

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, March 21, 1935

Senate called to order by the President.

Prayer by the Rev. A. T. McWhorter of Augusta.

Journal of yesterday, read and approved.

From the House:

Bill "An Act to Provide for Annual Audits in Cities, Towns, Plantations and Village Corporations." (S. P. 457) (L. D. 653)

In Senate on March 13th passed to be engrossed.

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Cowan of Lincoln, the bill was laid upon the table pending consideration.

From the House:

Bill "An Act Relating to Local Option Provisions." (H. P. 1364) (L. D. 593)

In Senate on March 15th Senate Amendment "A" adopted, read twice, under suspension of the rules, and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, that body having voted to insist on its former action, whereby the bill was passed to be engrossed.

In the Senate, on motion by Mr. Burkett of Cumberland, the rules were suspended and that Body voted to reconsider its former action whereby the bill was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence. Thereupon, under suspension of the rules the Senate voted to reconsider its action, whereby Senate Amendment "A" was adopted; and Senate Amendment "A" was indefinitely postponed. Thereupon, the bill was passed to be engrossed, in concurrence.

From the House:

Bill "An Act Relative to the Salaries of State Officials and Employees." (H. P. 1353) (L. D. 507)

Committee on Salaries and Fees reported that the same ought not to pass.

In House, on March 14th recommended to the Committee on Salaries and Fees.

In Senate, on March 15th re-

ported of Committee "Ought not to Pass" read and accepted in non-concurrence.

In the House, that body having insisted on its former action, and asking for a Committee of Conference and the Speaker having appointed as members of such a committee:

Messrs. Sewall of Bath
Flanders of Auburn
Thompson of Belfast

In the Senate, on motion by Mr. Fernald of Waldo, that Body voted to adhere to its former action whereby the report of the Committee "Ought Not to Pass" was accepted in non-concurrence.

From the House:

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Bucksport School District." (H. P. 304) (L. D. 74) reported that the same ought to pass.

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

In the Senate, House Amendment "A" was read. The report of the committee was read and accepted in concurrence and the bill was given its second reading, under Amendment "A" was adopted in concurrence. Thereupon the bill was given its second reading, under suspension of the rules and passed to be engrossed as amended by House Amendment "A" in concurrence.

Papers from the House, disposed of in concurrence.

House Bills in First Reading

(Under suspension of the rules the following bills and resolves were given their second reading and passed to be engrossed in concurrence.)

"Resolve in Favor of the Estate of E'la M. Bagley," (H. P. 975) (L. D. 750)

"Resolve in Favor of Lang Plantation," (H. P. 1745) (L. D. 771)

"Resolve in Favor of Norris Wescott of Prospect," (H. P. 1744) (L. D. 770)

"Resolve Relating to Fishing in North Pond," (H. P. 1749) (L. D. 775)

"Resolve Relative to Smelt Fishing in China Lake," (H. P. 1748) (L. D. 774)

"Resolve Relative to Closing

Armstrong Brook and Tributaries to Said Brook to all Fishing," (H. P. 1747) (L. D. 773)

"Resolve Relating to the Dipping of Smelts in Mousam Lake in the Towns of Acton and Shapleigh," (H. P. 1746) (L. D. 772)

"An Act Relating to Delinquency in Payment of Insurance Assessments," (H. P. 1752) (L. D. 769)

From the House:

The majority of the Committee on "Resolve Proposing an Amendment to the Constitution Changing the Legislature to a One-body System," (H. P. 1327) (L. D. 580) reported that the same ought not to pass.

(Signed) Burkett of Cumberland
Burns of Aroostook
Willey of Falmouth
Hill of South Portland
Weatherbee of Lincoln
Gray of Presque Isle
Philbrick of Cape Elizabeth
Vaughan of South Berwick
Jacobson of Portland

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

(Signed) Fernald of Waldo

In the House, resolve and both reports indefinitely postponed.

In the Senate, on motion by Mr. Fernald of Waldo, the resolve and both reports were laid upon the table pending acceptance of either report.

The majority of the Committee on Legal Affairs on Bill "An Act to Permit Sunday Movies," (H. P. 841) (L. D. 243) reported that the same ought not to pass.

(Signed) Blaisdell of Hancock
Martin of Penobscot
Pinansky of Cumberland
Chase of Sebec
Chase of Baring
Higgins of Ellsworth
Davis of Fairfield
Burnham of Kittery

The minority of the same Committee on the same subject reported that the same "Ought to Pass."

(Signed) Donahue of Biddeford
Sawyer of Brunswick

In the House, the majority report "Ought not to Pass" accepted.

In the Senate, on motion by Mr. Cowan of Lincoln, the bill and both reports were laid on the table pending acceptance of either report.

The following remonstrance was received and on motion by Miss Martin of Penobscot was referred to the following committee:

Taxation

Mr. Blanchard of Franklin presented "Remonstrance of Herman L. Whitten of Farmington and 102 others against any sales tax." (S. P. 645)

The following remonstrance was received and on recommendation by the committee on reference of bills was referred to the following committee:

Legal Affairs

Mr. Haskell of Androscoggin presented "Remonstrance of the Rev. A. A. Cambridge of East Auburn and 38 others against passage of State Lottery and Pari-Mutuel Gambling Bills." (S. P. 646)

Sent down for concurrence.

Orders

Mr. Ashby of Aroostook presented the following order and moved its passage:

Ordered, the House concurring, that the Secretary of the Senate be directed to return to the Senate, from the files of the Senate, (S. P. 251) (L. D. 210) "An Act Relating to Licenses for Retail Stores."

Mr. BLAISDELL of Hancock: Mr. President, this is apparently a joint order for the purpose of bringing back this bill which has been fully discussed here in the Senate and defeated, fully discussed in the House and defeated, and would simply bring it back for the purpose of creating further delay on the part of both branches of the Legislature. It seems to me that it is time that we got down to business and accomplished something in this matter. It is getting very late in the session and we cannot put up with constant withdrawals and commitments. There has got to come a time when we have finally passed upon a matter, and this matter, having been heard in the committee and in both branches of the Legislature, and having been fully discussed, and since this is for the purpose of delay, I oppose the motion for the passage of the order.

Mr. ASHBY of Aroostook: Mr. President, we are not asking this to be recommitted. It will cause no special delay if it is brought back here and again defeated as the Senator from Hancock (Sen-

tor Blaisdell) seems to assume. In view of the fact that eight members of the Senate were absent when the matter was taken from the table, I hope that my motion will prevail and when the vote is taken, Mr. President, I ask for a division.

The PRESIDENT: The question is on the passage of the order and a division has been asked for.

A division of the Senate was had.

Twelve having voted in the affirmative and seventeen opposed, the order failed of passage.

First Reading of Printed Bills

(Under suspension of the rules the following bills and resolves were given their second reading and passed to be engrossed. Sent down for concurrence.)

"Resolve for the Purchase of One Hundred Copies of the 'Financial History of Maine, 1820 to 1934'" (S. P. 179) (L. D. 791)

"Resolve for the Purchase of one hundred copies of 'A History of Banking in Maine, 1799-1930'" (S. P. 634) (L. D. 795)

"Resolve for the Purchase of One Hundred Copies of 'A Bibliography of the State of Maine,'" (S. P. 635) (L. D. 794)

Bill "An Act Relating to Beauty Culture," (S. P. 636) (L. D. 796)

(On motion by Miss Martin of Penobscot, tabled pending first reading)

Bill "An Act Creating the Portland Public Improvement Commission," (S. P. 637) (L. D. 793)

Bill "An Act Relating to Facsimile Signature of Clerks of Courts," (S. P. 638) (L. D. 792)

(On motion by Mr. Burns of Arrostook, tabled pending first reading)

Bill "An Act Relating to the Practice of Dentistry," (S. P. 641) (L. D. 806)

"Resolve Protecting Cod, Haddock and Other Ground Fish in Certain Waters of and Adjacent to Hancock County," (S. P. 642) (L. D. 807)

Reports of Committees

Mr. Bodge from the Committee on Banks and Banking on Bill "An Act Relating to the Blue Sky Law," (S. P. 463) (L. D. 681) reported that the same ought not to pass.

Mr. Blanchard from the Committee on Counties on "Resolve in Favor of a Committee to Study

County Government," (S. P. 353) (L. D. 355) reported that the same ought not to pass.

