

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 2, 1929.

Pursuant to the provisions of the Constitution and the Laws of the State of Maine, the senators-elect to the Eighty-fourth Legislature convened in the Senate Chamber and were called to order by Royden V. Brown, secretary of the Senate of the Eighty-third Legislature.

Prayer was offered by Rev. A. T. McWhorter of Augusta.

The following communication was read by the secretary:

STATE OF MAINE

Office of the Secretary of State.
To Royden V. Brown, secretary of the Senate of the Eighty-third Legislature:

In compliance with Section 29, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Eighty-fourth Legislature, as appears by the report of the Governor and Council under date of September 27th, 1928.

First Senatorial District—George D. Boulter of Kittery, Pliny Crockett of Hollis, Edwin I. Littlefield of Kennebunk.

Second Senatorial District -- George H. Minott of South Portland, Raymond S. Oakes of Portland, Paul Frederick Slocum of Standish, Arthur G. Spear of Portland.

Third Senatorial District—Stanley M. Wheeler of Paris.

Fourth Senatorial District—Claire S. Carter of Auburn, Fred B. Greenleaf of Auburn.

Fifth Senatorial District — J. Blaine Morrison of Phillips.

Sixth Senatorial District—Frank W. Carlton of Woolwich.

Seventh Senatorial District — Merle J. Harriman of Readfield, Burleigh Martin of Augusta, Franklin F. Noyes of Waterville.

Eighth Senatorial District—Blin W. Page of Skowhegan, Harold E. Weeks of Fairfield.

Ninth Senatorial District — John W. Leland of Sangerville.

Tenth Senatorial District—Katharine C. Allen of Hampden, Clarence H. Crosby of Dexter, Artemus Weatherbee of Lincoln.

Eleventh Senatorial District — Forrest H. Bond of Jefferson.

Twelfth Senatorial District — Zelma M. Dwinall of Camden.

Thirteenth Senatorial District—Albert T. Nickerson of Swanville.

Fourteenth Senatorial District—J. Sherman Douglas of Lamaine, Homer H. Dunbar of Orland.

Fifteenth Senatorial District—William F. Campbell of Cherryfield, Harold H. Murchie of Calais.

Sixteenth Senatorial District—William H. Bragdon of Perham, Frederick W. Mitchell of Houlton, Dora B. Pinkham of Fort Kent

In Testimony Whereof, I have caused the seal of the State to be herewith affixed at Augusta, this 2nd day of January, A. D., 1929, of the Independence of America, the one hundred and fifty-third.

(Seal)

(Signed) EDGAR C. SMITH,
Secretary of State.

Which was placed on file.

Roll Call

The roll being call the following senators-elect responded to their names:

Allen, Bond, Boulter, Bragdon, Campbell, Carlton, Carter, Crockett, Crosby, Douglas, Dunbar, Dwinall, Greenleaf, Harriman, Leland, Martin, Minott, Mitchell, Morrison, Murchie, Nickerson, Noyes, Oakes, Page, Pinkham, Slocum, Spear, Weeks, Weatherbee, Wheeler.

A sufficient number of senators-elect answering to the roll call, the secretary declared that a quorum was present.

On motion by Mrs. Allen of Penobscot,

That Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect to the Eighty-fourth Legislature was present in the Senate Chamber ready to take and subscribe the oaths of office required by the constitution to qualify them to enter upon the discharge of their official duties.

Subsequently Mrs. Allen reported that she had delivered the message with which she was charged and the Governor was pleased to reply that he will attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Senators Take the Oath

Thereupon the Governor, the Honorable Ralph O. Brewster, at-

tended by the Executive Council came in before whom the Senators-elect took and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew.

Election of President

On motion by Mr. Weeks of Somers-et, Messrs Bond of Lincoln, Dwin-al of Knox, Leland of Piscataquis, were appointed a committee to receive, sort and count votes for President of the Senate.

