Should be (S. P. 297, L. D. 544)
 Page 912—An Act to provide for a constitutional convention to pass on the proposed twenty-first amendment to the Constitution of the United States (S. P. 661, L. D. 1024)—Should be (S. P. 661, L. D. 1042)
 Page 951—Mr. President in 1st paragraph should be Mr. Schnurle.
 Page 951—Fernald of Penobscot should be Fernandez.
 Page 963—(H. P. No. 1152) (L. D. No. 607) An act relating to state salaries for persons receiving pay from United States Government.—Should be (H. P. No. 1152) (L. D. No. 601)
 Page 994—Resolve in favor of the chaplains of the Eighty-sixth Legislature—Should read Senate chaplains.
 Page 1000—Act for protection of savings banks and depositors (S. P. 500)—Should be (S. P. 590)
 Page 1004—Resolve in Favor of Harriet R. Cushman, (L. D. 1027)—Should be Lilian R. Cushman.
 Page 1005—"On this twenty-second nay of—Should be day of.
 Page 1011—Delete second (S. P. 639, L. D. 1026)
 Page 1011—Delete (L. D. 360) in (S. P. 670) (L. D. 360)
 Page 1016—"Resolve in favor of the town of Arrowsic". (H. P. 244)—Should be (S. P. 244)
 Page 1017—"Resolve in favor of the town of Garland." (H. P. 294)—Should be (H. P. 295)
 Page 1018—"Resolve in favor of Highland Plantation." (H. P. 303)—Should be (H. P. 505)
 Page 1018—"Resolve in favor of the town of Knox." (H. P. 273)—Should be (H. P. 293)
 Page 1018—"Resolve in favor of the town of Leeds." (H. P. 353)—Should be (H. P. 253)
 Page 1018—"Resolve in favor of the town of Marion." (H. P. 678)—Should be (H. P. 679)
 Page 1018—"Resolve in favor of the town of Morrill." (H. P. 302)—Should be Merrill.
 Page 1020—"Resolve in favor of the town of Warren." (H. P. 222)—Should be (H. P. 522)
 Page 1021—"An Act for the assessment of a state tax for the year nineteen hundred thirty-three." (1751)—Should be (H. P. 1751)
 Page 1023—An act to provide for a constitutional convention to pass on the proposed twenty-first amendment of the Constitution of the United States (S. P. 661, L. D. 1043)—Should be (S. P. 1023, L. D. 1042)
 Page 1058—Town of Knox, H. P. 273—Should be 293.
 Page 1058—Town of Leeds, H. P. 353—Should be 253.
 Page 1059—Town of Warren, H. P. 222—Should be 522.

SENATE

Friday, March 31, 1933.

Senate called to order by the President

Prayer by the Rev. William R. Wood of Augusta

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House:

"Resolve authorizing the State Highway Commission to convey certain property of the State." (H. P. 1742).

In the House, received by unanimous consent under suspension of the rules and without reference to a consent under suspension of the rules and without reference to a committee read twice and passed to be engrossed.

In the Senate, received by unanimous consent under suspension of the rules and without reference to a Committee and the resolve was given its first reading without printing; the rules were again suspended and the resolve was given its second reading and passed to be engrossed in concurrence.

From the House:

The Committee on Appropriations and Financial Affairs on "Resolve proposing an amendment to the Constitution to provide for a bond issue, the proceeds to be disbursed for the emergency relief of destitution" (H. P. 1117, L. D. 626) reported the same in a new draft under a new title and that it ought to pass, "Resolve proposing an amendment to the Constitution to provide for a bond issue, the proceeds to be disbursed for the relief of conditions threatening the peace, health and safety of the inhabitants of the State or political subdivisions thereof." (H. P. 1734, L. D. 1046) and to provide the necessary law to make said amendment effective, if adopted ask leave to report the following bills without reference to a committee and that they ought to pass: "An act relative to increase of the state debt limit." (H. P. 1735, L. D. 1043) and "An act to provide for the issue of bonds for emergency relief." (H. P. 1736, L. D. 1044).

In the House, report read and accepted and the bills given their several readings and passed to be engrossed.

In the Senate, report read and ac-

cepted in concurrence and the resolve given its first reading; the rules were suspended and the resolve was given its second reading and passed to be engrossed in concurrence.

The rules were again suspended and the bills were received without reference to a committee.

Thereupon, on motion by Mr. Holmes of Androscoggin the bills were laid upon the table pending their first reading and assigned for the end of this morning's calendar.

From the House:

The Committee on Indian Affairs on Bill "An act relating to appropriations dealing with Indian affairs" (H. P. 599, L. D. 553) reported the same in a new draft (H. P. 1733, L. D. 1045) under a new title "Resolve in favor of the City of Old Town" and that it ought to pass.

In the House, report read and accepted and the bill given its several readings and passed to be engrossed.

In the Senate, report read and accepted in concurrence and the bill given its second reading and passed to be engrossed in concurrence.

From the House:

Bill "An act reducing the compensation of state officials and employees." (S. P. 576, L. D. 866)

(In the Senate March 29th passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "C" in non-concurrence.

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

In the Senate, on motion by Mr. Towle of Kennebec, tabled pending consideration and assigned for the end of today's calendar.

From the House:

Bill "An act to repeal the Act incorporating Number XIV Plantation in Washington County." (H. P. 1614, L. D. 968)

(In the Senate on March 30th the Majority Report "ought to pass" accepted in non-concurrence).

In the House that body having insisted on its former action whereby the Minority Report "ought to pass in new draft" was accepted, and asking for a Committee of Conference, the Speaker having appointed as members of such Committee on the part of the House:

Messrs: Lindsey of East Machias,

Clark of Cooper, McKenney of Bridgton.

In the Senate, on motion by Mr. Weeks of Somerset, the Senate voted to adhere to its former action whereby the Majority Report "ought to pass" was accepted in non-concurrence.

Mr. Viles of Kennebec presented "Resolve on the pay roll of the Senate of the 86th Legislature." (S. P. 672)

On motion by Mr. Viles of Kennebec, the rules were suspended and the resolve was considered without reference to a committee and given its first reading without printing; on further motion by the same Senator the rules were again suspended and the resolve was given its second reading and passed to be engrossed.

Sent down for concurrence.

Mr. Viles of Kennebec presented "Resolve in favor of the chaplains of the Eighty-sixth Legislature." (S. P. 673)

On motion by Mr. Viles of Kennebec, the rules were suspended and the resolve was considered without reference to a committee and given its first reading without printing; and on further motion by the same Senator the rules were again suspended and the resolve was given its second reading and passed to be engrossed.

Sent down for concurrence.

At this point the Hon. Burleigh Martin was escorted to a seat at the right of the President, amidst the applause of the Senate, the members rising.

Passed to be Enacted

An act relating to the taking of testimony. (S. P. 214, L. D. 278)

An act to protect the propagation and cultivation of quahaugs. (S. P. 634, L. D. 1014)

An act to provide for alternative method of enforcement of tax liens. (S. P. 636, L. D. 1016)

An act relating to roadside improvement. (S. P. 642, L. D. 1034)

An act relating to measurement of lobsters. (S. P. 342, L. D. 547)

An act closing Pleasant River and Tributaries to trapping. (H. P. 199, L. D. 108)

An act legalizing amateur sports and games under certain conditions on Sunday. (H. P. 1611, L. D. 940)

(Emergency Measure)

Bill "An act to incorporate the

town of Lincoln School District." (S. P. 230(L. D. 796)

Which being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

(Emergency Measure)

Bill "An act enabling cities and towns to take advantage of Reconstruction Finance Corporation loans for construction of water-works." (S. P. 570, L. D. 860).

Which being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

Orders of the Day

The President laid before the Senate, New Draft, An Act to Provide for Old Age Pensions, (H. P. 1698) (L. D. 1020), tabled on March 30th by Mr. Weeks of Somerset, pending passage to be engrossed, and today assigned; and the Chair recognized that Senator.

Mr. WEEKS of Somerset: Mr. President, I yield to the Senator from Hancock, Senator Harmon.

Thereupon, that Senator offered the following amendment and moved its adoption:

"Senate Amendment 'A' to Legislative Document 1020, An Act to Provide for Old Age Pensions. Amend said bill by striking out everything after the word 'bill' in the third line of Section 25, and inserting in place thereof, the following: 'and until said ways and means or arrangements have been approved by the Eighty-seventh or some subsequent Legislature.'"

Mr. HOLMES of Androscoggin: Mr. President, I move the bill and amendment lie on the table until this afternoon.

Mr. JACKSON of Sagadahoc: Mr. President, I would like to ask the Senator from Androscoggin, Senator Holmes, as a personal favor, if he can assign this for some other time, as I would like to speak on this bill and circumstances render it impossible for me to be present in the Senate Chamber this afternoon.

Mr. HOLMES: Mr. President, personally I have no doubt that this legislature will be in session tomorrow morning, but there may be some who have better information than I have, and if so, they will say so. I will move to change the

assignment to tomorrow morning.

The PRESIDENT: The Senator from Androscoggin, Senator Holmes, moves that this bill lie on the table and be especially assigned for consideration tomorrow morning. As many as are in favor of assignment for tomorrow morning will manifest by saying "Aye". Those contrary minded will say "No."

A viva voce vote being had, the motion to table and assign for tomorrow morning, did not prevail.

Thereupon, on motion by Mr. Holmes of Androscoggin, the bill was retabled and especially assigned for consideration at 11:18 A. M. today.

The President laid before the Senate, An Act Relating to the Licensing of Aircraft, (S. P. 277) (L. D. 1038), tabled on March 30th by Mr. Page of Somerset, pending adoption of House Amendment "A", and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by that Senator, House Amendment "A" was adopted in concurrence; and the bill was passed to be engrossed as amended by House Amendment "A" in concurrence.

The PRESIDENT: The Chair will advise the Senate, and particularly the Senator from Sagadahoc, Senator Jackson, that there is now in possession of the Senate, Resolve in the Favor of the Town of Phippsburg, recalled to the Senate in accordance with an order presented by that Senator, and the Chair recognizes that Senator.

Mr. JACKSON of Sagadahoc: Mr. President, I would move the indefinite postponement of this resolve, inasmuch as it is taken care of in another way.

The motion to indefinitely postpone, prevailed.

Mr. PAGE of Somerset: Mr. President, is Legislative Document 1046 in possession of the Senate at the present time?

The PRESIDENT: The Chair will state that it is.

Thereupon, on motion by that Senator, the Senate voted to reconsider its action whereby Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue, the Proceeds to be Disbursed for the Relief of Conditions Threatening the Peace, Health and Safety of the Inhabitants of the

State or Political Subdivisions thereof, (H. P. 1734) (L. D. 1046) was passed to be engrossed in concurrence; and on further motion by the same Senator, the resolve was laid upon the table pending passage to be engrossed, and especially assigned for consideration at 11:19 A. M. today.

The PRESIDENT: The Senate will recess until 11:17 A. M.

On motion by Mr. Towle of Kennebec the Senate voted to take from the table an act reducing the compensation of state officials and employees, (S. P. 576, L. D. 866) tabled by that Senator earlier in today's session pending consideration, and assigned for the end of the calendar today.

Thereupon, on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its action of March 29th whereby this bill was passed to be engrossed, House Amendment B was read and indefinitely postponed in non-concurrence, and the bill as amended by House Amendment A and Senate Amendment C was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate an act to provide for old age pensions, new draft, (H. P. 1698, L. D. 1020) tabled earlier in today's session by the Senator from Androscoggin, Senator Holmes, pending adoption of Senate Amendment A, and assigned for eleven-eighteen this morning; and the Chair recognized that Senator.

Mr. HOLMES: Mr. President, I yield to the Senator from Hancock, Senator Harmon.

Thereupon Mr. Harmon of Hancock presented Senate Amendment A to Senate Amendment A and moved its adoption:—

"Senate Amendment A to Senate Amendment A to L. D. 1020, An Act to provide old age pensions. Amend said Senate Amendment 'A' by striking out in the last line of said Senate Amendment 'A' the words 'or some subsequent'."

Thereupon, Senate Amendment "A" to Senate Amendment "A" was adopted and Senate Amendment "A" as amended by Senate Amendment "A" was adopted.

Mr. JACKSON of Sagadahoc: Mr. President, I realize full well that this is no time for speeches, long

or short, so late in the session of this assembly. I wish to say just a few words in justification of my attitude at the last legislative session and the present one on this matter. If I possessed the oratorical ability and the human appeal of some of my distinguished colleagues there is ample material in this measure for appealing to your hearts instead of to your judgments. If I were to quote the famous poem "Over the Hills to the Poorhouse" or Edward Markham's "The Man with a Hoe" I might moisten your lachrymal glands, cause your hearts to palpitate and stir your deepest emotions, but I do not care to take the time to resort to any such methods. If any measure will not bear the light of day and does not merit the calm consideration of the members of this Senate it deserves no place in our legislative program.

