

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

Thursday, April 11, 1929.

Senate called to order by the President.

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

Journal of previous session read and approved.

(At this point the Hon. Frank G. Farrington was escorted to a seat at the right of the President, amidst the applause of the Senate, the members rising.)

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

Appropriations and Financial Affairs

By Mr. Slocum of Cumberland: Resolve in favor of the Clerk and Messenger of the Federal Relations Committee. (S. P. 804)

Sent down for concurrence.

Bills in First Reading

An act to amend section 6 of chapter 83 of the Revised Statutes relative to Clerk to County Commissioners. (S. P. 803) (S. D. 430)

Reports of Committees

Mr. Spear from the Committee on Appropriations and Financial Affairs, on "Resolve to provide for a memorial to Harold Andrews, the first Maine man to lose his life in the World War" (S. P. 262) (S. D. 133) reported the same in a new draft, under the same title (S. P. 805) and that it ought to pass.

The report was read and accepted and the resolve laid upon the table for printing under the joint rules.

Mr. Slocum from the Committee on Federal Relations, submitted its final report..

Mr Douglas, from the Committee on Interior Waters, submitted its final report.

Mr. Carlton, from the Committee on State Lands and Forest Preservation, submitted its final report.

The reports were severally read and accepted.

Sent down for concurrence.

Passed to be Engrossed

An act relating to bounty on porcupines or hedgehogs. (H. P. 135) (H. D. 60)

Resolve to provide for an additional issue of highway and bridge bonds (S. P. 740) (S. D. 394)

Resolve to provide a Committee to investigate and recommend regarding sales tax. (S. P. 786) (S. D. 428)

Passed to be Enacted

An act relative to the Department of Education. (S. P. 707) (H. D. 715)

An act relating to salaries of public officers, and the compensation of members of the Government. (S. P. 729) (S. D. 381)

An act to amend the act defining the term "securities" under the "Blue Sky Law" (S. P. 748) (S. D. 403)

An act to revise the Workmen's Compensation Act. (S. P. 761) (S. D. 410)

An act to provide for the building of a highway bridge across the Kennebec River between the towns of Richmond and Dresden. (H. P. 1682) (H. D. 741)

An act to provide equitable and uniform taxation for motor vehicles. (H. P. 1727) (H. D. 787)

An act relating to amusements on Memorial Day. (H. P. 1733) (H. D. 806)

Finally Passed

Resolve appropriating money for payment of expenses of Tancerede Morin, an employee of the State Highway Commission. (H. P. 1700) (H. D. 767)

Orders of the Day

The President laid before the Senate, an act with reference to tuberculous prisoners (H. D. 579) tabled yesterday by Mrs. Pinkham of Aroostook, pending consideration and today assigned.

Mrs. PINKHAM of Aroostook: Mr. President, I move that we recede and concur with the House in the reference of this bill to the next Legislature.

The motion prevailed.

The President laid before the Senate, Veto Message from the Governor on resolve appropriating money to pay claims allowed by the Committee on Claims, tabled yesterday by Mr. Dunbar of Hancock, pending consideration, and today assigned.

Mr. DUNBAR of Hancock: Mr. President, I move that we now proceed to vote on this message.

The PRESIDENT: The Senator from Hancock, Senator Dunbar, moves that this matter take its regular course and that the Senate now proceed to vote.

Mr. MURCHIE of Washington: Mr. President, I would like to inquire through the Chair of the Senator from Hancock (Senator Dunbar) if arrangements have not been made for the reintroduction of the pauper resolve if this veto is sustained.

The PRESIDENT: The Senator from Washington, Senator Murchie, inquires of the Senator from Hancock, Senator Dunbar, through the Chair, and the Senator from Hancock, Senator Dunbar, may answer if he desires.

Mr. DUNBAR: I will say, Mr. President, that arrangements have been made not only for the introduction of the pauper claims but for all other claims as well.

Mr. WEATHERBEE of Penobscot: For the information of the Senators present, Mr. President, I will say that in a conference which the committee had with the Governor yesterday a satisfactory arrangement was made to take care of these resolves in another way and I trust that the veto message of the Governor may be unanimously sustained.

The PRESIDENT: The question before the Senate is, shall this resolve become a law notwithstanding the objections of the Governor. This requires a two-thirds affirmative vote of the Senate. Those in favor of the resolve becoming a law notwithstanding the objections of the Governor will answer Yes when their names are called. Those opposed to the resolve becoming a law and desiring to sustain the veto of the Governor will vote No when their names are called. Is the question plain and is the Senate ready? The Secretary will call the roll.

YEA—Dunbar—1.

NAY—Allen, Bond, Boulter, Bragdon, Campbell, Carlton, Crockett, Carter, Crosby, Douglas, Dwinall, Greenleaf, Harriman, Leland, Littlefield, Martin, Minott, Mitchell, Murchie, Nickerson, Noyes, Page,

Pinkham, Slocum, Spear, Weeks, Weatherbee, Wheeler—28.

ABSENT—Oakes.

One having voted in the affirmative and twenty-eight in the negative, the necessary two-thirds vote was not obtained and the veto of the Governor was sustained.

The President laid before the Senate, an act to create the Port of Portland Authority (S. D. 406) tabled yesterday by Mr. Oakes of Cumberland pending passage to be enacted and today assigned.

Mr. MINOTT of Cumberland: Mr. President, I believe that my colleague, the Senator from Cumberland, Senator Oakes, has an amendment to offer and as he is not in his seat I move that the matter be retabled.

The motion to retable prevailed.

The President laid before the Senate, an act relating to the registration of non-resident trucks (S. D. 111) tabled yesterday by Mr. Oakes of Cumberland pending passage to be enacted.

Mr. SPEAR of Cumberland: Mr. President, in the absence of Senator Oakes I move that this matter be retabled.

The motion to retable prevailed.

The President laid before the Senate, Senate Report from the Committee on Salaries and Fees "ought not to pass" on an act relating to the Highway Commission (S. D. 264) tabled yesterday by Mr. Carlton of Sagadahoc pending acceptance of the report; and on motion by that Senator the bill and the report were retabled.

The President laid before the Senate, an act to create a Commissioner of Highways (S. D. 363) tabled yesterday by Mr. Minott of Cumberland pending consideration; and on motion by that Senator the bill was indefinitely postponed in non-concurrence.

The President laid before the Senate, Senate Report from the Committee on Judiciary "ought not to pass" on an act to provide for aid to the dependents of soldiers, sailors and marines killed or disabled in the World War (S. D. 292) tabled on April 10th by Mr. Oakes of Cumberland pending acceptance of the report.

Mr. SPEAR of Cumberland: Mr. President, in the absence of my colleague I move that this matter be retabled.

The motion to retable prevailed.

The President laid before the Senate, House Report from the Committee on Legal Affairs "ought not to pass" on an act relating to the registration of motor vehicles (H. D. 280) tabled on April 10th by Mr. Dwinal of Knox pending acceptance of the report; and on motion by that Senator the report was accepted.