Having attended to this duty Mr. Bond for the committee reported as follows:

Whole number of votes cast, 29.

Necessary for a choice, 15.

J. Blaine Morrison had 29 (ap-
plause).

Which report was read and accept-
ed and the Secretary declared the
Honorable J. Blaine Morrison duly
elected President of the Senate of
the Eighty-fourth Legislature.

Mr. Morrison was escorted to the
chair by Mr. Spear of Cumberland,
and thereupon addressed the Senate
as follows:

The President's Address

"Senators of the Eighty-fourth
Legislature, I do not know as I can
fully express in words my gratitude
to you for the high honor I have re-
ceived today at your hands.

In accepting the office of President
of the Senate of the Eighty-fourth
Legislature I am not insensible of
the duties and responsibilities that
will devolve upon me as presiding
officer, but I trust—and it will be
my constant aim—to so perform
those duties and to so meet those
responsibilities that I will continue
to merit your confidence, so that you
may not have cause to regret your
choice during the weeks to follow.

The State of Maine is a wonderful
and important state in this great
country of ours. The government of
our country and likewise the govern-
ments of the respective states, is
divided into three great branches,
the Legislative, or the law making,
the Judiciary or the law proving,
and the Executive or the law enforcing
branch. I would not attempt to
say, nor do I know that anyone has
ventured an opinion that one branch
is more important than another.
They all play their mighty and im-
portant parts in the carrying on of
our great government and in the con-
duct of its affairs.

The Senate of a state, a part of
the Legislative or law making
branch, is indeed an influential and
important body, and we, the thirty-
one senators assembled in this cham-
ber this morning, come here to the
Capitol of Maine from almost as
many different sections of the State
bearing with us the confidence and
esteem of the people who sent us,
and while we happen, in this in-
stance, to be all affiliated with the
same political party, yet we remain
here and we are to carry on here not
as Senators of the Republican party
but as Senators of Maine, and upon
the altar of service to our beloved
State may we contribute our best
gifts in ability, in industry, in in-
tegrity and in loyalty.

Our great President of the United
States, in perhaps one of the short-
est speeches of acceptance ever made
by the presiding officer elect of a
Senate body, on the occasion of his
second inaugural to the Massachu-
setts Senate, said: "Conserve the
firm foundations of our institutions.
Do your work with the spirit of a
soldier in the public service. Be
loyal to the Commonwealth and to
yourselves. And be brief." Our
President believed not only in the
economy of the people's money,
which he has always practised dur-
ing his many years in the public ser-
vice, but he believed and still does
in the economy of time. I do not
quote the words with the intention
of implying in any sense of the word
that I think debate in the Senate
should always be brief. I believe
every matter should be subject to
full, free, frank and, if necessary,
lengthy discussion; but we all know,
the most of us from past experience,
that much time is lost during the
first weeks of every Legislative
session; time is lost in committees,
and time is lost in tabling and re-
tabling, sometimes, over and over
important matters before the body;
and I am sure it is the desire of
every member of this Senate to
commence upon the work that is be-
fore us as early as possible in the
session, that the golden hours of
time and of our lives may not be
wasted as they go rushing swiftly by.

It has been said that the people of
this country are today living in a
multitude of laws. However correct
such a statement may be, I believe
nevertheless that it is the duty of
every member of a law making as-
sembly to oppose unnecessary legis-

lation or, in other words, to favor the enactment of only such new laws as are necessary for the good government of our country, the welfare of its institutions and the continued prosperity of its people. Realizing that changes are not always improvements nor is movement always progress, may the changes that we make here be only such changes as will be improvements; and may our efforts and our accomplishments be confined to the onward course along the shining pathway of progress.