This act, with which you are all doubtless familiar, aims to provide for old age compensation for the assistance in advanced years of those who are to a great extent the victims of our highly machined and technical industries. Mr. President and members of the Senate, it might be your father or mine who has labored faithfully for a lifetime perfecting himself in a certain trade, who has become an expert in making some article that is very useful and that has added to your happiness and mine. And then comes along an ingeniously contrived machine that can make that particular article in thousands where he could make one. He finds himself, at sixty-five years of age, through no fault of his own, an expert in his line, thrown on to the unskilled labor market. This man, on account of circumstances beyond his control, has been unable to save a competence for old age. Gentlemen, what are you going to do with him, this man who has done his full part in carrying this old world's burdens, honest, sober, industrious? Are you going to send him down that winding road to the poorhouse and at the door separate man and wife, one to one part of the institution and the other to another? I do not believe that you are.

I will not take time to quote from the report of the recess committee considering this matter, of which committee I had the honor to be a member. That is a part of the legislative record that you have before you.

Entirely apart from the humane side of this matter I take the attitude that it is economically sound. Our distinguished President of the United States, speaking in 1929, had this to say: "No greater tragedy exists than the aged, worn-out worker who can only look forward to a dismal poorhouse. More and more men are coming to realize that security against old age is economically sound. Our poorhouses are the most wasteful and extravagant system that could be devised."

Section Five of this act sets up a maximum annual compensation. I want to dwell for just a moment on the purpose of this. It is flexible enough so that the Governor and Council, or the Pension Board, whoever may have the distribution of this fund, can make adjustments suitable to the individual case. Here is a case, Mr. President and gentlemen, where a man, a mechanic, if you please, owning a little home with a wife and two or three children, and having living with him an aged mother or father, comes to a time when his income is not quite adequate to support his family in the way he should and care for that aged parent. Now, if the state could give him a paltry hundred dollars a year, or give it to that aged one, whichever way it may be, it would supplement the earnings of that fellow and that aged person would be able to live there in that home with those he or she loved, with peace of mind and contentment instead of taking him or her out of that home and taking them into the poorhouse.

Substantiating the statement that I believe this to be an economical measure I want to quote from the recent report of the United States Department of Labor. There are seventeen states now enjoying the benefits of old age pensions. I am reliably informed that eight state legislatures are now considering similar bills, and two of them are now on their way through to enactment. Now, statistics gathered from those states by the United States Department of Labor tell this story: In the State of California the average pension is \$275, the average cost per person for caring for them in the poorhouse is \$484, a saving of \$208 per person. I will skip a few states and take another one. The average compensation in the State of Montana is

\$158., the average cost per person in the poorhouse is \$634., a saving of \$475. One more; New Jersey, the average pension is \$177., the average cost for maintenance in the poorhouse is \$479., a saving of \$302. Now, averaging those seventeen states for which the Department furnishes the statistics, the average pension is \$214., the average cost of maintenance in poorhouses is \$547., an average saving of \$341.

Physical examinations, age limits in industry, the demand for more active and agile workers to keep pace with the industrial technical changes, all militate against the older workman and make it imperative that something be done for him. An adjusted compensation according to the individual need now seems to be the only logical, humane and economic method of dealing with this most important problem.

In closing, let me quote again. "In the final analysis, good economics"—get that!—"In the final analysis, good economics as well as proper humanity dictate that if the State is to aid them in their declining years that aid should be given them under conditions where they may maintain their independent lives and hold up their heads as citizens of America."

In the name of humanity, in the name of good economics for the State of Maine, Mr. President, I move that this bill be passed to be engrossed.

The PRESIDENT: The question is on the motion of the Senator from Sagadahoc, Senator Jackson, that this bill be passed to be engrossed as amended by House Amendment "A" and by Senate Amendment "A" as amended by Senate Amendment "A" to Senate Amendment "A." in non-concurrence. Is this the pleasure of the Senate?

The motion prevailed.

The President laid before the Senate, Resolve proposing an amendment to the Constitution to provide for a bond issue, the proceeds to be disbursed for the relief of conditions threatening the peace, health and safety of the inhabitants of the State or political subdivisions thereof, (H. P. 1734, L. D. 1046), tabled by Mr. Page of Somerset earlier in this morning's session pending passage to be en-

grossed and assigned for the end of this morning's calendar; and the Chair recognized that Senator.

Thereupon, on motion by Mr. Page of Somerset, the Resolve was retabled and assigned for later in today's session.

On motion by Mr. Weeks of Somerset, the Senate voted to reconsider its action taken earlier in today's session whereby, Resolve authorizing the State Highway Commission to convey certain property in the United States (H. P. 1742) was passed to be engrossed; and on further motion by the same Senator the resolve was retabled and assigned for later in today's session.

Mrs. GAY of Lincoln: Mr. President, I rise to a point of personal privilege.

The PRESIDENT: The Senator may state her point of personal privilege.

Mrs. GAY: Mr. President, I have a little document that I would like to read:

"'They say,' That's copying Fred Owen,

So his pardon I will crave,
That each day we learn something new

From cradle unto grave.

As the days have glided into weeks,

I've learned full many a tip
But none more keen than Arthur Staples'

'Keep a stiff upper lip.'

I've learned that men can be good pals
And splendid sportsmen, too
Can help a comrade on the way
And give her friendship true.

Our President, who wields the gavel,

He comes now first in mind.
Our good deeds he appreciates,
To our faults he's always blind.

We like to see him in his seat;
We're proud to have him there.
Some day we hope to find him
In the Governor's great chair.

Our floor leader these many weeks,

From Somerset's fair land,
While next a Page which, as you read,

You better understand.

Next, grave and learned,

The Senator whose oratory
 roams
 Antagonist, respected, feared,
 The knightly Herbert Holmes.
 And near him, close in politics,
 A pleasant man and trim,
 The Senator from Androscoggin
 Who bears the name of Winn.
 The gallant Pillsbury sits next
 And just in front of him
 The little Senator from Oxford,
 So anemic and so thin.
 Fair Kennebec has charm and
 power,
 You all can see it plain.
 One steers the Appropriation
 ship
 Across the stormy Maine.
 And one performed a dreadful
 task
 With courage and with vim,
 We just can thank our lucky
 stars
 We got no salary cuts from him.
 The Senators from Hancock—
 No matter where they roam
 Will never forget the automobiles
 That carried Islesboro home.
 A Farnsworth, keen and tried
 and true,
 And just across the aisle
 A Cooper, serious and grave,
 And Seavey with his smile.
 A bright spot in the session
 Is one who Hath-a-way
 And brilliant Currier Holman
 The gayest of the gay.
 From chill Aroostook's spreading
 plain
 A Storey long since came,
 To tell how Kitchen through the
 storm
 On the road bill rode to fame.
 The Doctor, too, from Machias
 Whose advice so worldly wise
 Has helped the Education Com-
 mittee
 Beneath some stormy skies.
 And in the western corner
 'Neath sunset windows wide
 Sits our good friend, Bill Bissett,
 With his lovely wife beside.
 Our seat-mate in both House
 and Senate,
 A finer never ran
 Or walked either for that matter,
 A real true gentleman.
 When they see the Senator from
 Knox
 We always want to dine

Aroostook potato chips are nice,
 But lobsters would be fine.
 And Andy's jolly smile and song
 Can cheer the darkest hour
 And Frank's kind word and Har-
 old's courtesy
 Have each a potent power.
 From far Penobscot's wave-
 washed banks
 Comes Weymouth full of grace
 And even billboards cannot drive
 Smiles from Fernandez's face.
 And Weatherbee—the veteran—
 Of wide and great renown
 He holds the close attention
 Of every city and town.
 Why should we fear a Sales Tax
 gale
 Or even a 'wet' storm
 We have an Angell's sheltering
 wing,
 A Master whose name is John.
 And from the grand old County
 of York
 With its Little-field and hills
 We have our Edwin Ivory,
 Who tables all the bills.
 Our officers,—what would we do
 With the old ship of State
 Without Tryon out the captain
 And Fowler the first mate?
 And turning all the pages
 From early morn till dark
 The way would be uncertain
 Without Roy and Bruce and
 Clark.
 For another by the name of
 Clerk,
 We have only words of praise
 He'd rather be a doorkeeper in
 the House of the Law
 Than to dwell in wicked ways.
 In all of history's pages
 It's very plainly shown
 That back of every kingdom
 Is the power behind the throne.
 Chester Winslow is a prize.
 This answer—jot it down—
 What would Royden do without
 the Senate,
 Or the Senate without Brown?
 To help the pendulum of law
 making
 In mighty course to swing
 We have efficient Gladys Brad-
 ford
 And Little Inez Wing.
 To those who wield the mighty
 pen
 We hope with one accord

They do one more kind action
And strike this from record.

You know a woman's failings,
To tell all that she knows
So I think it's really better
To bring this to a close.

But in your book of memory,
That you'll open wide some day
I hope you'll find a little place
For the Senator named Gay."

Mr. PAGE of Somerset: Mr. President, I move that five hundred copies of that document be printed.

The PRESIDENT: The Chair will say to the Senator that he was just about to make that suggestion to the Secretary. Is it the pleasure of the Senate that this delightful poem, which will of necessity be spread upon the legislative record, be printed to the extent of five hundred copies?

Thereupon, five hundred copies were ordered printed.

The PRESIDENT: The Senate will recess until twelve o'clock.

AFTER RECESS

The Senate was called to order by the President.

The President laid before the Senate, Resolve Authorizing the State Highway Commission to Convey Certain Property of the State, (H. P. 1742), tabled earlier in today's session by Mr. Weeks of Somerset, pending passage to be engrossed; and the Chair recognized that Senator.

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

The President laid before the Senate, Resolve proposing an Amendment to the Constitution to Provide for a Bond Issue, the Proceeds to be Disbursed for the Relief of Conditions Threatening the Peace, Health and Safety of the Inhabitants of the State or Political Subdivisions thereof, (H. P. 1734) (L. D. 1046), tabled earlier in today's session by Mr. Page of Somerset, pending passage to be engrossed in concurrence; and the Chair recognized that Senator.

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

On motion by Mr. Littlefield of York,

Recessed until two o'clock this afternoon.

AFTER RECESS

Senate called to order by the President.

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

From the House, out of order:

The Committee on Appropriations and Financial Affairs on Bill "An act relating to the maintenance of the Androscoggin Lake Dam" (H. P. 66, L. D. 48) reported the same in a new draft (H. P. 1738, L. D. 1050) under the same title and that it ought to pass.

In the House the report accepted and passed to be engrossed.

In the Senate, report accepted in concurrence and the bill given its first reading; the rules were suspended and the bill was given its second reading and passed to be engrossed in concurrence.

From the House, out of order:

Bill "An act relating to the making of local regulations for fishing and game sanctuaries." (S. P. 643, L. D. 1032)

(In the Senate on March 30th passed to be engrossed, House Amendment "A" indefinitely postponed, in non-concurrence.)

In the House that body having insisted on its former action whereby the bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and asking for a Committee of Conference, the Speaker having appointed as such members of that Committee on the part of the House:

Messrs. Sterling of Caratunk, Crowell of Weston, Shaw of Milbridge.

In the Senate, on motion by Mr. Angell of York, tabled pending consideration and assigned for the end of the calendar this afternoon.

From the House, out of order:

Bill "An act to amend the law providing for continuous revision of statutes." (S. P. 659)

(In the Senate on March 29th passed to be engrossed.)

In the House, 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 action of March 29th 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, out of order:
"Resolve in favor of the Pownall State School for additions and improvements" (S. P. 638, L. D. 1025)

In the Senate the resolve was passed to be engrossed.

In the House, 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 action of March 27th 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, out of order:

The Committee on Ways and Bridges on "Resolve in favor of the City of Old Town." (H. P. 946) reported that the same ought not to pass.

In the House the bill substituted for the report and passed to be engrossed.

In the Senate, on motion by Mr. Fernandez of Penobscot, tabled pending consideration and assigned for the end of the calendar this afternoon.

Passed to be Enacted

(Out of Order)

An act relating to expenditures in connection with the nomination of candidates for elective office. (S. P. 648, L. D. 1039)

An act relative to closed time on deer. (H. P. 1645, L. D. 991)

An act relating to hunting and trapping bear. (H. P. 1691, L. D. 1005)

Finally Passed

(Out of Order)

Resolve in favor of Lillian R. Cushman (H. P. 1553, L. D. 1027)

(On motion by Mr. Page of Somerset, tabled pending final passage and assigned for the end of the calendar this afternoon.