The President laid before the Senate, Petition of one of the members of the Highway Commission, tabled yesterday by Mr. Spear of Cumberland pending consideration; and on motion by that Senator the petition was retabled.

Mrs. ALLEN of Penobscot: Mr. President, I rise to a question of personal privilege.

The PRESIDENT: The Senator may state her question.

Mrs. ALLEN: Mr. President, I regret very much that I am not an orator endowed with a wide vocabulary of words. However, in my feeble way, I wish to say a few words in behalf of the Senate of the 84th Legislature to our President.

We have been in session now for fifteen weeks. We have come to know each other and, I may go so far as to say, to respect and love each other better. I trust that we have filled our positions with satisfaction to you and I know that we have secured your friendship for all time to come.

Your calm and peaceful voice, never changing in any excitement or misdoing of ours has indicated to "Claire", "Fred", "William H.", "Frederick", "Dora", "Raymond", "Arthur", "George H.", "Paul Frederick", "J. Sherman", "Homer", "Burleigh", "Merle", "Franklin", "Zelmer", "Forrest", "Stanley", "John W.", "Frank W.", "Harold E.", "Blin", "Albert", "Harold H.", "William", "Pliny", "Edwin I", "George D.", "Artemus", "Clarence" and "Katherine", the word "DIRIGO", which expresses the whole subject matter.

Mr. President, you have demonstrated to us that in your every

purpose you have been actuated to do right to all members.

In behalf of the Senate of the 84th Legislature I present to you this gift of time—may it always keep true time. The timepiece you now have has lost time during this session for I believe it said that the 84th Legislature would expire on April 6th. This gift is to show you, Mr. President, that we acknowledge with appreciation your patience with our innumerable contentions, your personality, your disposition of fairness in all measures, indicating your high character and commanding the respect of all. This gift is also a pledge of appreciation and affection and with it, you may be assured, are given the best wishes of all.

May the years be kind to you. The members of the Senate of the 84th Legislature extend to you their greetings for the future. (The Senate rose and applauded as Mrs. Allen presented the President with a gold watch).

The PRESIDENT: My dear Lady and fellow Senators, I feel that I can never adequately repay you for all that you have done for me, for the honor that you conferred upon me at the commencement of this session in electing me to preside over your deliberations, the kindness and forbearance that you have shown throughout the weeks that followed, and now this beautiful and valuable gift that you have presented. Well do I realize that I am deeply indebted to you for all these kind and generous acts.

The honor of being elected to preside over the Senate of a Commonwealth is an honor that comes to the few, not to the many, and I think I may truthfully say that it was the proudest moment of my life when, without a single dissenting vote, you signified your choice in me. I must confess that it was not without some trepidation that I took up the gavel for the first time for I realized, if you did not, my inexperience and the many things I had not learned, and perhaps could only learn by experience in the great maze of parliamentary procedure. And I realize now the difficulties that might have beset me and the obstacles that might have appeared in my pathway, had you been so

inclined; but you have all worked together to help me, to help each other and, best of all, to benefit through your unselfish motives and your loyal efforts, the State we love.

As I stated on the opening day, we happened this session of the Legislature, in the Senate, to be all affiliated with the same political party but we came here and should carry on our work here, not as Senators of the Republican party but as Senators of Maine. I believe this has been your thought also, throughout the session and that the needs of the State, of its industries, large and small, and of its people rich or poor, as they have been presented to you, have alike received courteous and just consideration at your hands.

I feel that I should take advantage of this opportunity to say that my task has been easier, my duties far less arduous, than they otherwise would have been because of the splendid work of our most efficient secretary, Mr. Brown, and the assistant secretary of the Senate, Mr. Winslow. The prompt attention they have given to all matters and their courteous treatment to us all, I feel sure is appreciated by every member of this Senate. They and the young ladies in the office, Mrs. Lee, Mrs. Wing, and Miss Dunn, have all cooperated and given their best that the machinery of this body might run smoothly and steadily along to the end of what might be, and now appears to be, a successful and helpful session.

The time has gone quickly and pleasantly for me and I trust it has for you. It seems only a few days ago that we met together for the first time. As I have looked into your faces from day to day, you have seemed to me just like a large, lovable and enjoyable family and I have come to realize and appreciate more and more during these days, the value of your friendship. Soon the gavel will fall for the last time, the Legislature will adjourn without day, we will depart for our homes perhaps never all of us to meet together again, but I shall take with me and I hope you will with you, something that is more precious by far than costly gems, something

more beautiful than the rarest flower that lifts its dewy petals to the morning sun; memory's thoughts, memories of pleasant days we have spent here and the feeling down deep in our hearts that wherever we may go, friendship's ties still entwine us.

We know not what the future may have in store for us, but it is my earnest and heartfelt wish that health, happiness, and success may attend you all as you continue your journey along the pathway of life.

I know you will pardon me if for a moment I attempt to gaze into the magic crystal that contains my future. I see a picture. It may be but a short time away. It may be many years from now. I am sitting before a fireplace; it is a cold wintry night; the wind is moaning through the branches of the trees; the snow is sifting up against the window panes. I sit there watching the flames as they weave their fantastic shapes in ever changing form, struggling to escape and mingle with the elements of nature in the great outside. It is nearly time to lay aside the duties and cares of the day and I look at my watch, the beautiful watch that you have just presented to me, and my thoughts fly swiftly backward over the leaves of time's great record; back to the year 1929, to the 84th Legislature, to this Senate Chamber and to the thirty splendid men and women who are now before me. Then,—

“There's a comforting thought at
the close of the day,
When I'm weary and lonely and sad,
That sort of grips hold of my
crusty old heart,
And bids it be merry and glad;
It gets in my soul and it drives
out the blues
And finally thrills through and
through,—
It is just a sweet memory that
chants the refrain,
I'm glad I touched shoulders with
you.”

I thank you. (The Senate rose and applauded).

On motion by Mr. Slocum of Cumberland, the Senate recessed to meet at the sound of the gavel.

After Recess

The Senate was called to order by the President.

Mr. MITCHELL of Aroostook: Mr. President, I also rise to a question of personal privilege.

The PRESIDENT: The Senator may state his question.

Mr. MITCHELL: Mr. President, I have been more or less handicapped during this session. Standing directly between me and the President has been the dignified and somewhat exaggerated form of the Secretary of this Senate, interfering with the recognition that I expected, with a consequent serious loss to the State and nation.

However, now that that worthy gentleman has seen fit to resume a more or less sedentary position, I shall for the next sixty minutes relieve myself of those "words that breathe and thoughts that burn", so fitting to this memorable occasion.

As the only physician in this honorable body, I have felt it incumbent upon me, and it has been a pleasant, if somewhat expensive duty, to maintain in spite of the handicap that nature has imposed on him, the physical well-being of the worthy, efficient and dearly beloved Secretary of this Senate. And in the words of the mock session, if you have tears, prepare to shed them now.

There is the story of the woman who had tried for years to get a husband. Finally a report was circulated that she was engaged. Meeting her, one of her friends offered congratulations. "Unfortunately", replied the maiden lady, "it is not true; but thank God for the rumor."