Senators, again I thank you most heartily, for what you have done here this morning in my behalf. When this session draws to a close and its doings are about to pass onto history's pages, if it may be truthfully said of the presiding officer that every member was treated with courtesy and fairness, and if it may be truthfully said of us all as a Senate body that every cause presented was faithfully weighed upon the unerring scales of justice, then may we go back to our homes and to our constituents with the feeling so far, at least, as our own consciences are concerned, that our efforts have not been in vain.

The Chair awaits the pleasure of the Senate. (Applause).

On motion by Mr. Martin of Kennebec, that Senator with Mr. Wheeler of Oxford and Mrs. Pinkham of Aroostook, were appointed a committee to receive, sort and count votes for Secretary of the Senate.

Having attended to this duty, Mr. Martin for the Committee reported as follows:

Whole number of votes cast 29.

Necessary for a choice 15.

Royden V. Brown had 29.

Which report was read and accepted and Royden V. Brown of Bingham, having received a majority of all the votes cast, was declared duly elected Secretary of the Senate of the Eighty-fourth Legislature.

At the request of the President, Mr. Martin of Kennebec escorted the Secretary-elect to the Council Chamber for the purpose of taking and subscribing the necessary oaths of office to qualify him to enter upon the discharge of his official duties.

Subsequently Mr. Martin reported to the Senate that he had

attended to the duty assigned him and that Royden V. Brown had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the discharge of the duties of the Secretary of the Senate.

Secretary Brown then assumed the duties of his office.

On motion by Mr. Oakes of Cumberland, that Senator with Messrs. Dwinall Knox and Harriman of Kennebec were appointed a committee to receive, sort and count votes for Assistant Secretary of the Senate.

Having attended to this duty, Mr. Oakes for the Committee reported as follows:

Whole number of votes cast 29.

Necessary for a choice 15.

Chester T. Winslow had 29.

The report was read and accepted, and Chester T. Winslow of Raymond, having received a majority of all the votes cast, was declared duly elected Assistant Secretary of the Senate for the political years 1929-1930.

On motion by Dr. Dunbar of Hancock, that Senator with Messrs. Minott of Cumberland and Wheeler of Oxford were appointed a Committee to receive, sort and count votes for Messenger of the Senate.

Having attended to this duty, Mr. Dunbar for the Committee reported as follows:

Whole number of votes cast 29.

Necessary for a choice 15.

James F. Ashford had 29.

The report was read and accepted and James F. Ashford of Augusta, having received a majority of all the votes cast, was declared duly elected Messenger of the Senate for the political years 1929-1930.

On motion by Mr. Murchie of Washington, the Secretary of the Senate cast the ballot of the Senate for Mellen H. Tryon of Pownal for assistant messenger; Edward C. Moody of York for postmaster; Charles F. Tibbetts of Augusta for doorkeeper; George H. Chick of Monmouth for folder; Waldo H. Clark of Augusta for assistant folder, and they were declared elected to their several positions.

Message from the House

A message was received from the House of Representative by Mr. Hale of Portland as Speaker, Clyde Senate that the House of Representatives had perfected its organization by the choice of Robert Hale of Portland as Speaker, Clyde R. Chapman of Belfast as Clerk and Harvey W. Pease of Lincoln as Assistant Clerk.

On motion by Mr. Martin of Kennebec, that Senator was charged with a message to the House of Representatives informing that body that the Senate had organized by the choice of the Honorable J. Blaine Morrison as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

That Senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Greenleaf of Androscoggin, that Senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of the Honorable J. Blaine Morrison as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

That Senator retired to the Council Chamber and subsequently reported that he had delivered the message with which he was charged.

Communication from the Department of State

A communication from the Department of State transmitting the Senatorial Vote was received and read:

On motion by Mrs. Carter of Androscoggin the above communication was referred to the Committee on Senatorial Vote.

Orders

On motion by Mr. Bond of Lincoln, it was

Ordered, that the President of the Senate be authorized to appoint a Document Clerk for the custody of the Senate Documents.

The President thereupon appointed James E. Harvey of Readfield as

Document Clerk for the 84th Legislature.