(On motion by Mr. Fernald of Waldo, tabled pending acceptance of the report)

Mr. Burns from the Committee on Judiciary on Bill "An Act Relating to Costs in Suits for Collection of Taxes," (S. P. 421) (L. D. 511) reported that the same ought not to pass.

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

The same Senator from the same Committee on Bill "An Act Relating to Pedestrians on State Highways," (S. P. 137) (L. D. 53) reported that the same ought not to pass.

Mr. Hussey from the Committee on Mercantile Affairs and Insurance on Bill "An Act Prohibiting the State to Insure any of its Property Against Fire," (S. P. 302) (L. D. 265) reported that the same ought not to pass.

(On motion by Mr. Fernald of Waldo, tabled pending acceptance of the report)

Mr. Carll from the same Committee on Bill "An Act Providing for the Regulation and Supervision of Electricians," (S. P. 148) (L. D. 205) reported that the same ought not to pass as legislation thereon is inexpedient.

The same Senator from the same Committee on Bill "An Act Creating a Fire Insurance Fund," (S. P. 301) (L. D. 264) reported that the same ought not to pass.

(On motion by Mr. Fernald of Waldo, tabled pending acceptance of the report)

Mr. McDonald from the Committee on Public Health on Bill "An Act Related to Narcotic Drugs," (S. P. 198) (L. D. 148) reported that legislation thereon is inexpedient as the matter is taken care of in another bill.

Mr. Hathaway from the same Committee on Bill "An Act to Repeal Chapter 278 of the Public Laws of 1933, Relating to Cosmetics," (S. P. 99) reported that legislation thereon is inexpedient, as the matter is taken care of in another bill.

Which reports were severally read and accepted

Sent down for concurrence.

Mr. Hussey from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropri-

ate Moneys for the Expenditures of State Government and Other Purposes for the Fiscal Year ending June 30, 1936 and June 30, 1937, (S. P. 234) (L. D. 209) reported the same in a new draft (S. P. 647) under the same title and that it ought to pass.

Which report was read and accepted, and the bill laid upon the table pending printing under joint rules.

Mr. Jackson from the Committee on Banks and Banking on Bill "An Act Relating to Capital Stock of Trust and Banking Companies," (S. P. 406) (L. D. 525) reported that the same ought to pass.

Mr. Hussey from the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Group Insurance," (S. P. 354) (L. D. 341) reported that the same ought to pass.

Mr. Winn from the same Committee on Bill "An Act Relating to the Insurance of Steam Boilers," (S. P. 151) (L. D. 83) reported that the same ought to pass.

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

Mr. Friend from the Committee on Ways and Bridges on Bill "An Act to Provide for Further Issuance of State Bonds for Highway Construction," (S. P. 202) (L. D. 150) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Proposing an Amendment to the Constitution to Provide for an Additional Issue of Highway Bonds," (S. P. 442) (L. D. 477) reported that the same ought to pass.

Which reports were read and accepted and the bills and resolves were given their several readings under suspension of the rules and passed to be engrossed.

Sent down for concurrence.

The majority of the Committee on Judiciary on Bill "An Act Granting Preference to Maine Bidders," (S. P. 113) (L. D. 24) reported that the same ought not to pass.

(Signed) Burkett of Cumberland
Burns of Aroostook
Hill of South Portland
Philbrick of Cape Elizabeth
Gray of Presque Isle
Weatherbee of Lincoln
Jacobson of Portland
Vaughan of South Berwick
Willey of Falmouth

The minority of the same Com-

mittee on the same subject reported that the same ought to pass.

(Signed) Fernald of Waldo

On motion by Mr. Burkett of Cumberland, the Majority Report of the Committee "Ought Not to Pass" was accepted.

Sent down for concurrence.

Passed to be Enacted

"An Act for Use of Temporary Number Plates." (S. P. 139) (L. D. 55)

"An Act to Repeal Acts Incorporating the Town of Concord," (S. P. 164) (L. D. 658)

"An Act to Extend the Charter of Kennebec Reservoir Company." (S. P. 238) (L. D. 715)

"An Act Relative to Fees for Registration of Vehicles." (S. P. 290) (L. D. 256)

"An Act Relating to Deputy Clerk of Courts in Penobscot County." (S. P. 304) (L. D. 713)

"An Act Relating to the Duties and Functions of the Maine State Pomological Society." (S. P. 319) (L. D. 351)

"An Act Relating to Temporary Loans by County Commissioners." (S. P. 458) (L. D. 657)

"An Act to Authorize the Acceptance of a Surety Company Bond in Lieu of Bail Bonds or Other Sureties." (S. P. 550) (L. D. 712)

"An Act Relating to Offenses Against Habitations and Other Buildings." (S. P. 551) (L. D. 711)

"An Act Relating to Clerk Hire in Penobscot County." (S. P. 552) (L. D. 714)

"An Act Relating to the Transportation of Poultry." (S. P. 554) (L. D. 720)

"An Act Relating to Exemptions." (S. P. 556) (L. D. 724)

"An Act Relating to the Packing of Sardines." (H. P. 97) (L. D. 27)

"An Act to Repeal the Organization of the Plantation of Lang" (H. P. 600) (L. D. 671)

"An Act to Extend the Charter of the Patten Water and Power Company." (H. P. 698) (L. D. 219)

"An Act to Extend the Charter of the Vanceboro Water Company." (H. P. 699) (L. D. 220)

"An Act Relative to Dogs Hunting Moose, Caribou, Deer, or Elk or Worrying Domestic Animals." (H. P. 776) (L. D. 275)

"An Act to Provide for the Surrender by Town of Mount Chase of its Organization." (H. P. 851) (L. D. 295)

"An Act Relative to the Salary of the Recorder of the Yorkshire

Municipal Court." (H. P. 854) (L. D. 693)

"An Act to Authorize the Erection and Maintenance of a Dam Across Spruce Creek in the Town of Kittery." (H. P. 1128) (L. D. 327)

"An Act Relating to Corporations without Capital Stock." (H. P. 1213) (L. D. 460)

"An Act Relative to Trapping in York County." (H. P. 1603) (L. D. 692)

"An Act Relating to Forcible Entry and Detainer." (H. P. 1628) (L. D. 708)

"An Act Relating to Poultry." (H. P. 1632) (L. D. 727)

"An Act Relative to Game Preserve in York County." (H. P. 1637) (L. D. 728)

"An Act Relating to Bail Commissioners." (H. P. 1640) (L. D. 730)

"An Act to Authorize the Town of Whiting to Withdraw from the Maine Forestry District." (H. P. 1645) (L. D. 731)

Finally Passed

"Resolves in Favor of the First National Bank of Houlton, Maine." (S. P. 271) (L. D. 722)

"Resolve in Favor of Harold F. Wing of Bingham." (S. P. 275) (L. D. 748)

"Resolve Relative to Open Season on Pheasants." (S. P. 277) (L. D. 718)

"Resolve Relating to Ice Fishing for Perch, in Orneville Ponds, or Boyd Lakes." (S. P. 281) (L. D. 717)

"Resolve Relating to Ice Fishing in Summit Pond." (S. P. 282) (L. D. 716)

"Resolve in Favor of Edwin T. Clifford." (S. P. 325) (L. D. 721)

"Resolve Relating to Plug Fishing in Howards Lake." (S. P. 555) (L. D. 723)

"Resolve in Favor of Daisy B. Blackman, Widow of the Late Reuben Blackman." (H. P. 182) (L. D. 707)

"Resolve in Favor of the Town of Canton." (H. P. 665) (L. D. 749)

"Resolve in Favor of John K. Forhan of Canton." (H. P. 768) (L. D. 732)

"Resolve Relative to Fishing in C. Pond." (H. P. 781) (L. D. 706)

"Resolve Relating to Fishing in Pleasant River and Hapgood Brook." (H. P. 789) (L. D. 705)

"Resolve Relating to Fishing in Songo Pond." (H. P. 790) (L. D. 704)

"Resolve Relating to Fishing in

Round Pond." (H. P. 791) (L. D. 703)

"Resolve Relative to White Perch Fishing in Lake Anasagunticook." (H. P. 794) (L. D. 702)