Rumors have floated through the vitiated atmosphere of this chamber that our Secretary has exhibited a predilection for the fair Senators from Androscoggin, Aroostook and Penobscot; but "breathes there a man with soul so dead, who never to himself hath said: 'these girls just simply turn my head'", or words to that effect?

Mr. Secretary, as one who has watched your actions with a discriminating eye, as one who has watched your motives with a sense of appreciation, as one who has guarded your health and physical welfare; in fact, as your family physician, I can say, and I voice the sentiments of this noble group

called by the people, for the people and at a terrible sacrifice, that your fairness, your willingness to help each member solve the intricacies of the legislative machinery, your undisputed knowledge of parliamentary procedure, have all impressed us; and coupled with your serious expression during the morning invocation, has endeared you to every member of this Senate, and it is certainly with a feeling of personal honor that I am privileged at this time to present you with these chains, as a slight evidence of our appreciation.

May no incident in your future life ever permit the chain to leave its natural resting place on your manly chest for a higher and more ignominious setting around your neck; but may its links remind you of those ties of friendship so closely cemented during this session—a token of unbreakable fellowship.

And on account of your social duties we have thought it fitting to present to you what might be called an "every day" chain (presenting heavy iron chain) as well as one more fitting, perhaps, to this occasion.

(Senator Mitchell here presented the Secretary with a gold watch chain amidst the applause of the Senate, the members rising).

Secretary BROWN: Mr. President and members of the Senate, two years ago I provoked from the senior Senator from Aroostook a great epic poem. This morning a great oration has been made over my remains. I seem to be in bad with the "Gridiron Club." At a recent mock session certain scathing remarks were made which I think were rather personal. Someone came to me and asked me if I was really provoked over the remarks made at the mock session and I told them that I couldn't very well be provoked because I thought that nearly all of them were intoxicated.

However, I am deeply appreciative of both chains and I felt that I should tell you that my chief appreciation of the chain is because of the kindly sentiment which prompted you to give it to me.

If I have been able to serve you at all satisfactorily I think it has been largely due to the splendid co-operation of the entire office force and I feel that I would be remiss if I did not thank them at this time. I also wish to thank the President

of this body, that able parliamentarian, that kindly, genial, Christian gentleman.

A recent writer has said, a gentleman now sojourning in this city for the Legislative session, that after all this was only an average legislature. So far as that applies to the upper branch I shall have to differ with the gentleman because I consider this one of the most sensible, sane and able Senates in the history of this State, numbering among its members many distinguished lawyers and many able business men.

I am proud to have been Secretary of this body and when I look at my various chains I will be frequently reminded of that great honor. I thank you. (The Senate rose and applauded).

Mr. MITCHELL: Mr. President, may I still retain the floor on a question of personal privilege?

The PRESIDENT: The Senator may state the question.

Mr. MITCHELL: Mr. President, since dawn's earliest day it appears to be axiomatic that in every executive or political department the head of the department is a secretary placed there either for his commanding presence or his ability to persuade. The real active worker, the man who not only lightens the burden but actually carries it, is the underpaid and much overworked Assistant Secretary, and to you, Mr. Winslow, this applies in a very particular manner.

The Senate, however, is conscious of your real worth. We have watched your serious application to duty, your unflinching courtesy, your eagerness to be of real service, and in extending to you this little pot of gold we wish to express our sincere appreciation of your services and the hope that your future may be filled with golden opportunities. (Mr. Mitchell presented the Assistant Secretary with a gold piece and the Senate rose and applauded).

Assistant Secretary WINSLOW: Mr. President and members of the Senate, it is indeed very difficult for me to find words that will appropriately express my appreciation for this gift. While I thank you for it and appreciate the gift in itself, the thing that impresses me most is the fact that it comes from the 84th Senate.

It has been a pleasure for me to be an official of this body and to

become so well acquainted with all its members and so closely associated with the great leader and prince of good fellows that you chose to be your presiding officer.

I wish you all success in the future and I assure you of my appreciation of this gift. Thank you. (The Senate rose and applauded).

Mr. MURCHIE of Washington: Mr. President, while the personal privilege pie is being cut I wonder if it would be proper for me to take a quarter section capable of being divided into four smaller portions. Although I am younger than some of the members of the Senate and although my memory in general matters may not go back as far as theirs, my political memory, and particularly my memories with reference to this edifice in which we hold our sessions, I think goes back at least as far as any member of the Senate, except the distinguished lawyer from Lincoln who represents Penobscot County, to the days when this body was presided over by Harry Virgin and the House by Oscar Fellows, and when John F. Hill of Augusta was Governor of the State of Maine, the days prior to the time when "Teddy" began to wield the Big Stick and the days when the term "Old Guard" instead of being a term of reproach was considered a term of affection. And I acquired such an affection for the Old Guard in those early days that during that period of reproach I stood loyally by the so-called Old Guard.

I have been particularly pleased this session to find that the words "Old Guard" were capable of becoming again a term of affection. We have had four men who may well be termed the "Old Guard" who have rendered to this Senate faithful and efficient service. I regret that the Constitution is so worded that titles of nobility may not be conferred. We cannot designate these men as members and knights of the Star and Garter, but having among our members three lady members of eminently good taste we can create a new order which we can call the "Order of the Red Necktie", and with the consent of the Senate I want to appoint our Messenger, James F. Ashford, our Assistant Messenger, Mellen

Tryon, our Postmaster, Edward C. Moody, and our Doorkeeper, Charles F. Tibbetts as members of that order, Knights of the Red Necktie, in appreciation of their faithful and efficient services and their real friendship to the individual members of this Senate. I hope that after all this the ties are red although I haven't seen them. (The above named officers were each presented with a necktie amidst the applause of the Senate, the members rising).

Mr. MARTIN of Kennebec: Mr. President, I would also like to rise to a question of personal privilege.

The PRESIDENT: The Senator may state the question.

Mr. MARTIN: Mr. President, I would like to have come down in front of the Senate, so that the Senate may have the opportunity of looking upon some of the finest looking young men in the State of Maine, the following: Royal Overlock, our Page; Roy Sidney Humphrey, also our Page; George H. Chick, our Folder; Waldo H. Clark, Assistant Folder; and Alden D. Hutchinson, our Assistant Document Clerk.

Now, if the Senate likes the looks of these young men I trust they will applaud at this time. (Applause)

It is my privilege, in behalf of the Senate, to confer, what my brother Murchie meant to confer, the Order of the Red Necktie, and I am holding up this tie because I want the Senate to see it as there has been a great demand for it from a number of the Senators since they saw it this morning. Forrest Bond has tried incessantly to get this tie but so far I have been able to protect you gentlemen and I have a tie for each one of you.

We all appreciate the splendid work you have done and in giving you these ties—which incidently you must thank chiefly the lady Senators for because they selected them—there goes with the gift a great deal of sentiment. I also want to give you a little advice and I give this at the request of Ed. I. Littlefield who really is the adviser. In the first place, you are soon going to approach the time when you will probably be thinking seriously

of taking a wife and that time has doubtless been hastened because you have been looking upon us men who are married and have seen how happy we are, so you will want, of course, to be likewise.