(Emergency Measure)

(Out of Order)

Bill "An act for the protection

of savings banks and depositors therein." (S. P. 500, L. D. 918)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

(Emergency Measure)

(Out of Order)

Bill "An act relating to aid to librarian, expenses of state historian, compensation and expenses of geologist, topographic mapping and abolishment of grade crossings." (S. P. 641, L. D. 1033)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

The President laid before the Senate, an act to provide for the issuance of bonds for emergency relief (L. D. 1044) tabled by the Senator from Androscoggin, Senator Holmes, earlier in today's session pending consideration and assigned for the end of this afternoon's calendar; and the Chair recognized that Senator.

Thereupon, on motion by that Senator the rules were suspended and the bill was considered without reference to a committee and given its first reading without printing; and on further motion by the same Senator the rules were again suspended and the bill was given its second reading and passed to be engrossed in concurrence.

The President laid before the Senate, an act relating to increase of the state debt limit (L. D. 1043) tabled by the Senator from Androscoggin, Senator Holmes, earlier in today's session pending consideration and assigned for the end of this afternoon's calendar; and the Chair recognized that Senator.

Thereupon, on motion by that Senator the rules were suspended and the bill was considered without reference to a committee and given its first reading without printing; and on further motion by the same Senator the rules were again suspended and the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Angell of York the Senate voted to take from the table an act relating to the making of local regulations of fishing and game sanctuaries (L. D. 1032) tabled by that Senator earlier in

today's session pending consideration; and on further motion by the same Senator the Senate voted to insist on its former action and joined in the Committee of Conference.

Thereupon the Chair appointed as members of such committee on the part of the Senate, Senators Angell of York, Schnurle of Cumberland and Holmes of Androscoggin.

The President laid before the Senate resolve in favor of Lillian R. Cushman (H. P. 1553, L. D. 1027) tabled by Mr. Page of Somerset earlier in today's session pending final passage and assigned for the end of this afternoon's calendar; and the Chair recognized that Senator.

Mr. PAGE of Somerset: Mr. President, I would like to acquaint the members of the Senate with the provisions of this resolve. This resolve calls for the appropriation of \$1500 to be paid to Lillian R. Cushman of Brewer in settlement of all claims against the State of Maine, etc. The story is this: This Mr. Cushman was hired by the Fish and Game Department about six weeks of each fall to check up on the outgoing game from the Bangor station and his duties were confined to the station. It seems that he was returning home and was struck by a Gulf Refining Company's truck. That company settled with him in full for damages and paid him \$1500. About six months later Mr. Cushman died of Bright's disease. The Fish and Game Department through Mr. Stobie informs me that the state has absolutely no obligation there and it is merely a sympathy resolve and in this case my sympathy is with the state and not with Mrs. Cushman. I am opposed to the resolve and I move that it be indefinitely postponed.

Mr. LITTLEFIELD of York: Mr. President, being a member of the committee from which that comes I wish to acquaint the Senate with regard to the testimony given before our committee. The testimony was as the Senator says in part. They said the man was on duty going from the railroad station to his home and was hit by a Gulf Refining truck, as I remember, an oil truck. And they did pay Lillian R. Cushman \$1500 and as that claim was put before our committee—I can't just remember who appeared

for or against it—but she was there and the man who put in the bill, and Senator Weatherbee said that he thought we should pay it and I can't remember the talk he made but it was in regard to the law in such case and the committee, as I remember, made a unanimous report that she be allowed \$1500. Mr. Stobie or someone else says that it was nothing to do with his getting paid and we ought not pay him. I will simply say that Senator Weatherbee quoted the law and told us we should pay him and we all agreed to it.

Thereupon, on motion by Mr. Fernandez of Penobscot, the resolve was laid upon the table pending final passage and assigned for the end of this afternoon's calendar.

Mr. HOLMES of Androscoggin: Mr. President, this that I have to say is for the record but there is no motion pending and no question to be submitted by you, the presiding officer. I am rising, as I might say, not only to a question of personal privilege to one of the Senators from Androscoggin but to the high privilege of all the Senators of the Senate of the Eighty-sixth Legislature.

I want to say that my friends and conferees of this Senate have imposed upon me a duty, picking me not because I happen to be of the opposite political faith of the presiding officer, Mr. President of the Senate, but my conferees, both Democrat and Republican, probably have picked me out because I have won a reputation as a disagreeable fighter and to placate me. But I take it as a great honor and I want to say to you that my duty now is to express to you, Mr. President, our profound gratitude and great appreciation of your services as presiding officer of this Senate of the Eighty-sixth Legislature.

In the two times that I have been a member of the Senate and the few more times that I have been a member of the House, I say to you and to my sister and brothers here that never have I known a presiding officer of either branch who so fully realized the duty and obligation that he owed to the people of Maine, who so fully realized that we are only the representatives of the sovereign people of Maine, and that the enactments that we make, we make in the name of the sovereign people of Maine, and al-

ways we not only derive our authority from them but we are directly responsible to them, and under our system of government, based as it is upon the accepted ethics of all modern religions, Christian, Jewish, or what not, the sovereign people in turn derive their authority from the authority of Almighty God, and no act that we can pass is anything but a mere statute and not a law unless it is based upon the fundamental principles of justice and morality that we all, Christians, Jews, and members of whatever or what not religion, realize to be the fundamentals behind every law.

Mr. President, never in my experience, and I can say confidently that I believe never in the experience of any member sitting in this Senate, has there been a presiding officer of the Senate who has so clearly reflected in his attitude and his rulings such a realization of those fundamental principles that we derive our authority from the sovereign people and they derive theirs from the God of the Universe who created us all; and from my heart I say to you that you have done a wonderful job as President of this body.

Now, Mr. President, one word more, and may I now address you as Senator Murchie from Washington County? May I go further and address you as our friend Harold, and may I say to you that, as a Democrat, and I have a right to say as a Democrat, that a Democrat has a right to wish success to a Republican and a Republican has a right to wish success to a Democrat.

I hope that the little souvenir that we Senators are now going to give you,—a watch—in recognition of our friendship and gratitude to you for your never-failing courtesy and kindness to us, that that little souvenir of a watch will always tick off the hours and the days and tell you of the steps that you are taking forward, in the gratitude and respect of your fellow citizens of this good State we love, either for advancement in the federal government or further advancement in the government of our dear State.

And now may I ask the Senators to stand while we present this watch to our President, Harold Murchie.

(Applause, the members rising).

The PRESIDENT: Senator Holmes and fellow Senators, including our sister Senator; on the day when this legislature convened, I confessed frankly to you my lack of capacity to express adequately in words my appreciation of the honor of election to this high office. I have endeavored throughout the session to show that appreciation by my conduct, and I am necessarily much gratified at the statements made by the Senator from Androscoggin, whom I will now call, as I have called him throughout the session, 'Herbert'. On behalf of all of you I have endeavored to show that appreciation by the most strict attention to the duties of this office, and by the nearest possible approach, bearing in mind my own personal limitations, to absolute fairness in this chair. Had my limitations been less marked, and my approach to those objectives I had in mind, closer, had I been able to attain the rank of a full hundred percent, as intimated, in those respects and in every other respect, still I say to you in all sincerity, that I would then have been unable to measure to you the full extent of the appreciation I sincerely felt on the first Wednesday of last January, and which I have increasingly felt as the days go on, and still feel.

With the opening of the session, I realized at least as clearly as any member of this body, the obligation that rested upon me to work for the Senate and for the individual members of the Senate and to show courtesy to them. With all my recognition of that obligation, the daily record of our labors here has shown my obligation to you constantly increasing, and never for one single day has it been decreasing.

I realize full well that through humoring my eccentricities and my desire to force progress in legislation, through the courteously ignoring on your part of my frailties and my errors, in all ways it is to you, rather than to me that the State is indebted for the fact that the wheels of legislation have run smoothly in this Senate. Notwithstanding the fact that we have enacted one piece, at least, of unconstitutional legislation already, that our session has run to normal length when all indications were that we might secure an early adjournment,

I feel sure that the record of this Senate, which is your record rather than mine, is one not only of efficiency but of expedition.

With all this, the words which have been so eloquently spoken by Herbert might better be addressed by me to you than by him or any other member of the Senate, to me. But regardless of that, comes this gift and this tribute.

The incapacity for expression, ordinary incapacity, which confronted me in January, becomes infinite incapacity today under these circumstances. I may receive perhaps some consolation in believing the spread between that ordinary incapacity in January and the infinite incapacity in this, the closing day of the month of March, represents not any deterioration of mind on my part, but represents instead, the vastly increased obligation which your tact, your patience, your courtesy, and more than all that, your individual friendships, have placed upon me.

I can merely say that I shall cherish this watch and these sentiments so eloquently expressed by your spokesman, equally, if that is possible, with my memories of this session and of you.

(Applause, the members rising.)

Mr. VILES of Kennebec: Mr. President, seconding the remarks so ably expressed by the Senator from Androscoggin, we wish to further express our appreciation of the manner in which you have presided over our deliberations, for the courtesies which you have extended, for the ability and fairness which you have shown, in presenting you a gavel that you may, in after years remember the days that were spent here, and we hope, Mr. President, that they will bring to you fond remembrances.

You come from a far distant point of our State. You have come here this winter and labored diligently and well, conscientiously, throughout this session of the legislature. I do not believe any presiding officer has ever given more faithful service of greater ability to this State than you have this winter.

You rank, of course, second only to the Chief Executive of Maine, and it is our hope that in future years you will be entirely successful in any undertakings either in your profession or of a political nature that you may embark on, and at this time, I wish to present you with this gavel.

(Applause, the members rising.)

The PRESIDENT: Senator Viles, and members of the Senate, you will see that I hit very lightly with this gavel as I do not want to mar it. I can add nothing to what I have said, in appreciation of the gift already presented, but in a facetious vein, I may say that having already demonstrated my ability to operate a gavel with either hand, I regret that a heavier mallet was not in my hand a week ago yesterday when the Senator from York, whom we all love and know as "Ed I." took the reins out of my hands and adjourned the legislature over Sunday, and left me nothing but the gavel. (Laughter and applause)

From the House, out of order:

Resolve, on the pay roll of the House of Representatives of the Eighty-sixth Legislature. (H. P. 1743)

In the House, passed to be engrossed without reference to a Committee.

In the Senate, the rules were suspended and the resolve was considered without reference to a committee and given its first reading without printing; the rules were again suspended and the resolve was given its second reading and passed to be engrossed in concurrence.

From the House, out of order:

Resolve in favor of the Chaplains of the House of the Eighty-sixth Legislature. (H. P. 1747)

In the House, passed to be engrossed without reference to a Committee.

In the Senate, the rules were suspended and the resolve was considered without reference to a committee and given its first reading without printing; the rules were again suspended and the resolve was given its second reading and passed to be engrossed in concurrence.

Report of Committee (Out of Order)

Mr. Robie from the Committee on Appropriations and Financial Affairs on "Resolve in favor of Harold E. Armour for services to the 86th Legislature" (H. P. 1732) reported the same in a blanket resolve under the title of "Resolve in favor of clerks, stenographers, messengers of the Eighty-sixth Legislature" (S. P. 674) and that it ought to pass.

Which report was accepted and the resolve given its first reading; the rules were suspended and the resolve was given its second reading and passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate, Resolve in Favor of Harriet R. Cushman, (L. D. 1027), tabled earlier in today's session by Mr. Fernandez of Penobscot, pending motion to indefinitely postpone; and the Chair recognized that Senator.

Mr. FERNANDEZ of Penobscot: Mr. President, I now yield to my colleague, Senator Weatherbee.

Mr. WEATHERBEE of Penobscot: Mr. President, what is the motion before the Senate?

The PRESIDENT: The Chair will state that the pending motion is the motion made by the Senator from Somerset, Senator Page, that the resolve be indefinitely postponed.

Mr. WEATHERBEE: Mr. President, I very much regret that at the very close of our legislative session, during the final days, that some Senator should feel it his duty to make a motion of this kind for this particular bill. The Committee on Claims have been very, very careful in attending to the duties in the hearing of the many claims that have come before it during the present session, and each member has given his very best judgment to the solution of the many problems we have had before us.

We believed this particular resolve was a meritorious one and it received the united action of the members upon the committee. The matter was attacked in the other body, but the attack was waved aside and the unanimous report of this committee was accepted and passage of the resolve was given.

This is a resolve in favor of a widow of a warden of the Fish and Game Department of Maine, who was killed in the performance of his duty. He was returning home, there to inspect some game, where the automobile which he was driving collided with a truck owned by the Gulf Refining Company, and very serious injuries were inflicted upon this warden of the State, from which he later died. The widow, unfamiliar as to her rights and being unfamiliar with law, wrote several letters to Mr. Leadbetter at

Augusta, and finally, not getting early replies, took the matter up with Mr. Stobie, and there was no satisfaction given there. Then she consulted counsel, who advised her to bring suit against the Gulf Refining Company. Suit was brought and the case was settled before it came to trial, upon payment by the Gulf Refining Company of \$1800.