"Resolve Closing the Tributaries of Lake Anasagunticook to Smelt Fishing." (H. P. 795) (L. D. 701)

"Resolve Relative to Regulating Fishing in Certain Somerset and Franklin County Waters." (H. P. 1048) (L. D. 700)

"Resolve Relating to Fishing in Lake Auburn." (H. P. 1050) (L. D. 698)

"Resolve Relating to Fishing in Taylor Pond." (H. P. 1051) (L. D. 697)

"Resolve Relating to Fishing in Upper Range Pond." (H. P. 1052) (L. D. 696)

"Resolve in Favor of Arthur G. Thombs of Castine." (H. P. 1107) (L. D. 733)

"Resolve in Favor of the Danforth Water Company." (H. P. 1246) (L. D. 734)

"Resolve in Favor of William Burgess of Waterville." (H. P. 1303) (L. D. 735)

"Resolve Appropriating Money to Complete the Fish Way at Aroostook Falls." (H. P. 1487) (L. D. 664)

"Resolve Relating to Smelt Fishing in St. Croix River." (H. P. 1627) (L. D. 710)

"Resolve in Favor of the Town of Castine." (H. P. 1633) (L. D. 736)

"Resolve in Favor of Harvey I. Dillingham for Damage Inflicted to Sheep by Dogs." (H. P. 1634) (L. D. 737)

"Resolve in Favor of Augustus S. Burke and R. Bourbeau of Fairfield to Compensate them for Land Taken for Sewer Appurtenant to Central Maine Sanatorium." (S. P. 1635) (L. D. 738)

"Resolve Relating to Fishing in Round and Long Ponds in Livermore." (H. P. 1636) (L. D. 739)

"Resolve Authorizing the Forest Commissioner to Sell Certain Public Lots in Webster Plantation in Penobscot County." (H. P. 1641) (L. D. 741)

"Resolve Authorizing the Forest Commissioner to Convey Certain Land in Drew to Josephine Morse." (H. P. 1642) (L. D. 742)

"Resolve Authorizing the Sale of State's Interest in Certain Lands." (H. P. 1643) (L. D. 743)

"Resolve Empowering and Directing the Forest Commissioner to Convey a Lot of Land in Walla-

grass Plantation." (H. P. 1644) (L. D. 744)

"Resolve Permitting the United States Government to Purchase Certain Lands in the State." (H. P. 1646) (L. D. 745)

"Resolve in Favor of C. Herbert Perry." (H. P. 1709) (L. D. 751)

"Resolve Relating to Fishing in Carrabassett River." (H. P. 1712)

(Emergency Measure)

"An Act Relating to Incorporating the Madawaska Log Driving Company." (S. P. 284) (L. D. 315)

Which bill being an emergency measure, and having received the affirmative vote of 31 members of the Senate, and none opposed was passed to be enacted.

(Emergency Measure)

"An Act Concerning Security for Loans to Farmers and Others." (H. P. 1639) (L. D. 729)

Which bill being an emergency measure, and having received the affirmative vote of 31 members of the Senate and none opposed was passed to be enacted.

(Emergency Measure)

"Resolve Closing to All Fishing Upper and Lower Hathan Bogs and Massachusetts Bog in Franklin County." (H. P. 1049) (L. D. 699)

Which resolve being an emergency measure, and having received the affirmative vote of 31 members of the Senate, and none opposed, was finally passed.

(Emergency Measure)

"Resolve Relating to Ice Fishing in Eagle and St. Froid Lakes." (H. P. 1604) (L. D. 691)

Which resolve being an emergency measure, and having received the affirmative vote of 31 members of the Senate, and none opposed, was finally passed.

Orders of the Day

The President laid before the Senate, House Report from the Committee on Judiciary, Majority Report "Ought to Pass in New Draft," (H. P. 1648, L. D. 726), Minority report "Ought not to pass" on Bill, An Act Relating to the Primary Law, (H. P. 141, L. D. 43), tabled by Mr. Burkett of Cumberland on March 15th, pending acceptance of either report, and today assigned; and the Chair recognized that Senator.

Mr. BURKETT of Cumberland: Mr. President, I want to move first the acceptance of the majority report of the committee, which was "ought to pass in a new draft." I do not suppose anything I could say here today would change anyone's vote on this question. The matter has been discussed pro and con in an interesting hearing here, and received a lot of publicity of one sort or another in the papers and I am not going to take any great amount of time to discuss it.

I feel very strongly on this point that this is no place in this Senate to discuss partisan politics, personalities nor party platforms, and it is probably unfortunate that so many things having to do with those subjects have been interjected into the consideration of this matter. I do feel, though, that this matter should have some discussion and that a fair discussion has perhaps been complicated by the many things which have crept into the consideration of the bill up to this time.

I do not think this is any place, either, to discuss the merits of the primary because if I understand the purpose of this bill correctly, the system of the primary as a method of nominating candidates for office is not involved. By this, I mean that this bill which was reported out and signed by a majority of the committee does not destroy the primary, does not repeal it and does not modify it in any essential sense. The new draft here, Legislative Document No. 726,—we all have it here if anyone cares to look at it—simply provides that at a state convention held by both parties the convention shall, if it wishes, propose candidates for the office of governor, of United States senator, and at the district convention held at the same time, under the same safeguards, a candidate for congress from the three districts may be proposed in the same way. That is all it does.

That doesn't, in my opinion, in any serious way, strike at the heart of the Primary or destroy the system. Now, whether that machinery if set up, would be of any help or not in solving our governmental problems, I do not know, but I feel it would.

Whatever may have been the defects in the old convention system, and I concede there were many and I do not believe we want to go back

to them at this time, the convention did furnish an opportunity for the people representing the several communities to get together and discuss matters of policy and the candidates. The primary, whatever its benefits may be, has taken away that one thing and I think it has been a distinct loss.

Under the old convention system, and I can remember back far enough to remember conventions that used to be held,—conceding if you will, all the detrimental factors that went along with them, the people did meet from the counties, in county conventions and state conventions and get a little closer together and have a little more discussion of the questions involved.

I can remember the county conventions that used to be held in my own county where I used to live when I was younger than I am now. That convention, I believe, did accomplish a lot of merit in bringing together the people from all over the county, making an attempt to satisfy the different sections of the county so far as candidates were concerned, getting people interested in politics better acquainted and when the people went home from that county convention they were interested in politics, somewhat enthused about the candidates, feeling that the people of their county had been given some consideration, and so they went back to their respective communities and worked for the party and for good government as they saw it.

There is no provision in this present new draft to do away with the primary and substitute the convention system as I see it. Talking in conversation about candidates for governor and United States senator would be a good thing for both parties, and if any one candidate received a majority of the votes cast, under the provisions of Section 2, all it does is give his name a place on the ballot without the necessity of filing papers,—of course a preferred place on the ballot. Of course, a proposition like that would help a candidate; there is no doubt about it. It would do away with another thing and that is the preference given by the arrangement of names on a ballot. I can speak of this because my name happens to begin with a letter near enough to the beginning of the alphabet, so that in times past I have enjoyed

that preference. That would, in a measure, do away with that.

I think we have got to seriously consider this question in this state, that there is, as you know, a feeling,—it may be by a comparatively small number of the people of the state, that the primary in some way should be modified, and I am not going now into partisan politics, but there is that feeling no matter how small it may be. It is there and you cannot deny it, and we have got to recognize it. We saw it expressed at the hearing on this bill. Whether it would be better to meet that situation and make this slight helpful modification in it rather than wait until that feeling which has started has attained such proportions that it would attain serious consequences, is the question before us. I mean this, people can, under our initiative provisions, obtain 10,000 signatures and initiate a bill to go back to the old convention system, and if a bill came to us as this year for the use of highway funds, the legislature can do nothing but accept it and pass it on to the people to vote on. That is what we are likely to be faced with.

I will not take up much time. I realize the case has been fully tried in the legislature and in the newspapers, and the defeat of this measure has been freely predicted. I have made no attempt to canvass the members of this body. As I moved, at the beginning of these few remarks, I move the adoption of the majority report and submit the matter to the Senate.