Now, one of the reasons the ties are given you is that sometime in the near future each one of you, when you go out calling, is supposed to wear one of these ties. It will practically assure you a successful courtship. You go to some little house, or to some big house, and you will be conducted into the parlor and the father and the mother will be there and the only young lady in the world, and you will sit there and they will tell you how glad they are to see you. And then after a short time you will say, "Oh, I forgot a little package," and you will go out into the hall and bring back a box and you will open it and it will be candy, and the young lady will say how surprised she is, and she will taste it and she will say, "It is the best candy I ever tasted in my life." And then you want to be sure to say, "That candy I purchased from Senator Spear of Cumberland." And then in the same way you want to get another little package and say, "Why, I have another one." And you will bring in some lovely carnations and the young lady will say, "Those are the most beautiful carnations I have ever seen." And you want to say, "I got those from Senator Minott of Cumberland." Then the father will go upstairs, taking with him, undoubtedly, that great paper, the Lewiston Sun—thank you, Mr. Atwood—and the mother will retire and then you will sit there, and here is where your tie really comes in. Here is why the ladies gave it to you. You want to put your hand to your tie before you ask her this question, before you ask the great question. Put your hand to your tie, close your eyes and go back in your memory to this Senate, eliminate all the men and just think of the three lady Senators, decide whether the girl sitting beside you has the same splendid qualifications, capabilities and characteristics as the three lady members in the Senate, and if she has, my boys, ask her at once to be your wife, because you will always live happily and you will have the success and

prosperity which we all want you to have.

Seriously, boys, you have done a great job here and if there is anything that any of us can do for you speak of it and each and every senator here will be glad to do it. (Each of the above named young men were presented with a necktie amidst the applause of the Senate, the members rising.)

Mr. NOYES of Kennebec: I rise to a question of personal privilege. I wish to say to you, boys, that you have been listening to remarks about candy and flowers. Don't forget the fellow who brings home the bacon. He is the fellow who has got to stand through the coming years. Don't forget something to eat. I produce it.

Mr. SLOCUM of Cumberland: Mr. President, I also rise to a question of personal privilege.

The PRESIDENT: The Senator may state the question.

Mr. SLOCUM: I have noted with great interest the flying pencil of the Reporter of this body. Sometimes the members of the 84th Senate have been so thoughtless as to talk with so great rapidity that the point of that pencil—or, I believe, pen—fairly smoked, and I have thought of the energy behind that pen. I have thought that in time the Honorable Reporter of this body will probably be pushing a pen in the hereafter, and that recalled to my mind a sign on a smoke shop, and on behalf of the Senate of the 84th Legislature I am empowered to present to our very efficient and helpful Reporter, these smokes and to bring to the attention of Mr. Lyford that "it is better to smoke here rather than hereafter." (Applause)

I would like Mr. Tryon to escort Miss Rand and Miss Coffin to the front of this Chamber that we may present the gifts on the part of the Senate in full view—with them in full view—that we may see that they are presented to the right persons. (Miss Rand and Miss Coffin were escorted to the front of the Senate) There is a story to the effect that a certain young lady had an unexpected caller and she was called to the top of the stairs and asked to come down. She was called at such an inopportune time that she had

just stepped out of her bath and she had no clothes on. They asked her to come down immediately and she said, "I can't, I am not dressed." And they said she slipped on the top step and came down. Fearing that the top step wasn't a sufficient slip, the members of the Senate of the 84th Legislature wish to present to Miss Rand and to Miss Coffin, in appreciation of their hard work, a slip which will more completely cover than the top step. It is suggested that in as much as all the other recipients have shown their gifts from the Senate, that possibly this would be the only time that we would have the opportunity of seeing these slips. (The Senate rose and applauded)

Will Mr. Tryon escort Mrs. Lee, Mrs. Wing and Miss Dunn to the front of the Senate Chamber. (These three ladies were escorted to the front of the Senate Chamber).

Fellow Senators, these are the unseen cogs of the machinery—to use the words of our beloved colleague from Sagadahoc County—that have kept the machinery going. They have worked untiringly. They have worked while the rest of us have been in our downy beds. They have worked night and day and I am sure that there are none who will enjoy a peaceful repose more than they. On behalf of this Senate I wish to thank them for the very important work that they have done for us and I think that in all probability the Chairman of the Committee on Presentation of Gifts picked on the only unmarried member of this body to present these particular articles because we all know it is difficult for one person to buy a gift for another that will fit well, and one of the conditions that goes with the gift is that it must be demonstrated to a committee as to whether it fits the bill and if in the opinion of the committee it does not fit it will be changed. The gifts that we are presenting to these fair members of the machinery are to be used in that rest and repose that has been so justly earned by their untiring efforts and I hope that their rest will be more complete because of these pajamas. (The Senate rose and applauded).

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

On motion by Mr. Murchie of Washington, the Senate voted to reconsider its former action whereby, resolve to provide for an additional issue of highway and bridge bonds (S. D. 394) was passed to be engrossed.

Thereupon, Mr. Murchie of Washington, presented Senate Amendment A and moved its adoption; "Senate Amendment A to Senate Document 394. Amend Senate Document 394 by striking out the words 'of state highways and interstate, intrastate, and international bridges, and the expenditure of said proceeds shall be equitably divided among the several counties of the state', and inserting in place thereof the words, 'of the present system of state highways and interstate and international bridges.'"

Mr. MURCHIE of Washington: Mr. President, in explanation of that amendment I will say that it simply carries into effect the suggestion that was made by the proponents of the measure yesterday that that is the purpose for which the bond issue is designed.

Thereupon, on motion by Mr. Leonard of Piscataquis, the resolve was laid upon the table pending the adoption of Senate Amendment A.

Mr. SPEAR of Cumberland: Mr. President, as my colleague, Senator Oakes has returned to his seat, I would like to take from the table Senate Document 406, An act to create the Port of Portland Authority, and I yield to the Senator from Cumberland, Senator Oakes.

The motion to take the bill from the table prevailed.

Mr. OAKES of Cumberland: Mr. President and Members of the Senate, I move that the bill be passed to be enacted, and wish to state one word in regard to the bill at this time. This matter has been considered very carefully by the Judiciary Committee. As originally introduced, it involved a question of eminent domain. The Judiciary Committee was not satisfied with that procedure. The matter was taken up at the Chamber of Commerce in Portland and a committee from the directors of the Chamber of Commerce has been, I think, about three weeks investigating and working on this question, going into it with great care. After their work was completed, they recommended a new form, which measure the Judiciary Committee en-

dorsed unanimously. I think that this measure would be of real advantage to the State of Maine, and therefore I make my motion. If there are any questions that should be answered about the matter, I should be very glad to speak further and answer them, otherwise I hope the measure will have a passage.