On motion by Mr. Mitchell of Aroostook, it was

Ordered, that the Secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the Senate.

On motion by Mr. Carlton of Sagadahoc, it was

Ordered, that the President of the Senate be authorized to appoint an Assistant Document Clerk for the custody of the Senate Documents.

The President thereupon appointed Alden Hutchinson of Monmouth as Assistant Document Clerk of the 84th Legislature.

On motion by Mrs. Allen of Penobscot, it was

Ordered, that the State Librarian be directed to provide each officer and member of the Senate with a copy of the Acts and Resolves of the 83rd Legislature.

On motion by Mr. Slocum of Cumberland, it was

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years 1929 and 1930 shall be referred for examination and report.

The President thereupon appointed as members of this committee Mr. Bragdon of Aroostook, Mr. Spear of Cumberland, Mr. Carlton of Sagadahoc, Mr. Weeks of Somerset, Mr. Harriman of Kennebec, Mr. Leland of Piscataquis, Mr. Boulter of York.

On motion by Mrs. Carter of Androscoggin, it was

Ordered, that Charles P. Lyford of Augusta be appointed Official Reporter of the Senate with the same compensation as paid at the last regular session of the Legislature.

On motion by Mr. Nickerson of Waldo, it was

Ordered, that the Official Reporter of the Senate be authorized to procure the services of a type-writing operator during the present session at an expense not exceeding \$400; also an Assistant Reporter at an expense not exceeding

\$700; for the preparation and completion of the Legislative Record.

On motion by Mr. Martin of Kennebec, it was

Ordered, that the Secretary of the Senate be authorized to secure the services of three stenographers for the present session; one for the office of the President and two for the office of the Secretary.

On motion by Mr. Minott of Cumberland, it was

Ordered, the House concurring, that the members and officers of the 84th Legislature be furnished with express and parcel post transportation for all packages and department reports in a sum not exceeding \$5.00 for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department, and the unexpended balance at the close of the year 1929 shall be available for use in 1930.

Sent down for concurrence.

On motion by Mrs. Pinkham of Aroostook, it was

Ordered, that the Secretary of the Senate prepare and have printed 150 diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Bond of Lincoln, it was

Ordered, that the Secretary of the Senate purchase such stationery, office supplies and equipment as may be needed to carry on the business of the Senate.

On motion by Mr. Weatherbee of Penobscot, it was

Ordered, that the rules and orders of the Senate of the 83rd Legislature be the rules and orders of this Senate.

On motion by Mr. Crosby of Penobscot, it was

Ordered, that the Secretary of State be directed to furnish for the use of the Senate four copies of the Revised Statutes of the State; one copy of the Holy Bible, Webster's International Dictionary, the Standard Dictionary, Bouvier's Dictionary and Reed's Parliamentary Rules.

On motion by Mr. Oakes of Cumberland, it was

Ordered, the House concurring, that the returns of votes for Governor given in the several cities, towns and plantations of the State for the political years 1929 and 1930 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

The President thereupon appointed as members of such committee on the part of the Senate, Mr. Bond of Lincoln, Mr. Mitchell of Aroostook, Mr. Dunbar of Hancock, Mr. Slocum of Cumberland, Mrs. Allen of Penobscot, Mr. Harriman of Kennebec, Mr. Murchie of Washington.

Sent down for concurrence.

On motion by Mr. Douglas of Hancock, it was

Ordered, the House concurring, that the desk and chair located in the Governor's office in the State House, and by him used for executive purposes during the past four years, be presented on behalf of the State of Maine to Governor Ralph O. Brewster.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset, it was

Ordered, that the President of the Senate be authorized to appoint two Pages for the Senate.

The President thereupon appointed Royal F. Overlock of Augusta and Roy Humphreys of Augusta as Pages for the Senate.

