

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

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**SENATE**

Friday, April 12, 1929

Senate called to order by the President.

Prayer by the Rev. W. P. Bradford of Hallowell.

Journal of previous session read and approved.

From the House: Bill, an act to provide funds for the construction of State highways (H. P. 1225) (H. D. 409), majority report of Committee on Ways and Bridges, "ought not to pass" accepted in non-concurrence in the Senate April 10th.

Comes from the House, that branch insisting on its former action whereby minority report "ought to pass" was accepted, and the bill passed to be engrossed, and asking for a Committee of Conference, the Speaker having appointed as members of such committee on the part of the House, Representatives

KITCHEN of Presque Isle,  
GILLESPIE of Meddybemps,  
BURKETT of Portland.

In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and join the House in a Committee of Conference and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

From the House: Bill, an act relating to a tax on gasoline (H. P. 1224) (H. D. 412) majority report of Joint Committees on Ways and Bridges and Taxation, "ought not to pass", accepted in non-concurrence in the Senate, April 10th.

Comes from House, that branch insisting on its former action whereby it accepted minority report, "ought to pass" and passed the bill to be engrossed, and asking for a Committee of Conference, the Speaker having appointed as members of such committee on the part of the House, Representatives

KITCHEN of Presque Isle,  
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In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and join the House in a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

From the House: Resolve in favor of Charles W. Davis, compensating him for the loss of a cow (S. P. 806) which was passed to be engrossed in the Senate April 11th.

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

In the Senate, on motion by Mr. Littlefield of York, that body voted to recede and concur with the House in the indefinite postponement of the resolve.

From the House: Bill, an act relating to the use and operation of motor vehicles on the highways (S. P. 742) (S. D. 399) which was passed to be engrossed as amended by Senate Amendment A, and by Senate Amendment B as amended by Senate Amendment A thereto, in the Senate April 10th.

Comes from the House, Senate Amendment A adopted in concurrence, House Amendment A to Senate Amendment B adopted, and Senate Amendment B, as amended by Senate Amendment A and House Amendment A thereto adopted, and the bill, as amended, passed to be engrossed in non-concurrence.

In the Senate, House Amendment A to Senate Amendment B read.

The PRESIDENT: The question before the Senate is, shall the Senate recede and concur with the House in the adoption of House Amendment A to Senate Amendment B. The Secretary will read House Amendment A to Senate Amendment B.

The Secretary read House Amendment A to Senate Amendment B.

Mr. OAKES of Cumberland: Mr. President, I think perhaps it is advisable to further explain this amendment to the Senate. Under the present law, applications for registration are made under oath.

There are two objections to this system. One is that it is inconvenient for people, many times, to get at a justice of the peace or notary public and some justices and notaries charge them for taking the oath, although that is a slight expense. The other objection is that it is felt that many people do it in a hurried manner and without any thought of actually taking an oath and the result is that the sanctity of the oath in general is somewhat lowered so that the oath on other matters is not as thoughtfully taken. Those are the two objections, I think, that have been raised to the present system. Now, this amendment provides that the application shall simply have a statement on it and it also provides by a penalty that if a man makes a false statement the man is liable to punishment just as though he made a false oath. It eliminates the actual oath and eliminates the possibility of frivolously taking an oath.

Now, as far as the ultimate result is concerned I don't think there is any difference. The committee of the automobile association that worked on this thing recommended this change in the law eliminating the oath and having the statement with the penalty. The Judiciary Committee considered that elimination and felt that it was advisable, that it would have a tendency to get a more accurate statement and make a better record and eliminate some questions of unwise use of the automobiles in the state. And as far as I am concerned I don't care one way or the other. I think the ultimate effect is almost exactly the same. And I think possibly it would be better to adopt the amendment as it is and allow the matter to go along without any delay because the rest of the bill, I think, is of real importance and real constructive legislation. I don't think this is of sufficient consequence to hold it up, although the Judiciary Committee felt it was probably better to leave the present system. I therefore move the adoption of the amendment in concurrence with the House.

The PRESIDENT: The Senator from Cumberland, Senator Oakes, moves that the Senate recede and concur with the House in the adoption of House Amendment A to

Senate Amendment B. Is this the pleasure of the Senate?

House Amendment A to Senate Amendment B was adopted in concurrence and Senate Amendment B as so amended was adopted in concurrence.

Thereupon the bill as so amended was passed to be engrossed in concurrence.

From the House: Bill, an act to provide for the appointment of a Commissioner to recommend changes in the Sunday Law (H. P. 1748) (H. D. 320) which was passed to be engrossed in the Senate April 10th.