Mr. PAGE of Somerset: Mr. President, Section Seven of Senate Document 406 which is under discussion, while it does not and while no part of this bill grants the right of eminent domain, it strikes me that this section is going to eventually cause a lot of trouble between the Port of Portland authorities and certain railroads operating in that vicinity. I would like to have the bill in such condition that I could offer an amendment to it. Would a motion be in order, Mr. President, to reconsider the vote whereby the bill was passed to be engrossed?

The PRESIDENT: The Chair will state that a motion to reconsider takes precedence over the pending question. The Senator would be in order.

Mr. PAGE: Mr. President, I move we reconsider the vote whereby we passed this bill to be engrossed.

Mr. OAKES: Mr. President, may I inquire if this is for the purpose of offering an amendment?

The PRESIDENT: The Senator from Cumberland wishes to ask a question through the Chair of the Senator from Somerset, Mr. Page. The Senator may reply if he desires.

Mr. PAGE: That is my purpose, Mr. President.

Thereupon, under suspension of the rules, the Senate reconsidered its action whereby this bill was passed to be engrossed.

Mr. PAGE: Mr. President, I now offer Senate Amendment B to Senate Document 406:

"Senate Amendment B to Senate Document 406, an act to Create the Port of Portland Authority. Amend said bill by striking out all of Section Seven."

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

Mr. OAKES: Mr. President, is the pending question discussion of Section Seven?

The PRESIDENT: The Chair will state that the question before the Senate is now on the adoption of Senate Amendment B, which is the elimination of Section Seven.

Mr. OAKES: Mr. President and Members of the Senate, I would like to speak to the question of elimination of Section Seven, and perhaps first say that Section Seven is the bill in its essence. The Port Directors as now constituted under this bill would be reorganized into what would be known as the Port of Portland Authority. That is the heart of the bill and the limitations of their authority as such a separate entity are the occasion for the large number of sections involved in the bill. I think that there is no argument now as to the adoption of the procedure regarding the sections of the bill creating this entity of the Port of Portland Authority as a corporation. I think it will allow some additional flexibility to the management, not give them any additional powers or cause any additional expense to the State, but will, as it has been redrafted by the Judiciary Committee, put limitations on them and supervision by the Governor and Council which will be a protection to the State of Maine and will be of real advantage.

As to Section Seven: The Port Directors had authority to use the power of joint use as to property other than private property. Section Seven allows joint use of private property provided such joint use is determined advisable by the Public Utilities Commission. As the situation exists in Portland, the Grand Trunk Railroad is situated next to the State Pier. The Grand Trunk Railroad has two large elevators and several docks. The people in Portland I think, and the Committee I know are satisfied that these docks are not being used to their best and greatest capacity. They are public utilities, they are exercising their authority as public utilities of the State of Maine. With this bill, the Port Authority which is the new entity, will be allowed to go to the Public Utilities Commission of the State of Maine, and say, "Are the Grand Trunk docks being used to their capacity? Is there any surplus opportunity of use of the Grand Trunk docks that the Port Directors can use and not hamper the work of the Grand Trunk?" If so, the Public Utilities Commission would have authority

to grant such joint use with the Grand Trunk of such facilities as are not being used to their capacity and can be jointly used with the port directors without hindrance to the Grand Trunk. Now it is entirely a question of the Public Utilities Commission. We have tried in ever so many ways to work this out without this procedure, by agreement and various other ways. We have been entirely unsuccessful.

The Chamber of Commerce writes this letter to me:

"Hon. Raymond S. Oakes, Chairman Committee on Judiciary, State House, Augusta, Maine. Dear Sir: As a result of an intensive study of the subject of Senate Document No. 138 'an act to create the Port of Portland Authority,' the Board of Managers of the Portland Chamber of Commerce at a special meeting held on March 25, 1929 took action in favor of the enactment of Senate Document No. 138 with the exception of that portion which allows under prescribed conditions the taking of the facilities of public utilities by eminent domain.

"As a substitute for this feature of the bill, the Board of Managers favors the granting of the right to the Port Authority, now enjoyed by public carriers, in petitioning for the joint use of facilities of public carriers and that the Public Utilities Commission be given the right to grant or order the joint use of facilities of public carriers located upon private ways, (namely, the right of joint use of such terminal facilities, tracks, docks, piers, warehouses, freight sheds and grain elevators, as will not impair the ability of any common carrier owning and entitled to the enjoyment of such facilities to handle its own business), to be granted under conditions now prescribed by law, governing in such procedure.

"The Board of Managers desires to express its appreciation to you and the members of your committee for the courtesy you have extended in delaying action until the Board could express its opinion in the matter. Respectfully, The Board of Managers of the Portland Chamber of Commerce. By (signed) A. H. Andrews, Manager. March 26, 1929."

It is believed that if this authority is granted the Port Authority, an en-

tity of the State of Maine, it can more efficiently handle its business, can more efficiently develop the Port and thereby more efficiently develop the business of the State of Maine, the export and import of goods that are manufactured and used throughout the entire State of Maine, and it is amazing the number of cities and towns in the State of Maine that today are getting the advantage of better transportation facilities and cheaper rates which margin, as Senator Wadsworth of Winthrop who is interested in the oil cloth business, was saying the other day, is sufficient to enable our business, our business interests throughout the State to compete with the business interests in the interior of the country, to enable our interests to transport by water through the Canal and get the Western market cheaper than the mid-west sections of the country can do, and to enable our facilities, our business thereby to compete on favorable terms with the western market.

Now, in addition to this, the Port Directors wish to have the authority to,—if the Grand Trunk is not using and we are not going to interfere with the Grand Trunk—have joint use of the grain elevators and tracks to the grain elevators; but mind you this is only so far as they will not interfere. And at such time, if they have taken such authority, and the Grand Trunk does need them, they will be returned to the Grand Trunk, so there can be no question but this will give them authority to get grain shipments from the West, if the Public Utilities will so state. So the grain can be shipped from the Portland Authority through the State Pier and they can get that advantage and make such profit as this country is entitled to make, rather than have those shipments come through Canadian ports.

It should be a financial advantage to the State Pier. The State Pier was never intended to be a money making proposition. It has lost money. They have been able to make their own expenses. They have been able to make their own improvements but they have not been able to pay interest on their bonds. It was never expected they should. It was a state development proposition, the same as highways are, the same as many other entities of the State; but this should make it possible for them to make more money and thereby reduce the burden on the State that is now entailed by the State Pier.

I think it is a state-wide matter and a matter of great importance, and this merely provides for that which is not now being used. At any time the Public Utilities Commission, and I think we can trust the Public Utilities Commission, the Public Utilities Commission says is temporarily not being used, it will not hamper the Grand Trunk, it will merely use that which is otherwise lying idle and from which no one would get any benefit.

Mr. PAGE: Mr. President, while I have the utmost regard for the Public Utilities Commission, both as to their integrity and ability, in my opinion it does leave open an opportunity there for the Port of Portland Authorities to hold over the Grand Trunk Railroad, which is a Canadian owned railroad, a lever, and I don't believe that the State of Maine can afford in any way to antagonize the Canadian Government. The Canadian government are owners of the Grand Trunk Railroad. Now the Grand Trunk Railroad would like to ship through the Port of Portland all they could. It is the nearest point that they have to foreign markets. If they could do it, they would, and I do not believe anyone can force them to do anything they are unable to do. I think it is opening up something on which we should act pretty carefully.