Now, I will not take the time to read all these letters from Mrs. Cushman to the various departments, nor their answers to her. I do call your attention to a letter from Mr. Small of the Attorney General's Department saying: "We have several defenses; one, that no notice of accident was given within thirty days; two, that no claim was made within six months; three, that no petition was filed within one year; four, settlement with a third party and signing of a release which relieves the State of any responsibility."

Those are the legal, technical objections which were raised by Mr. Small. I call your attention to the fact that Mrs. Cushman wrote to the Department, informing them when her trial with the Gulf Refining Company was to be held so that the State of Maine, through the Attorney General's department, could have taken control of that suit, and thus protected its rights there in that action.

Had Mrs. Cushman made seasonable application to the State for compensation she would have received, owing to the death of her husband, \$4,000. She, of course, legally should not have settled with the Gulf Refining Company, but in view of the fact that the State knew that action was pending, knew it was to come to trial, had seasonable notice of it, and did not interest itself to intervene in any way whatsoever, I do not believe the woman should be held responsible for that. I do not believe the great State of Maine should take advantage of any technicalities of that kind, but we feel all things of that kind should be brushed aside, and that this woman should be compensated according to the measure she would have received had the State acted upon her formal request. She would have been entitled to \$2500 after giving credit to the \$1800 which she received from the defendant in the suit that was pending. But our committee thought in view of the fact that

she had settled, and without the State's having opportunity to become a party to the case, we would penalize her \$1000, and pass this resolve for \$1500.

Now, was he in the line of duty? His wife said so. The City Marshal wrote to Representative Sargent: "I was called to Ralph Cushman's accident at the corner of Washington and Holyoke Streets. He at that time was in full uniform. He was on his way as inspector of game for the season and it was in the middle of December, 1930, when he was hurt."

We have affidavits from three physicians. The first one I will read is signed by C. E. Blaisdell, M. D.:

"On this twenty-second day of February, 1933, personally appeared before me, a Justice of the Peace, within and for the County of Penobscot and State of Maine, C. E. Blaisdell, M. D. of Brewer, Maine, a physician and surgeon, who, being duly sworn according to law, declares that he was the attending physician in the case of Ralph Cushman, late of 9 Silk Street of Brewer, that said Ralph Cushman was in an automobile accident on the 29th day of December, A. D. 1930 and in his opinion said automobile accident was a contributory factor to his death which occurred subsequently, to wit, on the 23rd day of February, A. D. 1931.

(Signed)

C. E. BLAISDELL, M. D."

Another affidavit is signed by another doctor of Brewer, Dr. Calvin M. Thomas:

"On this twenty-second day of February 1933, personally appeared before me, a Justice of the Peace, within and for the County of Penobscot and State of Maine, Calvin M. Thomas, M. D. of Brewer, Maine, a physician and surgeon, who, being duly sworn according to law, declares that he was the attending physician in the case of Ralph Cushman, late a resident of 9 Silk Street, Brewer, that said Ralph Cushman was in an automobile accident on the 29th day of December, A. D. 1930 and in his opinion said automobile accident was a contributory factor to his death which occurred subsequently, to wit, on the 23rd day of February, A. D. 1931.

(Signed)

CALVIN M. THOMAS, M. D."

I also have an affidavit of Henry C. Knowlton, M. D.:

"On this twenty-second day of February, 1933, personally appeared before me, a Justice of the Peace, within and for the County of Penobscot and State of Maine, Henry C. Knowlton, M. D., of Bangor, Maine, a physician, who, being duly sworn according to law, declares that he was a consulting physician in the case of Ralph Cushman, late a resident of 9 Silk Street, Brewer, that said Ralph Cushman was said to have been in an automobile accident on the 29th day of December, A. D., 1930 and in his opinion said automobile accident was a contributory factor to his death which occurred subsequently, to wit, on the 23d day of February, A. D., 1931.

(Signed)

HENRY C. KNOWLTON, M. D.

There are the affidavits of three reputable physicians who state on oath that this accident was a contributory cause to the death of Mr. Cushman. Where is the man who contradicts those affidavits? Shall this evidence be overthrown upon the mere request of a member for indefinite postponement or shall this case be conducted upon facts and upon evidence?

I hope that when the Senate considers this case, it will give credence to the evidence that is not disputed. It will pay proper respect to the judgment of the committee that carefully heard this matter, and I trust that the motion of the Senator will not prevail, as it should not. This is a very meritorious case.

Mr. PAGE of Somerset: Mr. President, I get my information from Mr. Stobie and the Industrial Accident Commissioner. Mr. Stobie informed me yesterday that Mr. Cushman was not in the employ of the State at the time he was struck by the Gulf Refining Company truck. He was on his way home. The report was circulated a little while ago that at his home he was a game inspector. Mr. Stobie says that is not so. His sole duties were at the Bangor station and when he left the station he was on his own time. Now, I haven't heard anything that has changed my mind about this resolve. I don't care whether any of the other Senators vote with me or not. I just want to express my position about this resolve. I think the resolve is wrong.

Mr. WEATHERBEE: Mr. President, Mr. Stobie was well aware that

the matter was coming up before the Committee on Claims and had he possessed a perfect defense to this claim it is fair to assume that an intelligent man like he is, feeling the responsibilities of his office and his duty to the State and to that committee, would present himself and offer the information. I wish to say in this connection that he did recognize that there must have been some claim as is shown by a letter which he wrote to Mrs. Cushman:

"September 3, 1931

"Mrs. R. S. Cushman
9 Silk Street
Brewer, Maine
Dear Mrs. Cushman:

"Your letter of August 29th is received in regard to insurance that might be carried by the State, and has been turned over to Mr. George Leadbetter who has charge of such matters. I am, however, of the opinion that there is no insurance covering a case of this kind. If there is I have no doubt you will hear from Mr. Leadbetter.

Yours very truly,
GEORGE J. STOBIE,
Commissioner."

"November 10, 1931.

"Mrs. R. S. Cushman
9 Silk Street
Brewer, Maine
Dear Mrs. Cushman:

"Your letter received in regard to Mr. Cushman, and the same is being turned over to Mr. Leadbetter who has charge of the State Insurance.

Very truly yours,

Commissioner."
"November 13, 1931.

"Mrs. Ralph S. Cushman
9 Silk Street
Brewer, Maine
Dear Mrs. Cushman:

"Relative to your letter which I referred to Mr. Leadbetter, will say that I have talked this matter over with Mr. Leadbetter this morning and am now of the opinion that Mr. Cushman would not be covered going to and from his work. However, I am not an authority in this and would advise your taking the matter up direct with him.

Very truly yours,

Commissioner."

I have also a letter from Mr. Leadbetter addressed to Hon. W. J. Sargent of Brewer:

"Department of Health and Welfare
Augusta, Maine
January 27, 1933.

"Hon. W. J. Sargent
Brewer, Maine
Dear Sir:

"I am returning the papers in the case of Ralph S. Cushman. I have just talked with Mr. Gray of the Industrial Accident Commission, and he states that this case can be taken up by the Commission if the Attorney General's Department will waive certain technicalities which result from the fact that a settlement has been made with the Gulf Refining Company whose truck injured Mr. Cushman.

"My understanding was that you might want to introduce a resolve in favor of Mrs. Cushman. I am taking the matter up with you at this time so there will be opportunity to have a resolve prepared and introduced within the time fixed by the Legislature which, I understand, will expire next Tuesday at four or four-thirty.

Yours very truly,
(Signed) G. W. LEADBETTER,
Commissioner."

Now, I believe that we shouldn't hide behind any technicality and that this poor woman should be given this small amount by the State of Maine to compensate her in part for the loss of her husband who the evidence shows was in the performance of his duty returning home to inspect game at his house after having been telephoned that they were waiting there for him. I don't think there is any question about the fairness of the claim and the legality of the claim and I trust that the Senate will sustain the Committee on Claims in this respect.

Mr. BISSETT of Cumberland: Mr. President, at the beginning of this Legislature you appointed members of this Senate to be on certain committees. Those men, those Senators, have heard the evidence pro and con and I think that the majority of the Senate are governed, at least most of the time if not always, by the report of that committee. I believe we should trust in the report of the committee which was unanimous.

Mr. PAGE: Mr. President, when the vote is taken I ask for a division.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Page, that this resolve be indefinitely post-

poned and on that question that Senator has asked for a division.

A division of the Senate was had. Thirteen having voted in the affirmative and sixteen opposed the motion did not prevail and the resolve was not indefinitely postponed.

Thereupon, the resolve was finally passed.

Additional papers from the House, out of order, disposed of in concurrence.

Report of Committee

(Out of Order)

Mr. McLoon of the joint committee on conference on bill, An act relating to the purchase and sale of lobsters, (H. P. 1155, L. D. 616), asks leave to report that both branches recede from their former positions and that they receive and enact the accompanying bill entitled, "An act creating a commission to investigate the need of legislation relating to the lobster industry" (S. P. 675).

The report of the committee on conference was accepted.

Mr. ROBIE of Cumberland: Mr. President, I would like to inquire if that bill carries any appropriation?

The SECRETARY: "This commission shall serve without pay but shall receive such annual expenses as are reasonably incurred in the performance of its duties, to be paid from the general fund of the State."

The PRESIDENT: The Chair will inquire if there is any member of the Senate who would like to have the bill read in full.

Mr. VILES of Kennebec: Mr. President, I would like to inquire of the Senator from Knox, Senator McLoon, whether or not that Senator would approve of an amendment taking the money necessary for the use of the commission from the Department of Sea and Shore Fisheries. It must necessarily be a small amount, I should judge. Otherwise, it would probably fail because of lack of appropriations.

Mr. McLOON: I will say, Mr. President, that that will be satisfactory.

Thereupon, the bill was given its first reading; and on motion of Mr. Viles of Kennebec was laid upon the table pending assignment for second reading and assigned for consideration at the end of this afternoon's calendar.

The President laid before the Senate, House Report from the Committee on Ways and Bridges on "Resolve in favor of the City of Old Town" (H. P. 946), tabled by Mr. Fernandez of Penobscot earlier in today's session pending consideration and assigned for the end of the calendar this afternoon; and the Chair recognized that Senator.

Mr. FERNANDEZ of Penobscot: Mr. President, I yield to the Senator from Penobscot, Senator Weymouth.

Mr. WEYMOUTH of Penobscot: Mr. President, I haven't had but a very few moments to study the facts in this case. Of course we have all realized that it has been very quiet here for the past fifteen or twenty minutes and a man could study the facts very easily. However, I will do the best I can to explain the situation. This resolve is for a road leading from the city of Old Town to Pushaw Lake. There is a bog on this road on the outskirts of Old Town that is very dangerous. In 1928 for a distance of two hundred feet the road settled and went out of sight and for a depth of fifteen feet there was nothing but water. There are about a hundred and fifty cottages located on the road and about a hundred of them at one point at Pushaw Lake. These cottages are owned by the people of Old Town and surrounding towns and many of the men whose families stay there in the summer drive out there at night. Now, under ordinary conditions we would not have asked for this money simply to improve the road but we feel that there is an extreme emergency that exists. As I have before stated in 1928 this road sunk out of sight, just after a truck had passed over the road and had just got a few feet on the other side of the bog when the road disappeared for a distance of two hundred feet. Now, if that should happen just as some man with his family was on this road it would be a terrible catastrophe.

The amount of money involved is about \$8800 and I don't believe that the members of this Legislature desire to work a hardship on these people and ask them to build a road themselves. Certainly the city of Old Town is in no position to do it. They haven't paid their county or state taxes yet but they are going to make a valiant attempt to do so at the earliest possible moment.

I have a letter here received from James M. Sewall of Old Town which I would like to read:—

“Old Town, Maine,

March 30, 1933.

“I have seen the Mud Pond Inlet bridge locality here in Old Town continuously since the bridge was constructed. Westerly of the bridge is a strip of road across a deep bog. Soundings taken several years ago indicate that this bog is practically a floating one beneath which is perhaps forty-five or fifty feet of water. In any event when soundings were taken it was possible to run jointed pipe down that depth and two men could pull them back up so that whatever supports the floating top of the bog is undoubtedly of little consistency.

“After the construction of the bridge in order to lighten the load on the road we removed all the larger rocks which had been put on in making a fill on a brush mattress and even after that was done various spots continued sinking.

“We then used a certain amount of timber corduroy but this too is not standing up and between the patches of corduroy are areas which are going down even more.

“One area in particular seems to sink steadily. The Superintendent of Streets has put in coal ashes to keep traffic up out of water, considering that this was the lightest material he could use. After the road is filled with coal ashes, that gradually sinks.

“Apparently a big basket is developing all along this strip, which if it is not filled will become impassable and if it is filled will increase the load so that there is, in my opinion, imminent danger of a sudden sinkage.

“If there happened to be an automobile on the road at the time this sinkage takes place it is extremely apt to result in the drowning of the occupants. When the road sank where the present pile bridge now exists the event was so sudden that if anybody had been caught by it they would probably have not gotten out.