On motion by Mr. Weeks of Somerset, it was

Ordered, the House concurring, that the Document Clerk prepare each week for the use of the Legislature a cumulative index of all bills and resolves introduced during the session showing precisely the important steps in the history of each and its final distribution or present status and that 500 copies thereof be printed.

Sent down for concurrence.

On motion by Mr. Wheeler of Oxford, it was

Ordered, that the members of the Senate be furnished with a fountain pen each.

On motion by Mr. Spear of Cumberland, it was

Ordered, that the Secretary of the Senate be directed to furnish each member and officer of the Senate with three daily papers published

in the State, such as each officer and member may select.

On motion by Mr. Campbell of Washington, it was

Ordered, that the Secretary of the Senate be authorized to furnish wrappers and postage stamps for each member and officer of the Senate not exceeding \$10 in amount each for the purpose of distributing the various reports of the Department of State and other public documents such as they may desire to mail to the citizens of the State.

On motion by Mr. Noyes of Kennebec, it was

Ordered, that the Superintendent of Buildings be directed to purchase for the Senate Reporter a typewriter for the preparation and completion of the Legislative Record both during the session and after, and charge the same to Legislative expense.

On motion by Mr. Murchie of Washington, it was

Ordered, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register, and that 4,000 copies be printed for the use of the Legislature.

Sent down for concurrence.

On motion by Mr. Martin of Kennebec, it was

Ordered, the House concurring, that a joint committee consisting of two members on the part of the Senate with such as the House may join, be appointed with full authority to make a contract with the New England Telephone and Telegraph Company for telephone service for the members of the 84th Legislature with matters connected with their official duties.

Whereupon the President appointed as members of such committee on the part of the Senate, Mr. Martin of Kennebec and Mr. Leland of Piscataquis.

Sent down for concurrence.

On motion by Mr. Boulter of York, it was

Ordered, that the Senate hold one session a day commencing at 10 o'clock in the forenoon until otherwise ordered.

The following order was presented by Mr. Crockett of York:—

Ordered, the House concurring, that the joint rules and orders of

the 83rd Legislature be the joint rules and orders of this Legislature.

Mr. OAKES of Cumberland: Mr. President, I move that that order lie on the table for a moment.

The motion to table prevailed.

Mr. OAKES: Mr. President, I wish to present the following order and move its passage:—

“Ordered, the House concurring, that the joint rules of the 83rd legislature be the joint rules of this legislature with the following rule added: 19—Bills, orders and resolves involving an appropriation or expenditure of money shall be introduced by an original and copy, the original to be filed with the committee to which it is referred for consideration and the copy, carrying endorsement or reference, with the Committee on Appropriations and Financial Affairs. The Appropriation Committee shall issue a printed report and tabulation of such bills weekly.”

Mr. President, this is not what might be called a pro forma order as most of the others have been and I would like to submit a brief statement concerning it. I think the credit for this order is due to Mr. Robie of Westbrook whose idea, perhaps, first was presented on this and then Mr. Deering, who was House Secretary last session, and Senator Spear worked out the idea of this order and I merely assisted on some of the mechanics.

The idea is that all orders involving any appropriation of money shall be presented in duplicate with an original and a carbon. The original shall go to the committee to which it would naturally be referred in the order of business. The carbon shall go to the committee on Appropriations. The Appropriations Committee each week shall give to the members of the Legislature a tabulation of all matters involving the expenditures of money so that we shall have on our desk at all times a picture of the appropriations that are being called for and the expenditure that we are being asked to make. One particular reason is that in the past, measures have been introduced involving the same subject matter, have been referred to different committees, been reported out favorably and have actually received passage.

This order provides for a check by the Appropriations Committee.

The other reason is that we are going to have, if I am correctly in-

formed, unusually large demands made upon us for the expenditure of money this year and this will give each one of us a picture of what we have to work upon, continually on our desks. I think that this order, if it appeals to the members of the Senate, would give us a great deal of assistance. It would cost a little but it seems to me the information would be of considerable value and that it would save a great deal of money to the state throughout the year.