Mr. OAKES: One suggestion, or correction in the statement I made, which I did inadvertently. The Port Authority does not have the right of private property. The joint use now is of public property over public ways. Now this adds the one step which is the key to the situation which now allows the Port of Portland Authority to go over about three or four hundred feet of track and use the elevators and such piers as are not being efficiently used. I wanted to be sure there was no mis-statement of law.

Now, as to the point raised by my friend from Somerset (Senator Page), we are not giving the Port of Portland Authority any authority to use this facility. We are not saying that this can be done. We are simply saying that if the Public Utilities Commission says that there is idle property, idle public utilities in Portland that are not being used by anyone that should have use, that the State of Maine is entitled to that use, and may use it for some time, and such time only as the Grand Trunk does not use it. I speak of the Grand Trunk

specifically because the Grand Trunk is the railroad which is adjacent to the State Pier. I cannot see where there would be any possibility of our Public Utilities Commission entering into any entanglement with the Grand Trunk Railway people. I think that we can trust the Public Utilities Commission to take care of this thing properly, and for that reason I feel we are absolutely safe in doing this, and I think it will enable our State to get the facilities which our State is entitled to, and not having any lying idle and doing nothing where they are needed.

Mr. WHEELER of Oxford: Mr. President, I wish to go on record as making a few remarks on this bill. Coming from Oxford County, which is a county the Grand Trunk Railroad serves, I do not see why there has been so much controversy pro and con on this bill. I believe personally, and so far as I can find out, it would be unwise legislation at this session to pass this bill. I do not believe that we can get the cooperation of the Grand Trunk Railroad by any such measures. The Grand Trunk Railroad, or the Canadian National Railroad, owned and controlled by the Canadian government, are placed in a peculiar position. The Senator from Somerset, Senator Page, has stated, and without a question of doubt, they feel at all times they would like to cooperate with the Port of Portland so far as they can, but I believe they are getting any advantage by passing this bill which is a direct hit on one railroad which is very vital to the western part of the State of Maine and to pass this bill I believe we are not going to smooth the waters out any, but I do believe we will stir them up. I would like to see the adoption of the amendment introduced by Senator Page.

Mr. MURCHIE of Washington: Mr. President, if I understand Senator Oakes correctly, he said that all this section did was to allow the Port of Portland Authority to apply for use of facilities that were not in use, that were idle. Now it does not seem possible that the language used in this section can have that interpretation. It says in lines six and seven on Page 12 of the printed document, "it shall

have power to require the use, in common with such carrier, of any such terminal facilities, including tracks, docks, piers, etc." It seems to me that necessarily, even though the Grand Trunk is using these facilities, the Public Utilities Commission may require the Port of Portland Authority, may grant the use in common with it; and the question of whether or not there is any interference with the owner might be a serious problem. The State has never seen fit, as the Senator from Cumberland (Senator Oakes) has said, to grant to the Public Utilities Commission, the power of acquiring joint use of private property. To pass this bill as it now stands would be a departure from our present policy. It might be a nice thing for the Port of Portland Authority to have use of these facilities but it does seem in common with other corporations the Port of Portland Authority ought to be satisfied with such rights as the Legislature has seen fit to grant to other corporations and in connection with other property. I therefore hope the amendment will be adopted.

Mr. MARTIN of Kennebec: Mr. President, I just want to go on record as agreeing with the Senator from Cumberland, Senator Oakes. This matter had a very careful hearing before the Judiciary Committee, and originally eminent domain was asked for. We have, in this Senate time and time again voted to grant the right of eminent domain, but in this particular case, because of the fact that there was involved a corporation owned and controlled by a foreign government, we did not feel that it was fair or right to grant that right, and accordingly the bill was changed and the present method worked out. The Committee gave an additional hearing on that and the committee unanimously reported this bill out. I think that I state fairly that seven of the committee will say that we believe his is a fair bill and that it will not work any hardship to the Grand Trunk because there is not one who would want to cause the slightest hardship to that railroad or cause the slightest ill feeling with the Canadian government. It is merely making use of idle property, if there is idle property, entirely under the con-

trol of the Public Utilities Commission.

Mr. LITTLEFIELD of York: Mr. President, I have not studied this bill at all, but it looks to me this way, that this Senate is going all over this State telling everybody that they have got to do this or that. What in the world do we get a warranty deed for? The Grand Trunk Railroad has gone in there, in my opinion, and got some valuable property, and got a warranty deed. Now you come here and say the Port of Portland, the two or three men down there—and I remember when they came here and got a charter and told how many thousands of dollars they would make—and the same men appeared before that committee. See what they have done, run in debt head over heels. We have furnished our good name and paid interest money and done everything for them. The Grand Trunk comes in, makes a lot of money. Their stocks are worth something and their bonds are worth something, but the wharf is worth nothing. You are coming here and say to the Grand Trunk Railroad, "You must let us use this place free of charge because the Public Utilities Commission says so." I do not believe in it and I hope this motion will prevail.

Mr. MURCHIE: Mr. President, may I ask the Senator from Kennebec to explain to me what the words "in common with such carrier" mean?

The PRESIDENT: The Senator from Washington, Senator Murchie, asks a question through the Chair of the Senator from Kennebec, Senator Martin. The Senator from Kennebec may reply if he desires.

Mr. MARTIN: Mr. President, I would almost prefer to yield to the Senator from Cumberland, Senator Oakes, the author of this bill. I do not understand that it is free of charge. I understand there is to be rental paid. I would prefer, if the Senator would allow me to yield, to yield to the Senator from Cumberland, Senator Oakes.

Mr. OAKES: Mr. President, may I ask the Secretary to read Senate Amendment A?

The Secretary read Senate Amendment A.

Mr. OAKES: Mr. President, the last part of the amendment is the

part which I wish to call to the attention of the Senate. This amendment was put in at the request of the counsel for the Grand Trunk Railway System. In the first part of it, it changes the language of Section Seven to the language we have now, providing for "the use, in common with such carrier, of any such terminal facilities, including tracks, docks, etc." so that it will read "joint use of such facilities, including tracks, docks, piers, warehouses, freight sheds and grain elevators and tracks to such facilities." It will protect the Grand Trunk against any question of the joint use of their trackage other than such as is necessary to reach those facilities, and then the amendment goes on and says that the joint use shall be such only as is available to the Port of Portland authority until the Grand Trunk requires it for its own use and at that time it shall be returned to the Grand Trunk and the use by the Port Authority is ended. I think that meets the situation. That amendment was put on at the suggestion of the Counsel for the Grand Trunk and I think it takes care of that question.

Mr. MURCHIE: Isn't the fact this, until such time as the common carrier requires it for the exclusive use. In other words, you have got common use. You are not dealing merely with idle property. So long as the new owner doesn't require the exclusive use, you are providing machinery whereby it may be used in common are you not?