Mr. BURNS of Aroostook: Mr. President, I regretfully find myself for the first time differing with the distinguished chairman of the Judiciary Committee on an important matter of legislation which has been referred to the committee of which he and I are members. In looking over the history of this legislation you will find that the report of the Judiciary Committee was a divided report and one that was closely divided. The majority report "ought to pass" on this proposed change in the primary was signed by six members and the minority report, "ought not to pass" was signed by four members of this committee. Now, I have no great regard for a report of a committee in and of itself. I think perhaps when you are in doubt about any matter of legislation that comes before you and on which you have to

cast a vote and you do not thoroughly understand the matter, it may then be a pretty good idea to follow the majority report of any committee in the legislature. But if you do have an opportunity to study the individual question as I have here, the mere fact that a majority report is given out by the committee, has no great significance, at least as far as I am concerned; for after studying the matter as I have had an opportunity to do in this case, if I believe I should do certain things against what appears to be the reasons of others, I am not controlled by the reasons of those who opposed me. I am not moved by the majority report of the committee, as I hope no other member of the Senate is moved by it.

My idea is that the people do not want a change in the primary law of the State of Maine. This is a substantial change. It isn't, as my distinguished colleague (Senator Burkett) has said, a change of a minor nature. It is a substantial change and anyone who has taken the time to read the bill knows that, without my elaborating on that subject. As far as I am personally concerned, I do not care whether we go back to the convention system or retain the primary system. If I have any political future in the state, I would just as soon take my chances in a convention as under the direct primary. However, I do enjoy going around among the people not only in June at the time of the primaries but again in the fall at the time of election. You come in close contact with the people and you come to understand better their problems, you get to understand just what they are interested in and if you have a desire to serve your constituents when you get to the legislature you are better able to deal with the questions which affect their interests.

But, regardless of my personal feelings as to whether to have the direct primary or convention system, there is another question, and that is what do the people want? Has there been any concerted attempt from all sections of the state to bring about a change in the direct primary? If there has, I have not heard of it. It seems to me this venture to change the direct primary is a move on the part of a well organized minority, and I find myself differing from some of my very close personal friends, for whom I

have the highest regard, not only in matters affecting the public but in other matters, and I find if I analyze the situation carefully that this is a move coming from one section of the state, only. It isn't any desire on the part of the people throughout the state, at all. The effort apparently originated on the part of someone, or some group of men in a certain section of the state who undertook to draft a bill which was consistent with the party platform which was adopted at the last state convention. I will read from that party platform: "Acting consistently with the foregoing principles, as the only practical method of assuring responsible representative government, we favor the modification of the direct primary law to a degree that will eliminate its evils and combine with it the benefits of a convention so chosen as to be truly representative of the will of the party electorate."

So, in dealing with this matter as it relates to the Republican platform, because as I see it, it was drafted to go along with that party platform, it appears to me that the proponents of this measure have dismally failed to bring forth into the light of day a bill which is consistent with that party platform.

Those who have studied this bill realize the proposed bill relates only to three important offices, those of governor, United States senator, and representative to Congress. There is nothing in this party platform which says it shall be confined to those three offices. I have not heard any strong feeling that they want the change to be confined to them. As far as I know, it might as well apply entirely to county offices or might apply to all the officers which we elect under our system of government.

Now, one of the principal objections that I find in this matter, in the proposed change, is that it is a cumbersome, unworkmanlike and expensive procedure. We would have to burden ourselves further with a political campaign. Under the present system we are obliged only to appear before the people in June and again in September. Under this system, we would have to start in in February or March, and inasmuch as two of these three offices have to deal with state-wide elections, it means any candidate for that office has got to start in March or February to carry on his cam-

paign. Now, that is going to be an added expense to him. It is more cumbersome and isn't convenient and isn't desirable. Only a rich man could afford to wage a campaign under this change. You have got to have lieutenants in every section of the state and they have got to start in February or March and line up delegates at the city or town caucuses, and then they have to wage a campaign on the floor of the convention in March or April, 60 or 90 days before the election. You have got to put in a lot of time and see a lot of people and have lieutenants everywhere and it will subject you to a great deal of expense. That is one thing we have undertaken to avoid in dealing with this problem, and we are giving an opportunity to the middle class, to a man who probably is not a rich man, an equal opportunity with one who is. I say this is a rich man's bill.

Furthermore, I have some doubt whether a convention's choice stands as well before the people as one who does not receive the endorsement of the convention. I can think of many people who would vote against that man because he was the choice of the convention. He would be tabbed as the convention choice and it would be a burden he would have to assume whether he wanted to or not, if he happened to be the convention choice. It hasn't worked out in Massachusetts. They had the same thing there although, of course, their law there and this proposed law are not the same. But the same glaring example that exists in this bill is the situation that developed in Massachusetts last summer. At that time Ex-Mayor Curley of Boston sought the Democratic nomination for Governor of Massachusetts. General Cole also sought the Democratic nomination for Governor. They appeared before a Democratic caucus. Curley lost out and Cole won. They went before the people and Ex-Mayor Curley received the nomination.

The most specific evidence I can offer that the people of the State of Maine today do not want this change in the primary law is to bring before you the fact that when the people had an opportunity to vote on it it was overwhelmingly defeated, especially in the rural sections. In Houlton the vote was 418 against any change and 168 in

favor;—almost three to one. The same proportion existed throughout the county and practically throughout the state, and so I say, have you—and I do not think you have—seen any change in sentiment on the part of the people of the State of Maine, and for that reason I hope the motion of Senator Burkett will not prevail.

Mr. FERNALD of Waldo: Mr. President, in regard to the bill before us, it was my pleasure to sign the minority report "ought not to pass." Before I disagree too strenuously with the so-called self-constituted intellectual leadership of the Republican party, I would like to place my record as a Republican before them. In 1931 I voted for Governor Gardiner in the primaries and for Governor Gardiner and the entire Republican ticket in the fall. In 1933 I voted for Lewis O. Barrows for governor in the primaries and for Burleigh Martin and the entire Republican ticket in the fall. In 1935 I voted for Blinn Page of Skowhegan for Governor in the primaries and for Honorable Alfred Ames and the entire Republican ticket in the fall. So I believe that what I have to say in this matter from a record of being a Republican at least equals the record of the so-called intellectual group of half-breed Republicans that are trying to change the situation so that they can control votes, so that they and their friends can dominate the destiny of the Republican party and so that their friends and their cohorts may continue to rule. I want to state here that I stand squarely for the retention of the direct primary law and government of, by and for the people of Maine. I believe that our Primary Law has worked better in Maine at its worst than the convention system at its best. I am glad to find myself allied with Labor and the Grange, and other progressive groups of our citizenry, on this most vital question. I further believe that any candidate for state-wide public office in Maine who is willing to go before the people on an unselfish, straightforward and definite program of good government for all the people, can be nominated and elected without the expenditures of large sums of money under the present Maine direct primary.

Mr. BLAISDELL of Hancock: Mr. President, there can be no question but what this is a bill in which we

are all vitally interested. It doesn't make any difference whether we are sitting in this Senate or this legislature as a member of the Republican party or sitting here as a member of the Democratic party, there can be no doubt but that we all have a vital interest in this bill. There can be no doubt but every one of us is perfectly willing to stand here and commend all of the good things in the present primary system and there can be no doubt also but we are perfectly willing, or should be perfectly willing, to admit all its apparent evils.

The step which has been taken in the new draft and which has been heard before the Judiciary Committee in this bill, is an extremely modest step. The primary practically remains exactly as it is. There is purely an additional set-up but no change of any substantial nature in the primary itself. I feel that it is my duty to tell the members of this Senate that those of you who ran to be members of this Senate automatically, whether you did publicly or officially declare yourselves, on a platform which was adopted by the Republican party of the State of Maine, there are none of us who can deny it or who care to alter or change the present set-up in which we receive our notices at certain times early in the spring of the year enabling us to call our town and city caucuses together, and as you know we have our notices posted and we choose our Republican delegates to go to a Republican convention and we either go to Portland or Bangor or perhaps Lewiston for the convention, and acting as official representatives and delegates of the Republican Party, and there the party establishes its platform; there it sets up its policies and there it determines its course to be used in the future. I hardly believe there is a member here, whether he be Republican or Democrat, who does not feel some obligation to his party platform when he runs for office. It almost automatically goes without saying that I stand upon that platform, win or lose. It so happens that I had the honor of being the delegate to the last Republican convention and it so happened that my county chose me to be a member of the committee on resolutions, and if I were to use the practical expression of the Senator from Waldo (Senator Fernald) I joined and

listened in to the intellectual high-brows, but that expression certainly could not apply to me, I am certain, and for five, six or seven hours your committee on resolutions at the last convention thought over these problems, developed the platform that was presented to the convention and other than the problem of the liquor set-up, the platform of the Republican convention was unanimously adopted.