Comes from the House, passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate, House Amendment A was read.

Thereupon, on motion by Mr. Crosby of Penobscot, that body voted to reconsider its former action whereby the bill was passed to be engrossed, and on further motion by the same Senator House Amendment A was adopted and the bill as so amended was passed to be engrossed in concurrence.

From the House: Resolve appropriating money to pay claims heretofore approved by Committee on Claims (S. P. 809) which was passed to be engrossed in the Senate, April 11th.

Comes from the House, passed to be engrossed as amended by House Amendment A, in non-concurrence.

In the Senate, House Amendment A was read.

Mr. SLOCUM of Cumberland: Mr. President, I move the indefinite postponement of House Amendment A.

Mr. WEATHERBEE of Penobscot: Mr. President, I think the members of the Senate are entitled to some information before voting upon the motion. The Adjutant General of the State of Maine while driving an automobile in pursuit of the duties of his office ran into and killed a child whose name, I believe, was Florence Rice. It is admitted that the Adjutant General was in no wise at fault for the accident but the parents of the killed child were very poor and the Adjutant General, out of the generosity of his heart, believed that he should pay the fu-

neral expenses of that child, and he did pay the amount stated in the resolve and subsequently came to this session of the Legislature asking for reimbursement.

There can be, of course, no legal claim against the State of Maine in this matter. If the Adjutant General was not at fault of course the bill should not have been paid by him. If he were at fault and the act was a result of his negligence then most certainly the State should not reimburse him. I want the Senate to understand that it was a mere act of gratuity upon his part and if we pass this claim it will be the same act upon our part. I myself do not oppose the payment of the amount but there will be one or two other bills come in, one especially, the Charles A. Merry case, which is a claim of \$70, I believe for the shooting of a cow. Some person unknown shot a cow. There can be no legal claim against the State of Maine, no valid reason that anyone could give why the State of Maine should pay it and if it were to pay it that would be a mere act of gratuity and that would be somewhat similar to the Adjutant General's case. The two measures, I rather think, should stand or fall together.

Mr. SLOCUM: Mr. President, I might augment the remarks of the Senator from Penobscot, Senator Weatherbee, in that the Adjutant General was driving a Federal owned car. He was on special business, returning from an encampment of the National Guard. I understand that a Federal or State car cannot get liability insurance. I further understand that the Adjutant General carries insurance on his own car. He therefore could not protect himself officially against such an unfortunate accident, with insurance.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Slocum, that House Amendment A be indefinitely postponed in non-concurrence.

Mr. OAKES of Cumberland: Mr. President, I would like to have the amendment read again.

The Secretary again read House Amendment A.

Mr. WEATHERBEE: Mr. President, may I inquire what the "487" refers to?

The SECRETARY: "and by striking out in the third and fourth lines the words 'four hundred eighty-seven'."

Mr. WEATHERBEE: And that refers, Mr. President, to what, in the original bill?

The SECRETARY: The amendment does not state. It says, "by striking out in the third and fourth lines the words 'four hundred eighty-seven' (dollars) and inserting in place thereof the words 'two hundred ninety-six'."

The PRESIDENT: The Chair would suggest that if the amendment is not plain to the Senate it might be well to table it until after recess.

Thereupon, on motion by Mr. Weatherbee of Penobscot, the resolve was laid upon the table pending the motion of the Senator from Cumberland, Senator Slocum, to indefinitely postpone House Amendment A in non-concurrence.

From the House: 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 bridge construction, conditional on adoption by the people of a Constitutional Amendment authorizing such bonds (H. P. 1300) (H. D. 445) reporting that the same ought not to pass.

(Signed) BOND  
DUNBAR  
LELAND  
MERRILL  
JONES  
BACHELDER  
HAWKES

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

(Signed) KITCHEN  
LOWELL

Comes from the House, minority report accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Leland of Piscataquis, the majority report "ought not to pass" was accepted in non-concurrence.

From the House: Report of the majority of the Committee on Ways and Bridges, on "Resolve proposing an amendment to the Constitution to provide for an additional issue of

bridge bonds" (H. P. 1301) (H. D. 446) reporting that the same ought not to pass.

(Signed)

BOND  
DUNBAR  
LELAND  
JONES  
BACHELDER  
HAWKES  
MERRILL

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

(Signed)

KITCHEN  
LOWELL

Comes from the House, minority report accepted, and the resolve passed to be engrossed.

In the Senate, on motion by Mr. Leland of Piscataquis, the majority report "ought not to pass" was accepted in non-concurrence.