Mr. OAKES: I think that is correct. Meaning this—if there were a quarter of the elevator that was not required by the Grand Trunk, the Port Directors could use that quarter. I am not sure that I am bringing my forces in right, but the idea is the same. If the Grand Trunk requires three-quarters and the Port Authority has been using one half, the Grand Trunk may go to the Public Utilities and say "We need three-quarters now and want a quarter back." In other words, the whole theory of the proposition is joint use, not to interfere with such use as the Grand Trunk has need of primarily, and the Grand Trunk has the first right, and the Port of Portland Authority merely a subsequent right for joint use of such part as is not required or needed for the use and the proper

handling of the affairs of the Grand Trunk, just such part as would otherwise be wasted.

Mr. MURCHIE: To go back to my question, it is a fact, as I understand the Senator from Cumberland, Senator Oakes, that this doesn't relate to the use of idle property but does relate to the joint use of trackage to reach partly idle facilities.

Mr. OAKES: Mr. President, while I think so far as the joint use of the trackage is concerned, there is no question. The question is, I think,—I think I can word the language just a little different and say not the joint use of part of the facilities, but he use of the idle part of the facilities. It would not be the joint use of the entire facilities, but the use of he idle part of the facilities. The practical proposition is this: The State cannot afford to build an elevator. The State has a carrier that runs to these elevators but now the carrier is built, they cannot use the elevators to use the carriers and the State cannot afford to build an elevator. The State needs an elevator and if the elevator is not being used, it seems unfortunate to have a dog in the manger to keep the elevator when the State needs it and the entire State can get the benefit of it.

Another explanation about the matter of expense which was brought up by the Senator from York (Senator Littlefield). The State would not have the use of it free. It would be on a rental basis as was stated by the Senator from Kennebec. The State would pay a fair rental for the facilities while they are using them, these vacant facilities which would be a revenue to the Grand Trunks except as the Grand Trunk might desire to prevent competition in this line.

One other thought as to the warranty deed. It is true the property is owned by the Grand Trunk and I presume there is a warranty deed, but the money with which these elevators were built was furnished by the people of the City of Portland to a large extent. It is true that that was bonded and these bonds will be ultimately paid but this was a Portland enterprise and the people of Portland put the money in and furnished the actual capital which built the elevators.

Mr. LITTLEFIELD: Do I understand the Senator from Cumber-

land (Senator Oakes) to say that the Grand Trunk is perfectly willing for them to come in there, Mr. President?

Mr. OAKES: Mr. President, I would be glad to answer that question. The Grand Trunk is not willing. They have the property. It is idle and the Grand Trunk does not want the State Pier to use the property. They want it to remain idle and prevent the State Pier and the citizens of Maine getting it as a matter of competition. We have tried to get some method whereby they would work with us but have been unsuccessful. I think that is a fair statement.

Mr. LITTLEFIELD: Mr. President, I would like to ask if the same people who put in the carrier to the elevator they do not have, are to be the same people who will continue to run it? If so, I think that is another reason why we should adopt this amendment.

Mr. OAKES: Mr. President, this carrier was put in by the State of Maine at an expense of \$125,000 to connect the State Pier with the Grand Trunk elevators. It was put in according to an agreement between officials of the Grand Trunk and officials of the State Pier, under which agreement the joint use of the elevators was to be allowed and the carrier was to carry the grain from the elevators to the State Pier under that joint use. The agreement was not in writing. The officials of the Grand Trunk changed and new officials of the Grand Trunk repudiated the agreement and the carrier has sat there idle ever since. That is the situation as I understand it.

I agree with the Senator from York (Senator Littlefield) that as you look at it, as we can often look at things afterwards, that the Directors of the Port were not wise in entering into an oral agreement and the expenditure of this money based upon an oral agreement, but at the time this was built there was no thought or any question of joint use being allowed, and there was a perfectly harmonious situation between the officials of the Grand Trunk and the Port directors at that time. There was no thought or any question about this joint use not being carried through and the carrier being used. I can excuse them for as I look at

it afterwards it was poor business not to have a written agreement but it was done on a gentlemen's agreement, and as I understand it, the management changed and the policy changed and the agreement was abrogated and the carrier was not used. Does that answer the question?

Mr. PAGE of Somerset: Mr. President, I would ask permission to speak for the third time.

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

Mr. PAGE: Mr. President, my point is that in Section 7 it is going to open up—and it is a serious thing—controversy between the State of Maine and the Canadian government, and I am sure that none of us want to come to that point. I want to prevent that. If this bill is passed, carrying Section Seven, we will get into a controversy with the Canadian government which owns the Grand Trunk Railroad.

Mr. OAKES: Mr. President, I want to answer that, if I may speak again. The controversy or complication now exists. My belief is if this bill is passed the controversy will end, and an harmonious arrangement will be arrived at and there will never be any controversy or complication existing after this authority is granted.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Page, that Senate Amendment B be adopted. The Senator from Somerset, Senator Page, has asked for a division.

A division of the Senate was had. Nine having voted in the affirmative and eighteen in the negative. Senate Amendment B was not adopted.

Thereupon, on motion by Mr. Oakes of Cumberland, the bill was passed to be engrossed.

Mr. OAKES of Cumberland: Mr. President, I move that the bill now be passed to be enacted.

On further motion by the same Senator the bill was then laid upon the table pending the motion to pass to be enacted.

Mr. MINOTT of Cumberland: Mr. President, in the absence of the Senator from Cumberland, Senator Oakes, Senate Document No. 111

was tabled. I now move that it be taken from the table.

Thereupon, an act relating to the registration of non-resident trucks (S. D. 111) tabled earlier in today's session by Mr. Minott of Cumberland pending passage to be enacted, was taken from the table.

Mr. MINOTT: Mr. President, I yield to the Senator from Cumberland, Senator Oakes.

On motion by Mr. Oakes of Cumberland the bill was retabled.

The PRESIDENT: If there is no objection, the Senate will take up an additional House Paper, out of order.

Emergency Measure)

An act to regulate the quality of sardines packed in this State. (H. P. 1639) (H. D. 664)

(On motion by Mr. Minott of Cumberland, the bill was laid upon the table pending passage to be enacted)

The PRESIDENT: There being no further business to come before the Senate at this time, is it the pleasure of the Senate to recess until four o'clock this afternoon?

Thereupon, the Senate voted to recess until four o'clock this afternoon.

After Recess

The Senate was called to order by the President.

From the House out of order: Resolve pertaining to the construction or purchase of a new motor boat for the Sea and Shore Fisheries Commission (S. P. 795) (S. D. 427) which was passed to be engrossed in the Senate April 10th.

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled pending consideration.

House Bills in First Reading

(Out of Order)

Resolve in favor of setting aside a tract of land as game preserves (H. P. 1540) (H. D. 558)

Resolve to modify the conditions of the gift from B. C. Jordan to the State of Maine for the purpose of encouraging cultivation of forests (H. P. 1755) (H. D. 825)

(The rules were suspended and the two foregoing resolves were given

their second reading and passed to be engrossed in concurrence.)