Now, as a member of the Committee on Resolutions, I know those men stayed there and worked hard, hour after hour, determining the platform of the Republican party of this State and the result was some sort of a reasonable modification or change in the Primary law. We have not taken steps to go as far as I could wish to go; but consistent with what perhaps we feel to be the attitude of the conservative people of the State of Maine, this bill has been developed. I ran as a Republican and I ran with a full knowledge of the party platform and I am here as an exponent of that party platform and I propose to vote and stand by that platform until the convention changes it. We all realize that the primary system is accepted as one of the inherent rights of the people of the State of Maine, and there isn't a person here who desires or wishes to take away any of the inherent rights which we cherish. I respect the primaries and I would not want too drastic or serious changes, but this is a very modest modification.

The gentleman from Aroostook, Senator Burns, very aptly referred to the situation which developed in Massachusetts. It is true that General Cole was the convention candidate. It is true that Mayor Curley, under this system that they later caused to be changed, was opposed to General Cole. General Cole received the nomination but Mayor Curley won before the people. Cole was defeated and Curley was elected. That is a perfect illustration of the law which we now here propose. As far as being a rich man's proposition of working himself into the governor's chair or other office, it can be no more so than now. We all know, we Republicans who have been candidates, that we must get busy for the next campaign as soon as one campaign is hardly finished. This cannot add one day or one night to the time, or any more to the money that must be

spent if they would seek the higher offices. The situation in Maine would work exactly as in Massachusetts. If a man did not care to go through the convention and endeavor to win the nomination of the convention, he has only to sit back quietly, save his time and money and his energy and present himself to the people and he might be successful. It is a perfect illustration and it is true that on the first taste of the change of the system it worked.

Here is a bill we do not ask you to pass in its final, ultimate form. We ask you to pass it here that it may be presented to the people of Maine in a referendum. I do not fear the result. I am satisfied to make the change and then refer it to the people in referendum. If it is passed to the people and they do not want this modest reform, all well and good. This matter goes back to the people in referendum and the people will decide it. You are offering them an opportunity to decide.

And so I say, Mr. President, publicly and openly, that I stand by the Republican platform and Republican principles and for what they stand, and until they change I shall always be for it. I move, when the vote is taken it be taken by yeas and nays.

Mr. PINANSKY of Cumberland: Mr. President, and distinguished fellow Senators, when I came in the Senate chamber this morning, I had no idea whatsoever of standing up to speak on this question. I promised myself after I was elected to come here and since I was conscious of having as colleagues the distinguished seasoned legislator on my left and those on my right, I thought I would try and conduct myself as a freshman in this new college of education, and listen and learn enough so that some day I might be able to contribute something of value on this floor or some other floor where constructive legislative work or other work on behalf of the people of Maine might be done. But I can not sit here and listen, even with my short experience in legislative halls, to these fine-sounding arguments of some of my distinguished colleagues who are my intimate friends without making reply. It is painful for me to stand up on this floor and to do anything but follow the distinguished Senator from Hancock

(Senator Blaisdell), my chief on the Legal Affairs Committee, who is possessed, to a greater degree than many of us, with ability, and knowledge and understanding and fairness that is most admirable. I don't like to stand up and disagree with him because he is usually right. But I make no apology to him nor to anyone else here for my staunchness, if I may say that, as a Republican, a regular Republican, but a Republican only up to that point, however, where I will not be led by my nose by a few self-appointed, selfish, so-called leaders who constitute themselves, as one of them did right here in this state house, and had the audacity to do so before a committee, and assuming—and I apologize for my district,—that if we had been elected into this legislature by the old convention system, we would have had a committee on taxation superior to the one we now have, and more capable of understanding the complex problems of taxation. I am amazed. I know the members of the Committee on Taxation and the members of the other committees. You have your lists with you. It isn't proper to mention names, but I have been in contact with them and I say here, as I have said behind their backs and to their faces, not attempting to indulge in any platitudes, that no convention system or any other system than the primary system now existing, with all its defects—and of course there are defects, we being defective human beings ourselves and unable to make a perfect system—I say that there is no system that would give us a better man than Senator Blanchard and his colleagues, or men with higher and better understanding than they have; and that individual who had the audacity to come here and look upon the members of that committee and others with the expression on his face indicating that he pitied their inferiority of intelligence, insinuating it was inferior to his should be condemned and I believe is. That is the type of man who has ruined temporarily, or degraded temporarily the status of our party. He represents the few who are out of joint with the people, selfish, clinging tenaciously to a self-appointed position of leadership, refusing to open their eyes and ears and lacking the mentality, to the extent even that they have it, to take a canvass

of the people and analyze and diagnose the illness, and yet they have the audacity to attempt to dictate, when they should step aside and let those who have the approval of the people, temporarily at least, take the position of leadership and eliminate all self-aggrandizement and individual selfishness.

I agree with the statement made by my distinguished colleague, Senator Burns, that there is not a state-wide demand but rather a demand on the part of a little, self-appointed, self-constituted group in my own county of Cumberland who are trying to establish an un-American feudal system entirely inconsistent with the feeling and attitude of a majority of the people, in Cumberland County; that self-appointed convention which they refer to as a Mohammedan group—and I have great respect for the Mohammedans—that group which so dubbed themselves—Young Turks—and there are many fine so-called Young Turks—the self-appointed convention convening and deciding that certain men were acceptable to them and certain other men were distasteful to them; they who had the audacity to ask us to answer questions submitted interrogatories to us to answer, and I for one told them to “go chase themselves,” if you will pardon the colloquial expression, not disrespectfully but because I was surprised at the audacity of their undertaking. And then they published me in the paper and said, “Pinansky the only one who wouldn’t answer our questionnaire”; an organization that did not invite all Republicans to join it but purposely excluded certain men whom they thought would have the fearlessness and Americanism and decency, or Christianity, as you call it, to come forward and express themselves in behalf of the people. They even excluded those who had more contacts than all of us put together, who were nearer the hearts of the church people and the Grangers and the W. C. T. U. and various other fine groups of people in this community, they purposely excluded that type of man who could give them information and and truly express the sentiment of that great middle class of people.

There was the test and there was the issue, whether or not refusal to acquiesce in their feeble attempt to defeat us would be successful. We repudiated their request, which

they considered a command, and the sense of the people is on record. The people came vigorously forward to our support and elected us to represent them—this is not boastful—and gave us another, a distinguished individual on my left who was not in good repute with them, which is an honor and a credit to him, by a much larger vote, and expressed themselves on this very issue. This is no reflection on the other senators of our county but they were punished by several hundred votes less than they should have had because they were considered, rightfully or wrongfully, to be in harmony with that self-appointed unofficial convention made up of a little clique that is entirely out of joint and out of sympathy with the issues and the feeling and the hope and aspirations and ambitions of the finest people of Cumberland County.

And now they come forward again and start all this rumpus and have all of these disorganized discussions, indicating to the outside world that we are disorganized like some of the townships want to be, causing the erroneous opinion outside that we are not harmoniously and constructively working for measures that will help to take us out of the depression. They would have us go back to the old feudal system. Yes, apparently this is an inoffensive bill; apparently, I say. Ah! But if you look at it from a practical standpoint and consider the old fashioned machinations which have been repudiated with certain individuals going into our towns and cities and trying to influence people and perhaps even attempting to pay their car fares to the convention and then controlling them in the convention and then steam rolling this or that contrary to the sense and wishes and desires of the people, that in itself should at once cause us to repudiate this as an attempt to get one foot into the open door, and then if that can get by, hoodwinking the people, they will try more and more of the same thing and come back again and again and finally there won’t be so many fine, honorable, careful diagnosticians here who know how to diagnose the situation and are truly representative of the people and who want to represent the will not of the mob but of the majority of the thinking people of this State, giving full credit to all

classes and groups and not confining it to one little group, a particular group, one constituent group of American citizenry, who decide that they alone have such a superabundance of education, and of American spirit that they alone are capable and competent to direct the affairs of the State or the affairs of the cities and towns. That is conceit.