I move the passage of this order.

Mr. MURCHIE of Washington: Mr. President, I am sorry to start disagreeing with anything on the first day of the session and I will say at the outset that with a great deal of what the Senator from Cumberland, Senator Oakes has said, I am in sympathy. But it seems to me that we ought to place the burden of making copies, not on the members, but on the clerks of the committees to whom the bills for the appropriation of money would go and I would hope that the rule might be so amended that the clerks of the various committees would be required to furnish the Appropriations Committee with copies of all bills referred to them carrying the appropriation of money.

It may not be convenient at any moment for a man desiring to present an order to have a carbon copy of it made and I think it will go far towards cluttering up the hopper.

Therefore, I move that the order lie upon the table until an amendment can be prepared.

The motion to table prevailed.

On motion by Mr. Harriman of Kennebec,

Recessed until 2.30 o'clock this afternoon.

AFTERNOON SESSION

Senate was called to order at 2:45 o'clock by the President.

Mr. OAKES of Cumberland: Mr. President, I have an order which I wish to introduce and move its passage, as follows:

ORDERED, the House concurring, that the joint rules of the eighty-third legislature be the joint rules of this legislature with the following rule added:

19. The several clerks of the committees to which are referred bills, orders or resolves involving the appropriation or expenditure of money shall forthwith upon receipt of such bills transmit a copy thereof carrying endorsement of reference to the Committee on Appropriation and Financial Affairs. No bill shall be in order for advertising for hearing or any other procedure until such copy is so transmitted. The appropriation committee shall issue a printed report and tabulation of such bills weekly.

Mr. OAKES: Mr. President, I will state that this order is the matter which we held up this morning and it seems to me the suggestions of the Senator from Washington, Senator Murchie are very good and that this order has an advantage over the previous one.

The order received a passage.

Mr. SLOCUM of Cumberland: Mr. President, in order to keep the records straight will it not be necessary to withdraw the other orders put in this morning and tabled, and have them indefinitely postponed?

The PRESIDENT: The Chair suggests for the information of the Senator from Cumberland, Senator Slocum, that it would be a very proper procedure for the Senators who tabled the orders this morning to take them from the table and then ask the unanimous consent of the Senate to withdraw the orders.

Mr. MURCHIE of Washington: Mr. President, I move that we take from the table the order presented this morning by Senator Oakes and tabled by me.

The motion prevailed.

Mr. MURCHIE: And I now yield, Mr. President, to the Senator from Cumberland, Senator Oakes.

Mr. OAKES: Mr. President I ask unanimous consent to withdraw the order.

Unanimous consent was given.

Mr. OAKES: Mr. President, I now move that we take from the table the order introduced this morning by the Senator from York, Senator Crockett and tabled by me.

The motion prevailed.

Mr. OAKES: And I now yield, Mr. President, to the Senator from York, Senator Crockett.

Mr. CROCKETT of York: Mr. President, I ask unanimous consent of the Senate to withdraw the order presented by me this morning.

Unanimous consent was given.

On motion by Mr. Greenleaf of Androscoggin,

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature forthwith in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, Attorney General, Commissioner of Agriculture and seven executive councillors.

Which was read and passed and the Secretary delivered the message.

Subsequently a message was re-

ceived from the House of Representatives by Mr. Chapman, its Clerk, announcing that that branch concurred in the proposition of the Senate for a Joint Convention for the purpose of electing Secretary of State, Treasurer of State, Attorney General, and seven Executive Councilors.

Thereupon the Senate retired to the Hall of the House of Representatives, where a Joint Convention was formed.

(For proceedings in Joint Convention see House Report).

Upon the return of the senators to their Chamber the Senate was called to order by the President.

On motion by Mr. Wheeler of Oxford,

Adjourned until tomorrow morning at 10 o'clock.