#### House Bills in First Reading

Resolve providing for a statue of Hannibal Hamlin to be placed in the National Statuary Hall at Washington. (H. P. 758) (H. D. 225.)

An act relative to acknowledgment and record of deeds and other instruments (H. P. 1756) (H. D. 826).

(The rules were suspended and the bill and resolve were given their second reading and passed to be engrossed.)

Mr. WEATHERBEE of Penobscot, Mr. President, I wish to introduce a bill at this time, and I will explain to the members of the Senate the purpose of this bill. There will be a resolve before us today for enactment providing for reimbursement to a man for building a road down in Phippsburg—Mr. Cornish of Phippsburg—and through some technicality of the law neither the town nor the county of Sagadahoc could reimburse this man legally for the building of that road. That is why this bill is brought before this body, that he may be reimbursed.

Now, there seems to be objection in some quarters that this is not a just claim against the State of Maine and that it ought to be taken care of in some other manner, so, after a conference, we have introduced this bill which authorizes the county of Sagadahoc to pay this claim. That seems to be a happy solution and I move that the rules

be suspended and the bill given its several readings and passed to be engrossed, without reference to a committee.

Thereupon Mr. Weatherbee of Penobscot presented "An act to authorize the County Commissioners of Sagadahoc County to pay D. B. Cornish, to reimburse him for road construction in Phippsburg, Maine" (S. P. 821).

On further motion by the same Senator, under suspension of the rules, the bill was given its two several readings without reference to a committee.

Thereupon, on motion by Mr. Carlton of Sagadahoc, the bill was laid upon the table pending passage to be engrossed.

The following resolves were received and on recommendation by the committee on reference of bills were referred to the following committee:

#### Appropriations and Financial Affairs

By Mr. Dunbar of Hancock: Resolve in favor of Claridel Bradstreet. (S. P. 817)

By Mr. Dwinall of Knox: Resolve in favor of L. T. Carlton, Jr. for services to the Eighty-fourth Legislature. (S. P. 820)

By Mr. Douglas of Hancock: Resolve for the payment of legal services rendered the Committee of Inland Fisheries and Game. (S. P. 819)

By Mr. Spear of Cumberland: Resolve on the Pay Roll of the Senate of the Eighty-fourth Legislature. (S. P. 818)

Sent down for concurrence.

#### Bill in First Reading

Resolve to provide for a memorial to Harold Andrews, the first Maine man to lose his life in the World War. (S. P. 805) (S. D. 431)

#### Passed to be Engrossed

An act to amend section 8 of chapter 224 of the Public Laws of 1923, as amended, relating to the use of moneys 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)

#### Passed to Be Enacted

An act authorizing the Trustees

of the Charity Fund of Hiram Lodge to file its certificate of incorporation in the office of the Secretary of State. (S. P. 310) (S. D. 413)

An act relating to deposits in the names of two or more persons in banks, institutions for savings, trust companies, or shares in Loan and Building Associations. (S. P. 719) (S. D. 377)

An act relative to malicious injuries to certain public property. (S. P. 779) (S. D. 416)

An act relative to certificates of incorporation. (S. P. 785) (S. D. 423)

An act relating to rules of construction. (S. P. 775) (S. D. 415)

An act relative to appeals from trial justices and municipal courts. (S. P. 780) (S. D. 417)

An act abolishing the office of coroner. (S. P. 781) (S. D. 418)

An act to permit cities and towns to lay out bridle paths and bridle trails. (S. P. 783) (S. D. 421)

(On motion by Mr. Littlefield of York, tabled pending passage to be enacted.)

An act to make valid copies of records of instruments affecting or conveying title to real estate in the county of Knox and recorded in other counties. (H. P. 864) (H. D. 287)

An act relating to auxiliary State forests. (H. P. 1403) (H. D. 465)

An act naming the bridge at Bath. (H. P. 1559) (H. D. 807)

An act relating to taxes upon mortgaged real estate. (H. P. 1744) (H. D. 816)

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

An act to grant a new charter to the city of Belfast. (H. P. 1745) (H. D. 817)

#### Finally Passed

Resolve in favor of D. B. Cornish to reimburse him for road construction in Phippsburg, Maine. (S. P. 265) (S. D. 141)

(On motion by Mr. Weatherbee of Penobscot, tabled pending final passage.)