That un-American influence must be eliminated. Those men are sick. They must have their cases diagnosed and their heads examined and medicine must be given to them to bring them back to normalcy and into harmony with the fine people of this community for the benefit of the State of Maine. That selfishness and conceit must be eliminated if they are to be cured. I don't want to indulge in any discussion of party politics. I have the finest of friends in the other party, just as I have in this party and I respect them, but I do believe that this is a question, not of party, except in some instances, but a question of whether we in collaboration, quietly, peaceably and honorably, can act for the benefit of all of the citizens of the State.

I say I am ashamed of that little group. I apologize for them and I ask you to disregard their dying declaration and repudiate their so-called leadership. Some of the finest men that Maine ever produced are former leaders and present leaders of this party of mine. Those few who have refused to quit when the people decided that they no longer had use for them, will all be through after today and their places will be taken by the finer and abler men who are unselfishly trying to work for the benefit of our party and for the benefit of our State. That is the issue. You by your vote, my colleagues, will force them at least to understand that unless they change their manners, unless they tune their hearts and souls to the pulsation of the hearts and souls of the people of Maine, they had better go back to private life where their prejudices and erroneous ideas and disregard of the majority of the thinking people of Maine can be nurtured, if they wish, and not interfere with your rights, Mr. President, and mine and our families' and the people of this State.

I could go on and discuss this further but men with the intelli-

gence and calibre of you Senators here need no explanation or elucidation from me as to this subterfuge—no reflection on my distinguished brother on my left—certainly nothing but honor and credit to my distinguished friend over there. The feeling they have of obligation to stand by the party platform is admirable but the adoption of that plank under the circumstances that it was adopted at that convention was inspired—and that is the only kind of inspiration they could give—by that little clique in and around the Senator, and they steam-rolled it on and adopted it and afterwards it was repudiated by the people. As I go around over Cumberland County I assume there are very few men here who come into closer contact with more people, publicly and privately, than I do, and I do not say that boastfully, and recalling our election, I say the vote in Cumberland County was repudiation by the people of that very thing, and though it is actually a part of the Republican platform, it seems to me, even though not so as a matter of record—I disagree with my distinguished brother most respectfully—I say that it is just a whim of a few who are dead as far as leadership in the Republican party is concerned, but they won't lie down and be buried. Because of their lack of contact with the people, because they live in little castles of their own and have no real interest in the welfare of the common people they have erroneous and narrow ideas of conceit and pity and sorrow for some of us, excluding myself, who are superior to them intellectually, and who by contact with the people at least temporarily have the confidence of the people. It shows as a matter of record and is being shown every day and will continue until they show unselfishness and sincere desire to make up for lost time, correct the error of their ways and voluntarily quit for the benefit of the party and let those who have been temporarily elected leaders, lead the people at least until they too lose the confidence of the people or have become too old to serve, otherwise we will have more and more defeats and more and more to regret.

I hope that in my party the leaders of today and tomorrow, and certainly not self-appointed leaders, will be so broad minded, so

altruistic and so enthusiastic for the party that they will diagnose the situation, that they will go around as I do and feel the pulses of all classes of the people, rich or poor, clean or dirty, Jew, Gentile, Irish, Catholic or Protestant, and that they will have the American ideal in their hearts and a sincere desire to live and act as Americans, regardless of race, religion and creed. Such language and ideals are not understood by some of those self appointed leaders who had better make up for lost time by resigning and admitting that they are out of joint and have lost the confidence of the people and by letting some real leaders without conceit and with a real love of the people come forward and lead us again to victory.

I hope you will pardon me, Mr. President, for consuming so much time and I thank you, my colleagues, for allowing me to impose upon you, and I want to say to you, because I may not stand on my feet again before this august body, that there isn't a man here who feels more grateful to you and feels more complimented by you distinguished men for the honor I have of sitting with you and drinking in of this atmosphere made rich by your activities, and when I go home I will be richer and better because of having had this great honor and the opportunity to rub elbows with you in this Chamber and with my friend Carroll Blaisdell and the other distinguished members of the Legal Affairs Committee, and I pledge you as a Republican, but mostly as a citizen of Maine, to go back and continue to follow the sentiments and ideals of the majority of the thinking people of Cumberland County and of the rest of the State. And when I find, without selfishness, that I am out of joint—God forbid—with the desires and will and hopes of the people of the type of Senator Potter and the Grange and the church people and the fine men and women, and fathers and mothers, then I will resign and go back to private life so that others superior and more capable than I may take my place. Thank you.

Mr. FERNALD of Waldo: Mr. President, I think every thinking member of the Senate applauds the remarks of the Senator from Cumberland (Senator Pinansky).

I think every progressive in the Senate is glad to know that he has left the wrecking crew of the Republican party and has at this late stage in our Legislative session aligned himself with the progressive element. The only regret that I sense at this time is that the Senator from Cumberland (Senator Pinansky) did not align himself with the unselfish leadership in this Legislature two months ago, and we would not be situated as we are today as a Legislature composed of reasonable and intelligent beings having done nothing. We will be glad to welcome back to this body in two years the Senator from Cumberland (Senator Pinansky) and he will be with us.

Now, something has been said about the Republican platform. As far as I can see the organized selfishness of a certain group appearing before this Legislature in proposing this measure before us were looking for something to stand upon and they picked the Republican platform and they began at the very first of it overlooking a few minor suggestions, and they read under the "Specific Proposals" as number one, "Improve the direct primary". And after they got through reading that they said, "Oh, there is the thing for us to stand on," and they didn't read any further. Now, the Republican platform adopted at Portland was more than seven lines and it touched on other subjects beside the direct primary law. But the self-constituted, selfish leadership of a certain element in the Republican party didn't want to go any further. Why? Because it didn't serve their particular purpose to and if they read any further and tried to understand what was said further on they might have to change their decadent ideas on some other subjects.

Well now, just for a matter of record, let us see what was said a little further on under number two, for the Republican who hasn't got to that stage in the platform. Let us read it: "Civil Service Extension. We urge the extension of the principle of civil service in all state governmental positions where permanency of tenure is advantageous, to the end that capable young men and women may be trained for and attracted to the service of the State." Have we heard any Republican in the self-constituted

leadership group even murmur anything about that? No. But there will be a bill reported out here next week or the week after and it will be defeated by this Legislature and it will be defeated by the same group and by the same people who will go on record when the vote is taken here as standing for a modification of the primary law, because a proposition like that as set forth in the Republican platform if it were put into effect would tend to divest this little group of the selfish leadership of some of their plunder.

Now, let us go a little further. "Number 3. Revise Taxation System. We advocate a revision of the system of taxation in Maine with a view to broadening the application of taxes in accordance with ability to pay, to the end that there may be a more equitable distribution of the tax burden. Republican members of the Legislature will be held responsible for formulating and supporting such a plan. Immediate action should be taken to define the respective fields of municipal, state and federal government, with respect to taxation, to the extent that conflicting duplications may be eliminated and encroachments prevented."

Number three of the Republican platform adopted in Portland, March 23, 1934 "Revise Taxation System"—and we know what the Maine Legislature will do about that—they will do nothing. Why? Because the leadership has been sitting around here killing everything that interfered with the selfish interests of this group.

Mr. BLAISDELL of Hancock: Mr. President, will the gentleman yield?

Mr. FERNALD of Waldo: Mr. President, I will be through in just a minute. I will not yield.

Number four of the Republican platform adopted at Portland March 23, 1934: "Restore Public Control. The last Republican State administration created a State budget system by which the expenditure of appropriations is controlled and receipts allocated to specific purposes. We believe that this system of control, which was created as a safeguard against the dangerous increase of government costs, should be restored. Funds sufficient to provide for state expenditures must be raised by legislative action." Another glorious jingle of words

which will go down in history as a myth of the Republican party, and nothing will be done.

Now, here is a good one, this next one, Number Five: "Maintain Education. Fully realizing that education is the basic structural foundation"—and that is a good word, a seventeen cent word—"in the development of a State and the essential part it plays in the molding of our future citizens, we believe that any curtailment in or impairment of the development of our educational system is false economy." Wonderful! Wonderful! And what are you going to do about it? You are going home and you are not going to do anything, and you are coming back here in special session at the expense of the State to do something about it, and you are going to fuss and fume around and say that the Governor didn't do anything and consequently you shouldn't do anything. The Republican party!