“It seems to me that this is distinctly an emergency and being left as it is endangers life.

“The road is heavily travelled particularly during the summer season and often by automobiles filled with women and children.

Yours very truly,

(Signed) JAMES W. SEWALL”

This letter was written after the hearing before the Ways and Bridges Committee. The matter was discussed in the House and as I understand it the action was to substitute the bill for the report of the committee and I now move that we concur with the House.

Mr. KITCHEN of Aroostook: Mr. President, in defending the action of the Ways and Bridges Committee in this matter I will say that the resolve was introduced and given proper hearing and only one man appeared for it. The resolve provided, I think, for the amount of \$8,775 to be appropriated by the State to defray the town's proportional part of this bridge under the terms of the Bridge Act. The total cost of the whole proposition was \$19,500 and under the terms of the Bridge Act the expense would be borne proportionally, 25% by the State, 30% by the county and 45% by the town. Consequently, the amount of \$8,775 was the amount that has been estimated would be borne by the City of Old Town under the terms of the Bridge Act for this construction.

Now, it was felt that they were progressive out there in Old Town and that they contemplated sooner or later it would be necessary to build this bridge across that road and that the reason they were asking for this amount of money was so they would be ready in case they were forced to do this work.

Now, I will say that it has been the custom in this Legislature in past years in certain cases to provide money to meet the town's proportional part of the building of a bridge under the terms of the Bridge Act, in the case of towns that were very poor and unable to take care of it themselves. But we have felt, and it has been my experience during the last few sessions, that inasmuch as estimates on the Bridge Act were very much more liberal than in the past that it would seem that the towns should be willing to furnish their proportionate part of the money and in no case has this Legislature to my knowledge in recent years furnished the proportional part to a city. Of course, Old Town is a city but it is a small city. Unquestionably Old Town is poor but at the same time the committee felt that they could not allow this proposition for the reason that there were numerous other resolves of practically the same nature and we

adopted the policy that inasmuch as we were short of money we must not allow any of these and we haven't. The report of the committee was unanimously "ought not to pass" and if you allow this resolve to go through it will be an exception. The matter is entirely in the hands of the Senate. I hope the motion to substitute the bill for the report will not prevail.

Mr. WEYMOUTH: I would like to ask the Senator from Aroostook, Senator Kitchen, a question. Before this money would be available would not this resolve have to be approved by the Highway Commission and the County Commissioners, the City of Old Town, the Governor and Council?

Mr. KITCHEN: Mr. President, I will say that that is true if the State were to pay the town's proportionate share. Otherwise if the town had borrowed money and then come to the State it would be in the nature of a claim.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Weymouth, that the bill be substituted for the report, being the report of the Committee on Ways and Bridges "ought not to pass".

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

The PRESIDENT: And on that question Senator Weymouth asks for a division.

A division of the Senate was had. Eighteen having voted in the affirmative and eight opposed the motion to substitute the bill for the report prevailed.

Mr. WEEKS of Somerset: Mr. President, I move to reconsider the vote just taken whereby we voted to substitute the bill for the report.

Mr. WEEKS of Somerset: Mr. President, In addressing myself to that motion I certainly want to place myself on record as not endeavoring to oppose the entire report of the Highway Committee. I understand, of course, that there has been considerable lobbying behind this measure but I certainly cannot agree with the principle upon which it is based. I cannot say how many resolves of this nature have been introduced into this legislature. Possibly the Senator from Aroostook can. I simply can't. But I do know this, that every resolve of this nature has been turned down by this Senate and turned down by the House

and you are singling out from these various bridge resolves one particular resolve for one particular purpose. Now, my little town is interested in this matter and all of your towns and your counties are interested in this matter because we are taking from our towns and our counties money from the taxpayers for the very purpose of seeing that it is placed in one particular city in Penobscot County that is just as capable of taking care of a bridge as my little town in Somerset County and I certainly hope that my motion will prevail.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Weeks, that the Senate reconsider its action of a few moments ago whereby resolve in favor of the city of Old Town be substituted for the report of the committee on Ways and Bridges "ought not to pass" on that resolve.

A viva voce vote being doubted

A division of the Senate was had.

Twelve having voted in the affirmative and fifteen opposed, the motion to reconsider did not prevail.

Thereupon on motion by Mr. Fernandez of Penobscot the rules were suspended and the resolve was given its first reading without printing; and on further motion by the same Senator the rules were again suspended and the resolve was given its second reading and passed to be engrossed.

The President laid before the Senate an act creating a Commission to investigate the need of legislation relating to the lobster industry (S. P. 675) tabled earlier in today's session by Mr. Viles of Kennebec pending assignment for second reading and assigned for the end of this afternoon's calendar; and the Chair recognized that Senator.

Thereupon that Senator represented the following amendment and moved its adoption:—

"Senate Amendment A to S. P. 675. Amend said act by striking out in the last line thereof the words 'general funds of the state' and substituting therefor the words 'funds of the Department of Sea and Shore Fisheries in an amount not exceeding five hundred dollars'."

Thereupon Senate Amendment A was adopted; the rules were suspended and the bill was given its second reading and passed to be en-

grossed as amended by Senate Amendment A.

(Emergency Measure)

(Out of Order)

An act providing for the temporary support and regulation of insurance companies (H. P. 1076, L. D. 1021).

Which bill being an emergency measure and having received the affirmative vote of 20 members of the Senate was passed to be enacted.

(Constitutional Amendment)

(Out of Order)

Resolve proposing an amendment to the Constitution to provide for a bond issue, the proceeds to be disbursed for the relief of conditions threatening the peace, health and safety of the inhabitants of the State or political sub-divisions thereof (H. P. 1734, L. D. 1046).

Mr. WEEKS of Somerset: Mr. President, on the question involved I will ask for the Yeas and Nays.

The Yeas and Nays were ordered.

The PRESIDENT: The question is on the final passage of this resolve.

The Secretary called the roll.

YEA—Senators Abbott, Angell, Bartlett, Bissett, Blaisdell, Cooper, Farnsworth, Fernandez, Gay, Harmon, Hathaway, Holman, Andrew Jackson, Kitchen, Littlefield, McLoon, Page, Pillsbury, Robie, Schnurle, Seavey, Story, Towle, Viles, Weatherbee, Weeks, Weymouth, Winn—28.

NAY—None.

ABSENT — Holmes, N. Gratz Jackson, McDonald—3.

This resolve being a constitutional amendment and having received the affirmative vote of 28 members of the Senate was finally passed.

(Emergency Measure)

(Out of Order)

An act enabling the cities and towns to take advantage of Reconstruction Finance Corporation loans for construction of sewerage works (S. P. 213).

Which bill being an emergency measure and having received the affirmative vote of 26 members of the Senate was passed to be enacted.

From the House:

Bill "An act reducing the compensation of state officials and employees." (S. P. 576, L. D. 866).

(In the Senate on March 31st passed to be engrossed as amended by House Amendment "A" and Senate Amendment "C.")

In the House, Senate Amendment "C" was indefinitely postponed and the bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate:

Mr. TOWLE of Kennebec: Mr. President, I move that the Senate recede and concur with the House in the indefinite postponement of Senate Amendment "C".

Mr. WEEKS of Somerset: Mr. President, may we have Senate Amendment "C" read?

The PRESIDENT: Senate Amendment "C" provides that "This act shall take effect when approved."

The motion to recede and concur prevailed.

Thereupon, the bill was passed to be engrossed as amended by House Amendment "A" in concurrence.

From the House, out of order, the following resolves:

"Resolve in favor of Elmer Attean, Representative of the Penobscot Tribe of Indians." (H. P. 1749)

"Resolve in favor of George L. Stevens, Representative of the Passamaquoddy Tribe of Indians." (H. P. 1750)

Which resolves were considered without reference to a committee under suspension of the rules and given their first reading; the rules were again suspended and they were given their second reading and passed to be engrossed in concurrence.

Passed to be Enacted

(Out of order)

An Act relating to the licensing of aircraft. (S. P. 277, L. D. 1038)

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

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. 629, L. D. 1000)

An Act to define and limit the jurisdiction of courts sitting in equity, and for other purposes. (S. P. 649, L. D. 1041)

An Act to reduce certain fees of deputy sheriffs for the next two years. (H. P. 1399, L. D. 705)

An Act relating to exemption of certain property from taxation. (H. P. 1609, L. D. 936)

An Act relating to licenses for retail stores. (H. P. 1705, L. D. 1030)

Finally Passed

(Out of order)

Resolve in favor of the Pownal State School for additions and improvements. (S. P. 639, L. D. 1026)

Resolve in favor of the Pownal State School for additions and improvements. (S. P. 639, L. D. 1026)

Resolve in favor of the City of Old Town. (H. P. 1733, L. D. 1045)

Resolve authorizing the state highway commission to convey certain property of the State. (H. P. 1742)

Resolve on the pay roll of the House of Representatives of the Eighty-sixth Legislature. (H. P. 1743)

Resolve in favor of the chaplains of the Senate of the Eighty-sixth Legislature. (S. P. 673)

Resolve in favor of the chaplains of the House of the Eighty-sixth Legislature. (H. P. 1747)

Mr. VILES of Kennebec: Mr. President, the members of this Senate have been very pleased to have as a member of their number during this legislative session, the distinguished Senator from Lincoln, Senator Gay. We have all appreciated her charm, her courtesy, and most of all, her ability, and I say it sincerely that all of us have been very happy to have her as a member of this body this year, and the members of the Senate, as a slight token of their esteem for the Senator from Lincoln, wish to present her at this time, with this bouquet of roses. We believe that roses best typify our regard for the Senator from Lincoln, Senator Gay.

(Applause, the members rising.)

Mrs. GAY of Lincoln: Senator Viles, Mr. President, and Members of the Senate, I really do not know how to thank you, this is such a surprise. All these weeks I have grown to admire and respect you, your kindness and your courtesy, and most of all, your good sportsmanship, for that is one thing women have yet to learn from men. I feel that with these lovely flow-

ers I have one more thing to add to my remembrance of you,—the roses of friendship. I thank you.

The PRESIDENT: This afternoon the Chair appointed as a member of a Committee of Conference, the Senator from Androscoggin, Senator Holmes, but because of his departure for home he will be unable to act as a conferee. Therefore, the Chair will appoint in his place, the Senator from Waldo, Senator Cooper. This committee on conference is on An Act Relating to the Making of Local Regulations of Fish and Game Sanctuaries, (L. D. 1032) and the conferees on the part of the Senate are now: the Senator from York, Senator Angell; the Senator from Cumberland, Senator Schnurle; the Senator from Waldo, Senator Cooper.

The PRESIDENT: Is there any further business to come before the Senate at this time? If not, the Chair will declare a recess until five-thirty.

AFTER RECESS

The Senate was called to order by the President.

From the House, out of order:

Bill "An Act providing flexibility in the handling of state revenues and expenditures during the period of the present state cash stringency." (S. P. 670) (L. D. 360)

(In the Senate on March 30th passed to be engrossed without reference to a Committee.)

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

In the Senate, that body voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment "B" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

Passed to be Enacted

(Out of Order)

An Act Relating to Bounty on Bears, (H. P. 1027) (L. D. 461).

On motion by Mr. Page of Somerset,

Recessed until seven-thirty this evening.

AFTER RECESS

The Senate was called to order by the President.

Passed to be Enacted

(Out of Order)

An Act relative to increase of the state debt limit (H. P. 1735, L. D. 1043)

An Act to provide for the issue of bonds for emergency relief. (H. P. 1735, L. D. 1044)

Report of Committee

(Out of Order)

The Committee of Conference on Bill "An Act relating to corporation for the protection and development of forests." (S. P. 578, L. D. 871) reported that they are unable to agree.

The report was read and accepted.

The PRESIDENT: The Chair will take this opportunity to advise the Senate of the appointment of members on the Recess Committee relative to the study of Pauper Laws in the State, passed in the Senate on March 15th, the House having passed the order in concurrence on March 21st. The Chair appoints as the two members on the part of the Senate, the Senator from Androscoggin, Senator Holmes and the Senator from Somerset, Senator Winn.

From the House, out of order:

An act relating to malt beverages and to derive revenue from the manufacture and sale thereof. (H. P. 1748, L. D. 1052)

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

In the Senate, on motion by Mr. Weatherbee of Penobscot, the rules were suspended and the bill was considered without reference to a committee; on further motion by the same senator the rules were again suspended and the bill was given its first reading, the rules were again suspended and the bill was given its second reading.

House Amendment "A" was read and adopted in concurrence.

Thereupon, Mr. Weeks of Somerset offered Senate Amendment "A" and moved its adoption:

"Amend Legislative Document 1052 by striking out the last sentence of Section 15, and inserting in

place thereof, the words, 'No license under this act shall be issued to any person, firm or corporation, who within five years prior to his or its application therefor, has been convicted of violating the prohibitory laws of the State of Maine, or of the United States of America.'"