From the House, out of order: Report of the majority of the Committee on Ways and Bridges, on bill "An act to authorize the Treasurer of State, under the direction of the Governor and Council, to issue bonds for state highway and bridge construction, conditional on the adoption by the people of a constitutional amendment authorizing such bonds" (H. P. 451) (H. D. 142) reporting the same in a new draft, under the same title (H. P. 1728) (H. D. 801) and that it ought to pass.

(Signed) LELAND
BOND
DUNBAR
JONES
BACHELDER
HAWKES
MERRILL

The minority of the same committee, on the same subject matter, reporting that the same ought not to pass.

(Signed) KITCHEN
LOWELL

Comes from the House, minority report "ought not to pass" accepted.

In the Senate, on motion by Mr. Leland of Piscataquis, the majority report "ought to pass" was accepted in non-concurrence and the bill received its first reading. On further motion by the same senator the rules were suspended and the bill was given its second reading and passed to be engrossed in non-concurrence.

Report of Committee

(Out of Order)

The majority of the Committee on Ways and bridges, on bill "An act to amend section 8 of chapter 224 of the Public Laws of 1923, as amended, relating to the use of monies received from the tax on gasoline, conditional on an amendment to the Constitution to authorize highway and bridge bonds" (S. P. 249) (H. D. 218) reported that the same ought to pass.

(Signed) BOND
LELAND
DUNBAR
JONES
BACHELDER
MERRILL
HAWKES

The minority of the same committee, on the same subject matter, re-

ported that the same ought not to pass.

(Signed) KITCHEN
LOWELL

On motion by Mr. Leland of Piscataquis, the majority report "ought to pass" was accepted and the bill received its first reading, and tomorrow assigned for second reading.

Passed to be Engrossed

An act to amend section 6 of chapter 83 of the Revised Statutes relative to Clerk to County Commissioners (S. P. 803) (S. D. 430)

Passed to be Enacted

An act to regulate the manufacture and sale of soft drinks, syrups and non-alcoholic beverages (S. P. 480) (S. D. 189)

(On motion by Mr. Spear of Cumberland, tabled pending passage to be enacted.)

An act to provide for building a bridge across the Penobscot River, at or near Bucksjort, to be known as the Waldo-Hancock Bridge (S. P. 541) (S. D. 364)

An act to modify the practice on pleas in abatement. (H. P. 1688) (H. D. 758)

An act relating to the Board of State Assessors (H. P. 1732) (H. D. 805)

An act relating to eminent domain for ferries (H. P. 1749) (H. D. 821)

Orders of The Day

Mr. WEATHERBEE of Penobscot: Mr. President, I move that the rules be suspended to permit me to introduce out of order ten resolves. These are the resolves that take care of the different items in the blanket resolve that came from the Claims Committee and now conform to the wishes of the Governor.

The rules were suspended and Mr. Weatherbee of Penobscot introduced, out of order, the following resolves:—

Resolve in favor of Charles W. Davis compensating him for loss of a cow (S. P. 806).

Resolve in favor of Greenfield, Maine Apple Growers, of Greenfield, compensating it for damages to apple trees by deer and for fencing against deer (S. P. 807).

Resolve appropriating money to pay pauper claims heretofore ap-

proved by the Committee on Claims (S. P. 808).

Resolve appropriating money to pay claims heretofore approved by the Committee on Claims (S. P. 809).

Resolve in favor of William E. Brown (S. P. 810).

Resolve in favor of Louis Fitch (S. P. 811).

Resolve in favor of Henry W. Sargent compensating him for damages (S. P. 812).

Resolve in favor of B. E. Lurchin compensating him for storage of dynamite and exploders in his building (S. P. 813).

Resolve in favor of E. F. Drew compensating him for damages (S. P. 814).

Resolve in favor of Henry Souci of Township No. 4, Range 6. Aroostook County (S. P. 815).

On motion by Mr. Weatherbee of Penobscot, under suspension of the rules, these several resolves were given their two several readings without reference to a committee and passed to be engrossed.

On motion by Mr. Crockett of York, the rules were suspended and that Senator presented, out of order an act relating to investments in industrial bonds by savings banks (S. P. 816).

Mr. CROCKETT of York: Mr. President, in explanation I will say that this is to correct a clerical error in Senate Document No. 225 which is now in the hands of the Secretary of State with the Governor's approval. In that act there was one word "entirely" which should have been "principally" and the act which I have now introduced is to correct that clerical error because that word in Senate Document 225 defeats the purpose of the bill. I now move that under further suspension of the rules this bill be given its readings and be passed to be engrossed without reference to a committee.

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

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table an act to regulate the manufacture and sale of soft drinks, syrups, and non-alcoholic beverages, (S. D. 189), tabled by

that Senator earlier in today's session pending passage to be enacted; and on further motion by that Senator, the bill was passed to be enacted.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, An act creating the Port of Portland Authority, (S. D. 406), tabled by that Senator earlier in today's session, pending passage to be enacted; and on further motion by that Senator, the bill was passed to be enacted.

On motion by Mr. Leland of Piscataquis, the Senate voted to take from the table, resolve proposing an amendment to the Constitution to provide for an additional issue of Highway and Bridge Bonds, (S. D. 394).

Mr. LELAND of Piscataquis: I now yield to the Senator from Washington, Senator Murchie, Mr. President.

Mr. MURCHIE of Washington: Mr. President, I ask unanimous consent of the Senate to withdraw Senate Amendment A offered this morning, which I think has not been voted upon.

Unanimous consent to withdraw Senate Amendment A was given.

Thereupon, the same Senator offered Senate Amendment B and moved its adoption:

"Senate Amendment B to Senate Document 394, resolve proposing an amendment to the Constitution to provide for an additional issue of Highway and Bridge Bonds. Amend Senate Document 394, by striking out the sentence, 'The proceeds of all bonds issued and outstanding under authority of this section, shall be devoted solely to the building of State highways and interstate, intrastate and international bridges, and the expenditure of said proceeds shall be equitably divided among the several counties of the State' in the eighth, ninth, tenth, eleventh and twelfth lines of the first paragraph of Section Seventeen in the printed document and inserting in place thereof the following words 'The proceeds of all bonds hereafter issued and outstanding under the authority of this section to the extent of fifteen million dollars shall be devoted solely to the building of the present system of State highways designat-

ed prior to April 1st, 1929, provided, however, that not exceeding fifteen per cent of such proceeds may be used for the construction of State highways hereafter to be designated. The proceeds of all bonds hereafter issued and outstanding under authority of this section to the extent of five million dollars shall be devoted solely to the building of interstate, intrastate and international bridges'."

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

On motion by Mr. Dunbar of

Hancock, out of order and under suspension of the rules, it was

Ordered, the House concurring, that all claims against the State presented to the Legislature shall be submitted to the Attorney General who shall forthwith cause to be investigated all the facts relating to the same and shall represent the State at all hearings on said claims by the Claims Committee and will make report of his findings.

On motion of Mr. Crosby of Penobscot

Adjourned until tomorrow morning at ten o'clock.