Let's see now. Here is Number Six: "Control of Crime. To cope with organized crime under modern conditions we favor an adequate State Police force composed of men selected under civil service." I won't read any further. "Civil Service!" State Police selected by the civil service! Now wouldn't that insult the intelligence of any man or any child over six years of age? Civil Service! State Police selected by civil service! Need I say anything more about that?

The Republican platform, March 23, 1934. We will skip over a few of these on prohibition and so forth, because we know what the Republican party does about prohibition.

Number Nine: "Forest Industries. Three-quarters of Maine's area is in forest land; more than one-third of the employees in manufacturing plants are employed in wood working plants; nearly half of the capital invested in manufacturing business in the State is invested in wood-using concerns. This great Maine industry is threatened with complete ruin. And this Legislature is going on record as completing the ruin. That is enough on that.

Now let us go down to labor. The Republican party always looks to labor. "We favor legislation that will adequately protect the right of labor in all of its relations with capital and will assure to it an opportunity to earn a fair

wage under proper conditions." And what has this Legislature done about that, and what will it do? The answer is obvious.

Number Eleven: "Young Republicans. We commend the activity of the young men and women in formation of Republican clubs. The party of Lincoln, Hamlin, Blaine, Dingley and Reid welcome the youth of the State to its ranks." And that is another hocus-pocus. The Republican party hasn't done a thing to organize the youth of Maine. And then it wonders why it is going down hill. Why don't you arouse yourselves and organize and stand for some principle and some ideal?

Now, "General Policies," down a little further. "We intend to defend local governments against compulsion by this State." And then a Republican brings into this Legislature Legislative Document 719 to obliterate every form of local government in the State of Maine and you stand up and vote for it and back it. And you talk about a platform and you talk about principles. I call it expediency.

Now a little further down, "Preserve Individual Rights. We desire to preserve private enterprise and individual freedom and to avoid government ownership and control." The Republican party is standing right here today advocating, in one form or another, government ownership and a consequent control, and you don't know it. Why don't you wake up and look at some of these bills and read them?

Now I know there is going to be a little back-flare on this but nevertheless that is the way I feel about it and I am going back to the people and there is the record. Go down there and quote it to them and I will be back here, in one role or another, in two more years.

Now if this question of party platform is brought in here to be quoted on one side of the question I think we ought to cover the other side of the question. It is too bad that we couldn't have had this discussion earlier in the session. If we could have had it back in January we could have aroused ourselves and gone forth. And I regret that the modesty of the Senator from Cumberland (Senator Pinansky) necessitated him not taking a more active part before in this session. If I have hurt any of your feelings here I am sorry but that is just the way I feel about it and that is the way

the people of Maine feel about it, and if you don't think so go out and ask their opinions about it.

Mr. BLAISDELL of Hancock: Mr. President, the Senator from Waldo (Senator Fernald) is perfectly right. There is a back-flare to the remarks that have been made. I take exceptions, and I take offense, to the remarks that have been made and I am about to make a motion, Mr. President, that every word of this last speech be expunged from the record. There is no occasion for him imputing motives of almost indecency and selfishness to every member of this Senate, including the Democrats and the Republicans. He puts his hand out and invites them to join the unorganized leaders in order that something can be done and in inviting them to join the unorganized leaders of this Senate he imputes motives that the organized leaders of this Senate are deliberately trying to do nothing. I take offense to that. I don't believe there is a member of this Senate but what is doing his level best to protect the State of Maine and its people and bring them out of their difficulties and I can't remain in my seat and be deliberately told that I belong to an organized selfish leadership in this Senate. I do not, and I move, Mr. President, that every word of that speech be stricken from the record.

Mr. PINANSKY: Mr. President, speaking on the motion of our distinguished Senator from Hancock, Senator Blaisdell, I cannot believe the Senator from Waldo, Senator Fernald, whose speeches amuse me and are interesting, and, if I am capable of judging, contain substance worthy of thought, is serious, but he does afford amusement, and I tell my distinguished brother (Senator Blaisdell) not to take what my brother from Waldo (Senator Fernald) says too seriously because he means no wrong although perhaps he becomes too enthusiastic at times. But I do wish to say to the Senator from Waldo, Senator Fernald, whom I respect, that I think him for his kind expression of pleasure that I am a member of this honorable body but I do not want my humble remarks, unprepared and spontaneous, to indicate to any individual in this room, even to a child, that I am not a regular Republican. The gist of my remarks was that there is a misunderstanding about the Republican party in the minds of some, namely: that it

is made up of a few stiff-necked arrogant leaders who are out of harmony with the people, but I want, as far as my voice can carry and my words are convincing, to say to the people of the State of Maine that the Republican party is the party of the people, the party of Lincoln, the party of, for and, we want it to again be, by the people, and that if temporarily here and there have cropped up some self-appointed, arrogant, so-called leaders it is only through our negligence that we have allowed the reputation of the Republican party to be diminished by our sympathy and charity for those men who are out of joint with the rank and file of the Republican party.

If unintentionally anything has been said by your friend and mine whose ability I respect, derogatory to the Senator from Hancock, Senator Blaisdell, I want to apologize for my good friend from Waldo (Senator Fernald). I don't think he intended that, and I do not believe that it was the truth. I am not, however, calling anybody a liar—but I resent what the Senator from Waldo said about the 87th Legislature and I know what is being said outside about this Legislature—I do not think that this is a weak-kneed group of men. As a matter of fact I have heard some people say already that this Legislative body, with its distinguished leadership here and in the other Branch, bids fair to be one of the best that has come together in years. And it isn't right for my brother in his enthusiasm and good-heartedness to constitute himself a leader of any inner group or to give any unofficial invitations, cut of the goodness of his heart, or to welcome me or to say that I have not tried to participate actively in the work of this Legislature, because with all of my brother's apparent youth and with all of his passing through perhaps one or two more schools of education and colleges and obtaining one or two more degrees than we have, although I wonder about that, we have all worked hard and zealously as he has, but with fewer speeches. We, however, have just one degree attached to our name and that is Republican. We have not vacillated from one side to the other and it does not behoove him to come here and, unintentionally even, cast aspersions upon these real democratic Republican leaders like Carroll Blaisdell and others who are not in

league with that little group of self-appointed leaders who are a cancerous growth in our Republican party and whom we are today eliminating with a skillful surgeon's knife.

So, my dear friend from Waldo, I like you personally, you have a future, you can do some constructive work without being, even unintentionally, destructive and I think that your activity this year has been such that you know or should know of the great advantage that young fellows like you and I can get by rubbing shoulders and elbows with these distinguished leaders of experience, knowledge and understanding, and that instead of being contaminated by unofficial, self-appointed leadership that I have referred to, you and I, from our associations can derive a higher and better education and understanding, and aspire to higher duties of citizenship and service for the benefit of the people of Maine through the peoples' party, the Republican party, which must not be misjudged by any utterances, careless or otherwise, here.

We have been too sympathetic, too kindly, have shown too much of the Christian spirit, as you call it, toward this little group, parading under false colors and pretenses, but we are going to eliminate that and correct it, we are going to bring the Republican party back to where it should be and to where it belongs, the peoples' party, to do wholesome, constructive work for the restoration of peace and happiness and the material wealth of our State.

Mr. CARLL of York: Mr. President, I was rather impressed in the beginning of this discussion with the high plane on which the Senator from Cumberland, Senator Burkett, introduced this matter, suggesting that it was not a matter of politics. I remember that some time last year we had a very heavy tropical storm and I remembered during that storm of reading a few days before in the weather report where it said there were symptoms of a disturbance over the Caribbean. Now if it is not giving this matter too much of a political slant I would suggest that I now see signs of a disturbance over the Caribbean.