Mr. WEEKS of Somerset: Mr. President, in explanation of this amendment, I might say that the original bill provides that no one shall receive a license if they have been convicted during the five years previous to application, of any violation of laws regarding intoxicating liquors. This simply changes it so that a license shall not be granted if the conviction has been of the Prohibitory law.

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

Sent down for concurrence.

Passed to be Enacted

(Out of Order)

An act to amend the law providing for continuous revision of the statutes. (S. P. 659)

An act relating to the maintenance of the Androscoggin Lake Dam. (H. P. 1738, L. D. 1050)

(On motion by Mr. Viles of Kennebec, tabled and assigned for the end of the calendar.)

Finally Passed

(Out of Order)

Resolve in favor of the Pownal State School for additions and improvements. (S. P. 638, L. D. 1025)

Resolve in favor of the City of Old Town. (H. P. 946)

(On motion by Mr. Weeks of Somerset, tabled and assigned for the end of the calendar.)

Resolve in favor of Elmer Attean, Representative of the Penobscot Tribe of Indians. (H. P. 1749)

Resolve in favor of George L. Stevens, Representative of the Passamaquoddy tribe of Indians. (H. P. 1750)

Resolve in favor of clerks, stenographers, messengers of the several committees of the Eighty-sixth Legislature. (S. P. 674)

An act creating a Commission to investigate the need of legislation relating to the lobster industry. (S. P. 675)

On motion by Mr. Weeks of Somerset, the Senate voted to reconsider its action whereby Resolve in Favor of the City of Old Town, (H. P. 946), was tabled pending final passage, and especially assigned for consideration at the end of the calendar.

Thereupon, on further motion by the same Senator, the Resolve was indefinitely postponed in non-concurrence.

Mr. WEEKS of Somerset: Mr. President, I move to reconsider the vote whereby we have just indefinitely postponed Resolve in favor of the City of Old Town, and I hope that my motions will not prevail.

The PRESIDENT: The Senator from Somerset, Senator Weeks moves to reconsider the action whereby Resolve in favor of the City of Old Town was indefinitely postponed, and hopes his motion will not prevail. As many as are in favor of the motion to reconsider will say "Aye" and those opposed will say "No."

A viva voce vote being had, the motion to reconsider did not prevail.

Sent down for concurrence.

On motion by Mr. Viles of Kennebec, the Senate voted to reconsider its action whereby An Act relating to the Maintenance of the Androscoggin Lake Dam, (H. P. 1738) (L. D. 1050), was tabled pending passage to be enacted, and especially assigned for consideration at the end of the calendar.

Thereupon, on further motion by that Senator, the rules were suspended and the Senate reconsidered its action whereby this bill was passed to be engrossed.

Thereupon, that Senator offered Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to Legislative Document 1050, An Act relating to the Maintenance of the Androscoggin Lake Dam. Amend said bill by striking out in the first section thereof, the words, 'maintenance, upkeep, repairs and operation', and inserting in place thereof the word 'care', and by striking out in the said first section, the words, 'and paid by'. Further amend said bill by striking out in the second section thereof, the words, 'suspended until June 30, 1935', and inserting in place thereof the following words, 'repealed. The sum of one hundred

dollars is hereby appropriated for the purposes of this Act.'"

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

Sent down for concurrence.

Additional papers from the House, out of order, disposed of in concurrence.

From the House, out of order:

Bill "An act to provide for a constitutional convention to pass on the proposed twenty-first Amendment to the Constitution of the United States." (S. P. 661, L. D. 1042)

(In the Senate March 29th passed to be engrossed as amended by Senate Amendment "A".)

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

In the Senate, the rules were suspended and the Senate voted to reconsider its action whereby the bill was passed to be engrossed on March 29th as amended by Senate Amendment "A"; House Amendment "B" was read.

Mr. HOLMAN of Franklin: Mr. President, if I understood those amendments correctly they are to the Convention Bill. As I have listened to them I find that they are harmless but virtuous additions to the bill, and to use an expression of Shakespeare, "they have not cut out any of the fine guts of the bill." The bill is still there.

We had a ruling from the Court which said that we could not have a convention in the nature of a ratification by referendum. It has got to be a deliberative convention. Consequently when the Committee on Federal Relations drew up the bill they drew a bill that would give as near a popular vote as possible. In doing that they made the number of delegates one for each ten thousand of the population so that it would be a fair bill to the whole state at large.

And as I understand those amendments they are simply to the procedure of getting the delegates elected and the manner in which they are to be voted on. The amendments do not affect the merits of the bill and I move that we adopt the

amendments in concurrence with the House.

Thereupon House Amendment B and House Amendment C were read and adopted in concurrence and the bill as amended by House Amendments B and C and by Senate Amendment A, was passed to be engrossed in concurrence.

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

Mr. HOLMAN: Mr. President, I would like to rise just once more on a matter of personal privilege.

The PRESIDENT: The Senator may state his point.

Mr. HOLMAN: I was in this Senate this afternoon, Mr. President, and for from twenty-five to thirty minutes I listened to what I think was the most wonderful eulogy that was ever delivered in this hall of fame. The only thing about it that was different from the ordinary eulogy was that the subject of its was the most alert, active, alive, honest, industrious, educated and intelligent man I have ever known.

Now I have been associated here with you Senators for the past three months and I think you are the most wonderful body of men I ever met. I think we have also had in our midst the most beautiful woman I ever saw. Furthermore, we have had as the Secretary of this Senate a man whom we have heard of in times past and I believe that he is the most accurate, alert, industrious and courteous officer that any body of this legislature ever had.

Two years ago when the legislature adjourned we understood that Roy and his good wife were going to travel. So the members of the Senate gave him a grip, a traveling bag, and the contents. After the legislature was over we looked in the papers to see what foreign trip he was taking and where he was traveling. We looked and studied but we could see nothing in the papers about his taking any trip so we got in touch with Royden and we found that he lived in Bingham, Maine, and that the limits of his travels were from Bingham to Embden Pond. We also learned that out at Embden Pond he had a beautiful cottage with a wonderful fireplace, that he was a home-loving man. And so this year, instead of giving him something that he could use

in his travels, we thought we would present him with a little gift which he and his good wife might enjoy after this legislature is over and they sit in front of their fireplace in that beautiful cottage of theirs.

And it is a pleasure to me to present to him this bread dish and the contents thereof, and we hope that he and his family will have a great deal of pleasure and many pleasant memories in using it.

The SECRETARY: This reminds me of Christmas. Senator Holman, Mr. President and members of the Senate, I wish to thank you all, particularly and especially, for the gift. Not because of its intrinsic value but because of the sentiment which prompted it. There is one thing, however, that I regret; that I haven't an umbrella to present to the Senator from Franklin, Senator Holman, for that proverbial "rainy day."

I feel very much pleased and flattered by this expression of your regard and I feel also that I should say that if I have served you with any degree of satisfaction to you, it has been largely due to the co-operation given by the office force and the employees of the Senate.

I will not take your time to make a fulsome speech but I will say that I feel that this is the greatest Senate, if not the most beautiful, that has ever been gathered together.

Mr. SCHNURLE of Cumberland: Mr. President, I have been accorded what to my mind seems to be a very high honor: Especially since I am one of the youngest members of this Senate, both in years and experience.

Would that I had the God-given eloquence of the Senator from Androscoggin, or the amiable Senator from Kennebec, or our distinguished floor leader from Franklin. But alas! Such is not the case. However, in my humble but nevertheless sincere manner, I shall endeavor to perform the solemn obligation which has been imposed upon me.

With no intention of detracting from the honor and glory which has been showered upon our dear and beloved President, there is, however, another Servant of this Senate, (and I use this word Servant in a strictly limited sense,) who at this time is entitled to marked recognition for his meritorious service. A man who is a veritable mountain

of knowledge, when sober, a man whose breadth of vision is only exceeded by his girth, a man who has unlimited capacity (for food), a man whose desire to serve the Senate is only exceeded by his enormous desire to serve himself. A man whose liberties with the English language is only exceeded by his knowledge of the profane, a monument to senatorial dignity. Did I say monument? I meant tomb-stone. A true exponent of liberal arts. Did I say arts? I meant Parts. One whose mental capacity is only exceeded by his abdominal capacity, a man who in his search for cuisine satisfaction has seen fit to consort daily with men of foreign nations, namely the Greeks.

It has been my privilege and I dare say the privilege of other members of this Senate whose funds have been depleted to such an extent that they can no longer afford to eat at the Augusta House, to be frequently forced into intimate association with this august personage of whom I am speaking, this man whose demand for bread has kept the bakers of Augusta from insolvency and thereby preserved the credit of the industry, but who has completely ruined the credit of the Hon. Nicodemus Condos, whose restaurant he patronizes.

In view of these extenuating circumstances as set forth in this infamous document, it has been deemed advisable by the members of this Honorable Senate that there be, and hereby is, forthwith, presented to the Honorable Royden Valentine Brown a bread service, that he may now and forever more be so equipped that he may receive all the bread and in such quantities as he may desire, together with such quantities of three point two (3.2) non-intoxicating malt beverages as he may be able to absorb and is approved by the Honorable Artemus Weatherbee.

And now, Brother Senators, as the mother skunk said to her little ones, let us spray.

On motion by Mr. Weeks of Somerset,

Recessed until the sound of the gavel.

AFTER RECESS

The Senate was called to order by the President.

Passed to be Enacted

(Out of Order)

An act to provide for old age pensions. (H. P. 1698, L. D. 1020)

Finally Passed

(Out of Order)

Resolve on the payroll of the Senate of the Eighty-sixth Legislature. (S. P. 672)

(Emergency Measure)

(Out of Order)

An act providing flexibility in the handling of state revenues and expenditures during the period of the present state cash stringency. (S. P. 670)

Which bill being an emergency measure and having received an affirmative vote of 29 members of the Senate was passed to be enacted.

From the House, out of order:

Bill "An Act relating to malt beverages and to derive revenue from the manufacture and sale thereof." (S. P. 1748, L. D. 1052)

In the Senate on March 31 passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" in non-concurrence.

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

In the Senate, that body voted to reconsider its former action whereby the bill was passed to be engrossed as amended by House Amendment A and Senate Amendment A; and to further reconsider its former action whereby Senate Amendment A was adopted.

Senate Amendment A was then indefinitely postponed in concurrence.

Thereupon, House Amendment B was read and adopted, and the bill as amended by House Amendments A and B was passed to be engrossed in concurrence.

From the House, out of order:

Resolve in favor of the city of Old Town. (H. P. 946)

(In the Senate March 31 voted to indefinitely postpone the resolve, in non-concurrence.)

In the House that body having voted to insist on its former action whereby the resolve was passed to be engrossed and asking for a Com-

mittee of Conference, the Speaker having appointed as such members on the part of the House:

Messrs. Hickey of Old Town, Smith of Orono, Bussey of Dixmont.

In the Senate, on motion by Mr. Weeks of Somerset, the Senate voted to adhere to its former action whereby the resolve was indefinitely postponed.

Order

(Out of Order)

On motion by Mr. Weeks of Somerset it was

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

Mr. Weeks from the Joint Standing Committee on Judiciary, in behalf of that committee submitted its final report.

The report was accepted and placed on file.

Mr. Viles from the Committee on Appropriations and Financial Affairs on "An Act to appropriate moneys for the expenditures of state government and for other purposes for the fiscal years ending June 30, 1934 and June 30, 1935" (S. P. 135, L. D. 136) reported the same in a new draft (S. P. 676) under the same title and that it ought to pass.

Thereupon the report was accepted, the rules were suspended and the bill given its first reading without printing; the rules were again suspended and the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

Additional papers from the House, out of order, disposed of in concurrence.

From the House, out of order:

The Committee on Ways and Bridges on the following resolves:

"Resolve in favor of the town of Addison." (H. P. 404)

"Resolve in favor of the town of Albion." (H. P. 179)

"Resolve in favor of the town of Alexander." (H. P. 324)

"Resolve in favor of the town of Alfred." (H. P. 415)

"Resolve in favor of the town of Alna." (H. P. 272)

"Resolve in favor of the town of Andover." (H. P. 685)

"Resolve in favor of the town of Anson." (H. P. 277)

"Resolve in favor of the town of Appleton." (H. P. 265)

"Resolve in favor of the town of Arrowsic." (H. P. 244)

"Resolve in favor of the town of Ashland." (H. P. 515)

"Resolve in favor of the town of Atkinson." (H. P. 976)

"Resolve in favor of the town of Athens." (H. P. 325)

"Resolve in favor of the town of Avon." (S. P. 136)

"Resolve in favor of the town of Baldwin." (H. P. 973)

"Resolve in favor of the town of Bancroft." (H. P. 249)

"Resolve in favor of the town of Bar Harbor." (H. P. 485)

"Resolve in favor of the town of Bath." (H. P. 315)

"Resolve in favor of the town of Belfast." (H. P. 322)

"Resolve in favor of the town of Belmont." (H. P. 981)

"Resolve in favor of the town of Benton." (H. P. 180)

"Resolve in favor of the town of Berwick." (H. P. 457)

"Resolve in favor of the town of Bethel." (H. P. 999)

"Resolve in favor of the City of Biddeford." (H. P. 952)

"Resolve in favor of the town of Bingham." (H. P. 289)

"Resolve in favor of Birch Point Village Corp." (S. P. 245)

"Resolve in favor of the town of Blaine." (H. P. 138)

"Resolve in favor of the town of Blue Hill." (H. P. 306)

"Resolve in favor of the town of Boothbay." (H. P. 329)

"Resolve in favor of the town of Boothbay." (H. P. 330)

"Resolve in favor of the town of Bowdoin." (H. P. 481)

"Resolve in favor of the town of Bowdoinham." (H. P. 478)

"Resolve in favor of the town of Bradford." (H. P. 108)

"Resolve in favor of the town of Bradford." (H. P. 109)

"Resolve in favor of the City of Brewer." (H. P. 320)

"Resolve in favor of the town of Bremen." (H. P. 476)

"Resolve in favor of the town of Bridgewater." (H. P. 232)

- "Resolve in favor of the town of Brooks." (H. P. 297)
 "Resolve in favor of the town of Brooksville." (H. P. 134)
 "Resolve in favor of the town of Brownfield." (H. P. 287)
 "Resolve in favor of the town of Brownville." (H. P. 974)
 "Resolve in favor of the town of Burnham." (H. P. 296)
 "Resolve in favor of the town of Buxton." (H. P. 965)
 "Resolve in favor of the town of Byron." (H. P. 984)
 "Resolve in favor of the town of Calais." (H. P. 521)
 "Resolve in favor of the town of Cambridge." (H. P. 173)
 "Resolve in favor of the town of Camden." (H. P. 264)
 "Resolve in favor of the town of Canaan." (H. P. 326)
 "Resolve in favor of the town of Canaan." (H. P. 327)
 "Resolve in favor of the town of Canton." (H. P. 446)
 "Resolve in favor of the town of Caribou." (S. P. 242)
 "Resolve in favor of the town of Carroll." (H. P. 526)
 "Resolve in favor of the towns of Casco and Raymond." (H. P. 185)
 "Resolve in favor of the town of Chapman." (H. P. 139)
 "Resolve in favor of the town of Charlotte." (H. P. 255)
 "Resolve in favor of the town of Cherryfield." (H. P. 246)
 "Resolve in favor of the town of Chesterville." (H. P. 307)
 "Resolve in favor of the plantation of Chesuncook." (H. P. 484)
 "Resolve in favor of the town of China." (H. P. 412)
 "Resolve in favor of the town of Clinton." (H. P. 178)
 "Resolve in favor of Codyville Plantation." (H. P. 456)
 "Resolve in favor of the town of Concord." (H. P. 278)
 "Resolve in favor of the town of Cooper." (H. P. 184)
 "Resolve in favor of the town of Cornish." (H. P. 997)
 "Resolve in favor of the town of Cornville." (H. P. 422)
 "Resolve in favor of the town of Cranberry Island." (H. P. 1002)
 "Resolve in favor of the town of Crystal." (H. P. 308)
 "Resolve in favor of the town of Cushing." (H. P. 240)
 "Resolve in favor of Dallas Plantation." (H. P. 338)
 "Resolve in favor of the town of Danforth." (H. P. 454)
 "Resolve in favor of the town of Detroit." (H. P. 955)
 "Resolve in favor of the town of Dexter." (H. P. 498)
 "Resolve in favor of the town of Dixmont." (H. P. 400)
 "Resolve in favor of the town of Dover-Foxcroft." (H. P. 170)
 "Resolve in favor of the town of Dresden." (S. P. 130)
 "Resolve in favor of the town of Durham." (H. P. 252)
 "Resolve in favor of the town of Eagle Lake." (H. P. 334)
 "Resolve in favor of the town of East Machias." (H. P. 309)
 "Resolve in favor of the town of Easton." (H. P. 303)
 "Resolve in favor of the town of Eddington." (H. P. 242)
 "Resolve in favor of the town of Edgecomb." (H. P. 59)
 "Resolve in favor of the town of Edgecomb." (H. P. 60)
 "Resolve in favor of the town of Edmunds." (H. P. 283)
 "Resolve in favor of the town of Embden." (H. P. 425)
 "Resolve in favor of the town of Exeter." (H. P. 248)
 "Resolve in favor of the town of Fairfield." (S. P. 138)
 "Resolve in favor of the town of Fairfield." (H. P. 453)
 "Resolve in favor of the town of Farmingdale." (H. P. 994)
 "Resolve in favor of the town of Fayette." (H. P. 236)
 "Resolve in favor of the town of Fort Fairfield." (H. P. 82)
 "Resolve in favor of the town of Frankfort." (H. P. 470)
 "Resolve in favor of the town of Franklin." (S. P. 127)
 "Resolve in favor of the town of Freedom." (H. P. 177)
 "Resolve in favor of the town of Freeman." (H. P. 345)
 "Resolve in favor of the town of Freeport." (H. P. 237)
 "Resolve in favor of the town of Fryeburg." (H. P. 286)
 "Resolve in favor of the town of Garland." (H. P. 294)
 "Resolve in favor of the town of Gilead." (H. P. 284)
 "Resolve in favor of the town of Glenburn." (H. P. 492)
 "Resolve in favor of the town of Gorham." (H. P. 487)
 "Resolve in favor of the town of Gray." (H. P. 683)

- "Resolve in favor of the town of Gray." (S. P. 249)
- "Resolve in favor of the town of Greene." (H. P. 337)
- "Resolve in favor of the town of Greenfield." (H. P. 684)
- "Resolve in favor of the town of Greenville." (H. P. 294)
- "Resolve in favor of the town of Greenwood." (H. P. 1001)
- "Resolve in favor of the City of Hallowell." (H. P. 182)
- "Resolve in favor of Hamlin Plantation." (H. P. 410)
- "Resolve in favor of the town of Hancock." (H. P. 674)
- "Resolve in favor of the town of Hanover." (S. P. 133)
- "Resolve in favor of the town of Harmony." (H. P. 328)
- "Resolve in favor of the town of Harrison." (H. P. 971)
- "Resolve in favor of the town of Harrington." (H. P. 304)
- "Resolve in favor of the town of Hartford." (H. P. 445)
- "Resolve in favor of the town of Hartland." (H. P. 172)
- "Resolve in favor of the town of Hebron." (H. P. 311)
- "Resolve in favor of the town of Hermon." (H. P. 136)
- "Resolve in favor of the town of Hermon." (H. P. 490)
- "Resolve in favor of the town of Hermon." (H. P. 491)
- "Resolve in favor of Highland Plantation." (H. P. 303)
- "Resolve in favor of the town of Holden." (H. P. 963)
- "Resolve in favor of the town of Hope." (H. P. 263)
- "Resolve in favor of the town of Hudson." (H. P. 401)
- "Resolve in favor of the town of Houlton." (H. P. 40)
- "Resolve in favor of the town of Industry." (H. P. 260)
- "Resolve in favor of the town of Jackson." (H. P. 298)
- "Resolve in favor of Jackman Plantation." (H. P. 291)
- "Resolve in favor of the town of Jefferson." (H. P. 263)
- "Resolve in favor of the town of Jefferson." (H. P. 269)
- "Resolve in favor of the town of Jonesboro." (H. P. 448)
- "Resolve in favor of the town of Kennebunk." (S. P. 247)
- "Resolve in favor of the town of Kennebunk." (S. P. 248)
- "Resolve in favor of the town of Kennebunkport." (H. P. 420)
- "Resolve in favor of the town of Kittery." (H. P. 949)
- "Resolve in favor of the town of Knox." (H. P. 273)
- "Resolve in favor of the town of Lagrange." (H. P. 499)
- "Resolve in favor of the town of Lagrange." (H. P. 141)
- "Resolve in favor of Lake View Plantation." (S. P. 117)
- "Resolve in favor of the town of Lamoine." (H. P. 957)
- "Resolve in favor of the town of Lebanon." (H. P. 317)
- "Resolve in favor of the town of Leeds." (H. P. 353)
- "Resolve in favor of the town of Levant." (H. P. 447)
- "Resolve in favor of the town of Liberty." (H. P. 175)
- "Resolve in favor of the town of Limestone." (H. P. 411)
- "Resolve in favor of the town of Limington." (H. P. 408)
- "Resolve in favor of the town of Lincolnville." (H. P. 982)
- "Resolve in favor of the town of Linneus." (H. P. 460)
- "Resolve in favor of the town of Litchfield." (H. P. 421)
- "Resolve in favor of the town of Livermore." (H. P. 418)
- "Resolve in favor of Long Island Plantation." (H. P. 20)
- "Resolve in favor of Lubec." (H. P. 233)
- "Resolve in favor of the town of Ludlow." (H. P. 519)
- "Resolve in favor of the town of Lyman." (H. P. 964)
- "Resolve in favor of the town of Machiasport." (H. P. 449)
- "Resolve in favor of the town of Madison." (H. P. 947)
- "Resolve in favor of the town of Manchester." (H. P. 419)
- "Resolve in favor of the town of Mariaville." (H. P. 279)
- "Resolve in favor of the town of Marion." (H. P. 678)
- "Resolve in favor of Masardis." (H. P. 677)
- "Resolve in favor of Mechanic Falls." (H. P. 496)
- "Resolve in favor of the town of Morrill." (H. P. 302)
- "Resolve in favor of the town of Mexico." (H. P. 414)
- "Resolve in favor of the town of Milbridge." (H. P. 245)
- "Resolve in favor of the town of Milbridge." (H. P. 513)
- "Resolve in favor of the town of Milford." (H. P. 527)

"Resolve in favor of the town of Milo." (S. P. 118)

"Resolve in favor of the town of Minot." (H. P. 495)

"Resolve in favor of the town of Monmouth." (H. P. 230)

"Resolve in favor of the town of Monroe." (S. P. 119)

"Resolve in favor of the town of Monson." (H. P. 483)

"Resolve in favor of the town of Montville." (S. P. 131)

"Resolve in favor of the town of Morrill." (H. P. 292)

"Resolve in favor of the town of Mount Vernon." (H. P. 959)

"Resolve in favor of the town of Naples." (H. P. 488)

"Resolve in favor of the town of Newburgh." (H. P. 402)

"Resolve in favor of the town of Newcastle." (H. P. 270)

"Resolve in favor of the town of Newport." (H. P. 247)

"Resolve in favor of the town of New Portland." (H. P. 288)

"Resolve in favor of the town of New Sharon." (H. P. 105)

"Resolve in favor of the town of New Sweden." (H. P. 275)

"Resolve in favor of the town of New Vineyard." (H. P. 216)

"Resolve in favor of the town of Norridgewock." (H. P. 450)

"Resolve in favor of the town of North Berwick." (H. P. 318)

"Resolve in favor of the town of North Haven." (H. P. 280)

"Resolve in favor of the town of Northport." (H. P. 176)

"Resolve in favor of the town of North Yarmouth." (H. P. 405)

"Resolve in favor of the town of Oakfield." (H. P. 518)

"Resolve in favor of the town of Orient." (H. P. 459)

"Resolve in favor of the town of Orrington." (H. P. 243)

"Resolve in favor of the town of Orland." (H. P. 58)

"Resolve in favor of the town of Otis." (H. P. 967)

"Resolve in favor of the town of Otisfield." (H. P. 972)

"Resolve in favor of the town of Owls Head." (H. P. 241)

"Resolve in favor of the town of Palermo." (H. P. 983)

"Resolve in favor of the town of Palmyra." (H. P. 423)

"Resolve in favor of the town of Patten." (H. P. 233)

"Resolve in favor of the town of Pembroke." (H. P. 256)

"Resolve in favor of the town of Parkman." (S. P. 243)

"Resolve in favor of the town of Penobscot." (H. P. 57)

"Resolve in favor of Perkins Plantation." (H. P. 262)

"Resolve in favor of the town of Perry." (H. P. 992)

"Resolve in favor of the town of Phippsburg." (H. P. 316)

"Resolve in favor of the town of Pittsfield." (H. P. 183)

"Resolve in favor of the town of Pittsfield." (H. P. 81)

"Resolve in favor of the town of Pittston." (H. P. 61)

"Resolve in favor of the town of Pittston." (H. P. 62)

"Resolve in favor of the town of Plymouth." (H. P. 403)

"Resolve in favor of the town of Poland." (H. P. 486)