Mr. BURKETT of Knox: Mr. President, we were talking originally about the primary and I'm very sorry that this has developed into the situation and discussion that it has. I see no reason to abuse people differing with us in opinion. If we

have an honest opinion in relation to the primary law I don't know why we cannot confine ourselves to that opinion instead of abusing each other and all our conventions and all the people in the Republican party. They tell of the objections to the convention system but could we get any better government than Blaine and Hamlin and Reid who were elected under the convention system? We have abuses, of course, in both systems. I'm old enough so that I have been elected to office under both systems and I feel that we have just as much abuse under one as under the other. I am not going so far as to state that we can go into county conventions at the present time, but I do say that if we had had a county convention in my county this last year it would have saved three other people a lot of dissatisfaction and everything would have been in perfect harmony. For instance, there were four candidates for the office which I now hold. Every one of these men necessarily put in a lot of work and sometimes there is some feeling of dissatisfaction but you cannot, as they say, get along under the primary system without doing a lot of work and spending a lot of money. Under the primary system you have got to get ready one year for the next, whereas under the old system people went there and received nominations for candidates and the people all over the county saw those candidates and got acquainted with them and could tell something about their qualifications. Mind you, I am not talking for the primary system, but there are a lot of people including myself who think the primary system has failed in the last three years and it would be better to go back to the old convention system. I am not advocating that but I do say that if we went back to the old convention system and one of these other men had been nominated in my place all would have been in harmony and there would have been a nice feeling in the party and none of this discord that we have now.

Mr. McDONALD of Washington: Mr. President, I have in my political experience many times been denied, over in the other end of the capitol, admission to a Republican caucus, but for some reason or other this morning we are allowed to come in and participate in the debate.

I think we have wandered far

afield in the matter before us this morning. I assumed we were here to take up this bill in regard to some modification of the primary law and I believe the first thing to be considered when a proposition of this kind comes up is, is there any demand from the people, that is, from a sufficient number of people to warrant such a proposition as this.

The primary law, when enacted, was supposed to give the people, all of the people, who wanted the privilege of nominating candidates as much of a privilege in that direction as the few people usually had of nominating under the old convention system, and I think the demand that has come for this particular legislation is rather small. I think the Democratic party as a whole, are pretty well satisfied with the present primary law. I have had no demand from the people in my county to support a measure of this kind, but I have had quite a number of contacts with prominent members of the Republican party since this bill came up, asking me to do what I could toward defeating it, and I take the position today that the demand for this particular legislation has not been very great so far as my constituents are concerned and I think the Democratic party are almost united in the belief that we should, if we are to make any change at all in the primary law, make more of a change than this bill calls for. In other words, I believe this bill is neither one thing nor the other, and that it is what we sometimes speak of in every-day life as a mongrel bill. It doesn't represent the primary system under this bill.

Mr. BLAISDELL: Mr. President, after consideration and thinking over what the record contains, I think I will be perfectly satisfied that the remarks of the Senator from Waldo (Senator Fernald) shall remain in the record, and therefore, I ask that my motion be withdrawn.

Permission was given Senator Blaisdell to withdraw his motion that the remarks of Senator Fernald be expunged from the record.

The PRESIDENT: The Senator from Hancock, Senator Blaisdell, moves that when the vote is taken it be taken by Yeas and Nays. As many as are in favor of the vote being taken by the Yeas and Nays will rise.

A sufficient number having arisen the Yeas and Nays were ordered.

The PRESIDENT: The question

is on the motion of the Senator from Cumberland, Senator Burkett, that the majority report "ought to pass in new draft" on Bill, An Act Relating to the Primary Law be accepted. Those in favor of the acceptance of the majority report "ought to pass" will answer Yes when their names are called. Those opposed to the acceptance of the majority report will answer No when their names are called. The Secretary will call the roll.

The Secretary called the roll.

YEA—Blaisdell, Burkett of Knox, Burkett of Cumberland, Hussey, Martin, Schnurle, Thatcher, Weeks.
—8.

NAY—Ashby, Bartlett, Billings, Bissett, Blanchard, Bodge, Burns, Carl, Cowan, Fernald of Waldo, Fernald of York, Friend, Goodwin, Harmon, Haskell, Hathaway, Jackson, McDonald, Pillsbury, Pinansky, Potter, Tompkins, Winn, Worster.
—24.

Eight having voted in the affirmative and twenty-four in the negative the motion to accept the Majority Report "Ought to Pass in New Draft" did not prevail.

Thereupon, the Minority Report "Ought Not to Pass" was accepted in concurrence.

The President laid before the Senate, Senate Report from the Committee on Judiciary, "Ought to Pass in New Draft" (S. P. 625) (L. D. 752) on bill, An Act relating to outdoor advertising, tabled by Mr. Hussey of Kennebec on March 20th pending acceptance of the report; and the Chair recognized that Senator.

Mr. HUSSEY of Kennebec: Mr. President, I yield to the Senator from Cumberland, Senator Burkett.

Mr. BURKETT of Cumberland: Mr. President, I move the acceptance of the report of the committee. Since the draft of the report has been laid on the table there have been a series of conferences, which I had something to do with instigating, between the parties interested in this bill on both sides and yesterday a number of amendments were prepared which apparently approximately meet the suggestions and the wishes of both parties. If this motion that I am making now prevails I shall make a motion that the bill have its first reading and after that I shall offer an amendment with the request that it be printed and laid upon

the table until next week so that every one may study it.

Thereupon, the report of the Committee "Ought to pass in new draft" was accepted and the bill was given its first reading.

Mr. Burkett of Cumberland offered Senate Amendment "A".

"Senate Amendment A to S. P. 625, L. D. 752, An Act to Provide for Licenses and Permits for Outdoor Advertising. Amend Section One by striking therefrom the entire section and inserting in place thereof the following: 'Sec. 1. License; fee. No person, firm or corporation shall, after the first day of January next following the effective date of this act, engage or continue in the business of outdoor advertising or erect, maintain or display any painted bulletins, poster panels or other outdoor advertising devices upon property not their own or not occupied by them as a place for carrying on business other than outdoor advertising until such person, firm or corporation shall have secured from the State Highway Commission, hereinafter called Commission, a license to engage in the business of outdoor advertising. The fee for such license shall be the sum of \$25.00 per year, payable annually in advance.'

Amend Section 3 by striking out the first sentence of said section and inserting in place thereof, 'The fees for such permits shall be \$1.00 for each panel, bulletin or sign payable annually in advance, except that the fee for such panel, bulletin or sign as shall be required to be relocated as elsewhere provided in this act shall not be payable until so relocated.' And further amend section 3 by striking therefrom the third sentence thereof.

Amend Section 6 by striking therefrom the figures '500' in the third line thereof and figures '75' in the ninth line and inserting in place thereof respectively the figures '300' and '50'. And further amend said Section by adding thereto the following sentence: 'Each person, firm or corporation maintaining any structures, devices or displays which are now located within 50 feet from the nearer line of the travelled way of a public highway and in public view therefrom shall relocate said structures, devices or displays in accordance with the provisions of this section, at least thirty per cent of said structures, devices or displays shall

be relocated each year and all of said structures, devices or displays shall be relocated within 3 years and 6 months from the effective date of this act.'

Amend Section 8 by striking the entire section and inserting in place thereof the following: 'Sec. 8. Removal of Structure. When in its judgment the public welfare requires it the Commission may order a hearing for the removal of any such outdoor advertising structure, device or display by causing a copy of the order for hearing to be mailed by registered mail to the holder of the permit therefor to the residence or place of business appearing in the application for such permit or to the person, firm or corporation owning or controlling such structure, device or display at least thirty days prior to the date of said hearing and if, after due hearing, the said Commission shall order said structure, device or display removed and if said order shall not be complied with within thirty days thereafter, the Commission may remove said structure, device or display and recover the expense thereof from the holder of the permit or person, firm or corporation

owning or controlling said structure, device or display, and said commission may remove without hearing any structure, device or display for which no application has been filed and/or permit granted as required by this act and may recover the expense as aforesaid. The state highway police, and the police officers of any municipality and the peace officers of any county or township shall, at the request of the commission, remove or cause to be removed any such structure, device, or display the removal of which it shall have ordered as aforesaid.'

Mr. BURKETT: Mr. President, I move the adoption of the amendment and that five hundred copies be printed and that the matter lay upon the table and be especially assigned for next Tuesday.

Thereupon, five hundred copies of Senate Amendment "A" were ordered printed and the matter was laid upon the table pending adoption of Senate Amendment "A" and next Tuesday assigned.

On motion by Mr. Tompkins of Aroostook,

Adjourned, until tomorrow morning at ten o'clock.