"Resolve in favor of the town of Presque Isle." (H. P. 444)

"Resolve in favor of the town of Princeton." (H. P. 455)

"Resolve in favor of the town of Prospect." (H. P. 471)

"Resolve in favor of the town of Randolph." (H. P. 474)

"Resolve in favor of the town of Raymond." (S. P. 101)

"Resolve in favor of the town of Raymond." (H. P. 678)

"Resolve in favor of Reed Plantation." (H. P. 970)

"Resolve in favor of the town of Richmond." (H. P. 480)

"Resolve in favor of the town of Ripley." (H. P. 305)

"Resolve in favor of the town of Rockport." (H. P. 524)

"Resolve in favor of the town of Roxbury." (H. P. 985)

"Resolve in favor of the City of Saco." (H. P. 968)

"Resolve in favor of the City of Saco." (H. P. 969)

"Resolve in favor of the town of Salem." (H. P. 342)

"Resolve in favor of Sandy River Township." (H. P. 501)

"Resolve in favor of the town of Sangerville." (H. P. 171)

"Resolve in favor of the town of Scarboro." (H. P. 966)

"Resolve in favor of the town of Seasmont." (S. P. 129)

"Resolve in favor of the town of Searsport." (H. P. 467)

"Resolve in favor of the town of Sebec." (H. P. 978)

"Resolve in favor of the town of Sedgwick." (H. P. 133)

"Resolve in favor of the town of Sherman." (H. P. 407)

"Resolve in favor of the towns of Sidney, Oakland and Belgrade." (H. P. 238)

"Resolve in favor of the town of Skowhegan." (H. P. 948)

"Resolve in favor of the town of Skowhegan." (H. P. 323)

"Resolve in favor of the town of Skowhegan." (H. P. 132)

"Resolve in favor of the town of Somerville." (H. P. 271)

"Resolve in favor of the town of South Berwick." (H. P. 458)

"Resolve in favor of the town of Southport." (H. P. 493)

"Resolve in favor of the city of South Portland." (H. P. 340)

"Resolve in favor of the town of South Thomaston." (H. P. 239)

"Resolve in favor of the town of Southwest Harbor." (S. P. 74)

"Resolve in favor of Staceyville Plantation." (H. P. 234)

"Resolve in favor of the town of Starks." (H. P. 462)

"Resolve in favor of the town of St. Albans." (H. P. 174)

"Resolve in favor of the town of St. Francis." (H. P. 977)

"Resolve in favor of the town of Stetson." (H. P. 975)

"Resolve in favor of the town of Stockton Springs." (H. P. 472)

"Resolve in favor of the town of Sumner." (H. P. 312)

"Resolve in favor of the town of Surry." (H. P. 494)

"Resolve in favor of the town of Swanville." (S. P. 121)

"Resolve in favor of the town of Temple." (H. P. 106)

"Resolve in favor of the town of Thorndike." (H. P. 299)

"Resolve in favor of the town of Topsham." (H. P. 980)

"Resolve in favor of Township 30, Washington County." (H. P. 954)

"Resolve in favor of Township 31, Washington County." (H. P. 953)

"Resolve in favor of the town of Tremont." (H. P. 958)

"Resolve in favor of the town of Trescott." (H. P. 282)

"Resolve in favor of the town of Troy." (H. P. 300)

"Resolve in favor of the town of Turner." (H. P. 181)

"Resolve in favor of Township 1 and others, Piscataquis County." (H. P. 313)

"Resolve in favor of the town of Union." (H. P. 960)

"Resolve in favor of the town of Unity." (H. P. 301)

"Resolve in favor of the town of Van Buren." (H. P. 497)

"Resolve in favor of the town of Vinalhaven." (H. P. 281)

"Resolve in favor of the town of Waldo." (S. P. 120)

"Resolve in favor of the town of Waldoboro." (S. P. 124)

"Resolve in favor of the town of Waldoboro." (S. P. 123)

"Resolve in favor of the town of Wales." (H. P. 310)

"Resolve in favor of Wallagrass Plantation." (H. P. 335)

"Resolve in favor of Wallagrass Plantation." (H. P. 336)

"Resolve in favor of the town of Warren." (H. P. 222)

"Resolve in favor of the town of Washburn." (S. P. 132)

"Resolve in favor of the town of Washington." (H. P. 944)

"Resolve in favor of the town of Waterboro." (H. P. 995)

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

"Resolve in favor of the town of Wayne." (H. P. 413)

"Resolve in favor of the town of Webster." (H. P. 251)

"Resolve in favor of the town of Wells." (H. P. 319)

"Resolve in favor of the town of West Bath." (S. P. 246)

"Resolve in favor of the City of Westbrook." (H. P. 339)

"Resolve in favor of the town of West Gardiner." (H. P. 996)

"Resolve in favor of the town of Westport." (H. P. 273)

"Resolve in favor of the town of Whitefield." (H. P. 266)

"Resolve in favor of the town of Whitefield." (H. P. 267)

"Resolve in favor of the town of Wilson's Mills." (H. P. 477)

"Resolve in favor of the town of Winterport." (H. P. 468)

"Resolve in favor of the town of Winthrop." (H. P. 1003)

"Resolve in favor of the town of Winslow." (H. P. 1000)

"Resolve in favor of the town of Woodland." (H. P. 276)

"Resolve in favor of the town of Woodstock." (H. P. 135)

"Resolve in favor of the town of Woolwich." (H. P. 409)

"Resolve in favor of the town of Yarmouth." (H. P. 962)

"Resolve in favor of the town of York." (H. P. 416)

reported the same in a new draft

under the title "Resolve for construction maintenance and repairs of roads, bridges and ferries" (H. P. 1744) and that it ought to pass.

In the House, report read and accepted and under suspension of the rules the resolve was given its two several readings and passed to be engrossed.

In the Senate, the report of the committee was accepted and under suspension of the rules the resolve was given its two several readings and passed to be engrossed in concurrence.

From the House, out of order:

Bill "An Act for the assessment of a state tax for the year nineteen hundred thirty-three. (1751)

Came from the House passed to be engrossed without reference to a Committee.

In the Senate, the rules were suspended and the bill was considered without reference to a committee and given its first reading without printing; the rules were again suspended and the bill was given its second reading and passed to be engrossed in concurrence.

From the House, out of order:

Bill "An Act for the assessment of a state tax for the year nineteen hundred thirty-four.

Came from the House passed to be engrossed without reference to a Committee. (H. P. 1752)

In the Senate, the rules were suspended and the bill was considered without reference to a committee and given its first reading without printing; the rules were again suspended and the bill was given its second reading and passed to be engrossed in concurrence.

Passed to be Enacted

(Out of Order)

An act reducing the compensation of state officials and employees (S. P. 576, L. D. 866)

Orders

(Out of Order)

On motion by Mr. Jackson of Sagadahoc, it was

ORDERED that the State Librarian be directed to forward bound copies of the Legislative Record to members and officers of the Senate at their home addresses.

On motion by Mr. Kitchen of Aroostook, it was

ORDERED, that the State Librarian be directed to forward to the officers and members of the Senate at their home addresses all that part of the Legislative Record not yet distributed.

Reports of Committees

(Out of Order)

The Committee on Appropriations and Financial Affairs presented its final report.

The Committee on Counties presented its final report.

The Committee on Federal Relations presented its final report.

The Committee on Ways and Bridges presented its final report.

Which reports were read and accepted.

Sent down for concurrence.

(Emergency Measure)

(Out of Order)

"Resolve for the construction, maintenance and repair of roads, bridges and ferries" (H. P. 1744)

Which resolve being an emergency measure and having received an affirmative vote of 25 members of the Senate was finally passed in concurrence and having been signed by the President was by the Secretary presented to the Governor for his approval.

(Emergency Measure)

(Out of Order)

Bill "An Act for the assessment of a State Tax for the year 1933." (H. P. 1751)

Which bill being an emergency measure and having received an affirmative vote of 25 members of the Senate was passed to be enacted in concurrence and having been signed by the President was by the Secretary presented to the Governor for his approval.

Passed to be Enacted

(Out of Order)

An act for the assessment of a State Tax for the year 1934. (H. P. 1752)

An act relating to the maintenance of the Androscoggin Lake Dam (H. P. 1738, L. D. 1050)

An act to appropriate moneys for the expenditures of state government and for other purposes for the

fiscal years ending June 30, 1934 and June 30, 1935. (S. P. 676)

Order

(Out of Order)

On motion by Mr. Viles of Kennebec, it was

ORDERED, that the desk and chair in the office of the President of the Senate be presented to the President of the Senate and delivered to his home address.

From the House, out of order: "Resolve proposing an amendment to the Constitution raising the state debt limit." (H. P. 851, L. D. 262)

(In the Senate March 20th passed to be engrossed.)

In the House indefinitely postponed in non-concurrence.

In the Senate, that body voted to recede and concur in the indefinite postponement of the bill.

At this point Mr. Holman of Franklin assumed the Chair and the President retired to the floor of the Senate.

Passed to be Enacted

(Out of Order)

An act relating to malt beverages and to derive revenue from the manufacture and sale thereof (H. P. 1748, L. D. 1062)

Mr. MURCHIE of Washington: Mr. President, I am going to speak for but a few minutes and for a variety of reasons; first, because it is after twelve-thirty, and secondly because our good friend the Senator from Androscoggin (Senator Holmes) is at home sick and I feel that I should be paired with him on this measure for which I would not vote if I were on the floor of the Senate, and finally because I recall very distinctly the words of that distinguished Senator who said once before this year that no vote was ever changed by anything said here. I take the floor only that I may definitely make known to the Senate the reason why if voting from the floor I could not vote for this bill.

I have been very definitely on record, I think, as believing that Federal prohibition should be abandoned and that the abandonment should be ratified by the people of the state of Maine. I think I have been equally on record that as long

as Maine's present law is designed to enforce the Federal prohibition law it should be brought down to the point where it will do no more than enforce the Maine law. For that reason I would gladly have voted yesterday or the day before for the bill to change Maine's liquor law by getting rid of the artificial rule of one-half of one per cent and the ban on transportation.

This bill, however, which is now before the Senate is nothing, in my opinion, except a bill to regulate traffic in intoxicating liquors. Anyone who will read the bill—and the hour is late and I will not call attention to specific sections—will find that it purports to be a bill licensing the sale of intoxicating liquor, that the only definition contained in it is a definition that brings within its scope only those beverages containing more than a minimum percentage of alcohol and after declaring that it is non-intoxicating it sets up all the machinery that has always been in force in every state for the control of beverages that in fact are intoxicating.

In my opinion—and this is a good day for the passage of such a bill—it will accomplish nothing in the State of Maine because the only beer that is going to be available is the Federal beer of 3.2 per cent of alcohol by weight or 4 per cent to 4 1-2 per cent by volume, a beverage that of course is intoxicating as the Federal government has recognized in its Section 7, and as we recognize in this bill when we surround it with all the safeguards that we would impose if we were deliberately liberalizing the sale of intoxicating liquors.

For the purpose, Mr. President, of making my remarks in point and in order, and in full recognition of the fact that the motion will fail, regretful recognition of that fact, I move the indefinite postponement of this bill in non-concurrence.

The **PRESIDENT** pro tem: The question is on the motion of the Senator from Washington, Senator Murchie, that the bill be indefinitely postponed.

A viva voce vote being had

The motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be enacted.

Thereupon, the President resumed

the Chair, Mr. Holman retiring amidst the applause of the Senate.

Passed to be Enacted

(Out of Order)

An act to provide for a constitutional Convention to pass on the proposed twenty-first amendment to the Constitution of the United States (S. P. 661, L. D. 1043)

A division of the Senate was had. Twenty-five having voted in the affirmative and none opposed the bill was unanimously passed to be enacted.

On motion by Mr. Blaisdell of Hancock it was

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

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

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

On motion by Mr. Weeks of Somerset, it was

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them, and are now ready to receive any communication which he may be pleased to make. (S. P. 677)

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

Messrs. Weeks of Somerset, Kitch-

en of Aroostook, Winn of Androscoggin.

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

Messrs. Scates of Westbrook, Farris of Augusta, Laughlin of Portland, Thompson of Belfast, Valley of Sanford.

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

Subsequently the Secretary of State, the Honorable Robinson C. Tobey, came in and laid before the Senate this following communication:

"March 31, 1933

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

I herewith transmit a list of the acts and resolves passed by the present session of the Legislature. I have approved a total of 351 Acts and 215 Resolves.

I know of nothing further to engage your attention. May my best and sincerest wishes attend your journeys home.

Respectfully submitted,
LOUIS J BRANN."

Which was read and ordered placed on file.

Sent down for concurrence.

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

On motion by Mr. McDonald of Washington, at 1.14 o'clock on Saturday morning, April 1st, 1933, Harold H. Murchie, President, declared the Senate of the Eighty-sixth Legislature adjourned without day.