Resolve in favor of several academies, institutes and seminaries. (S. P. 774) (S. D. 414)

Resolve in favor of an appropriation for the promotion of the Welfare and Hygiene of Maternity and

Childhood. (H. P. 1147) (H. D. 366)

Resolve appropriating money to screen the outlet of Syldobsis Lake, commonly called Lower Dobsis Lake, in township five, north division, in the county of Washington. (S. P. 782) (S. D. 420)

Resolve in favor of poultry husbandry. (H. P. 1658) (H. D. 797)

Resolve in favor of screening Whetstone Pond, or Sylvan Lake. (H. P. 1690) (H. D. 750)

Resolve in favor of H. E. Houdlette, administrator of the estate of Benjamin Owen Emmons, late of Richmond, county of Sagadahoc, State of Maine, deceased. (H. P. 1696) (H. D. 756)

Resolve to provide for the completion of the raised road between Deer Isle and Little Deer Isle. (H. P. 1746) (H. D. 818)

Resolve in favor of the townships of Township One, Range Nine, Township Two, Range Nine, and Township Three, Range Nine. (H. P. 1747) (H. D. 819)

#### Orders of the Day

Mr. SPEAR of Cumberland: Mr. President, I would like to inquire if the Richmond Bridge bill is in the possession of the Senate?

The PRESIDENT: The Chair will state that the bill is in the possession of the Senate.

Thereupon, on motion by Mr. Spear of Cumberland the Senate voted to reconsider its former action whereby "An act to provide for the building of a highway bridge across the Kennebec River between the towns of Richmond and Dresden" (H. D. 741) was passed to be enacted; and on further motion by the same Senator the bill was laid upon the table pending passage to be enacted.

Mr. SPEAR of Cumberland: Mr. President, I move that the rules be suspended in order that I may introduce a resolve out of order.

Mr. MURCHIE of Washington: Mr. President, before the rules are suspended may I inquire the nature of the resolve?

The PRESIDENT: The Senator from Washington, Senator Murchie, inquires through the Chair of the Senator from Cumberland, Senator Spear, and the Senator may reply if he desires.

Mr. SPEAR: Mr. President, I think the Senator's question is perfectly proper and I will state that the resolve is one in favor of Clyde H. Smith, Charles Murray and Edwin T. Clifford in regard to fees of their counsel.

Mr. MURCHIE: Mr. President, do I understand that the suspension of the rules for the introduction of this resolve is necessary?

The PRESIDENT: The Chair will rule that it is necessary to suspend the rules to introduce a resolve, out of order.

Thereupon, the rules were suspended.

Mr. MURCHIE: Mr. President, I would like to reconsider the vote we just took whereby the rules were suspended, so that I may speak upon the main subject.

The PRESIDENT: The Senator from Washington, Senator Murchie, moves that the Senate reconsider its action just taken, whereby the rules were suspended in order to permit the introduction of a resolve out of order.

The motion to reconsider prevailed.

Mr. MURCHIE: It seems to me, Mr. President, that at this time in the session it is very unwise to receive a resolve of this nature. We have been through a campaign, or at least a committee has been through a campaign, of several weeks trying to get information about the conduct of the Highway Department. No process of any kind was pending in the Legislature against anyone of the commissioners. I would not want to say that it would be improper for the Legislature to reimburse these commissioners for the expense of their counsel but the newspapers contain the information this morning that the resolve carries compensation at the rate of \$100 a day for each attorney employed by the several members of the Highway Commission—straight time, including Sundays, from the day of their employment to the day when the committee finished its labors. It would seem to me that the proper course would be for the men to pay their own counsel and seek reimbursement before another Legislature when a committee may properly consider, first, the question as to whether or not the State should pay anything

and second, assuming that it should pay something, how much. It seems to me that we haven't the time in this session to consider this question properly.

Mr. SPEAR of Cumberland: Mr. President, in support of my motion, I wish to say that I subscribe to what the Senator from Washington (Senator Murchie) has said, but in addition, and in the spirit of fair play I think some statement from me is necessary.

Yesterday afternoon the counsel for these commissioners came to me with three bills for their services. I took the matter up last night informally in our executive session of the Appropriations Committee. It seemed proper that the matter should be presented to the Legislature without any recommendation and for consideration as the Legislature sees fit. Of course what Senator Murchie says is true. In addition to that, this Legislature can act on the resolve if they desire to, if it is allowed to be introduced. It would appear to me that they could cut the amounts down and pay it if they wanted to and act on the suggestion of Mr. Murchie, which would be for the Commissioners to pay these bills of their counsel, and then ask for reimbursement.

The matter, I think is a fair one to come before the Legislature, and I would move the resolve be admitted.

Mr. WEATHERBEE of Penobscot: Mr. President, I believe that the resolve should be admitted and I also believe that the amount of the resolve should be diminished and it should be diminished to such an extent that they may not receive one single cent. I know of absolutely no reason in the world why the State of Maine should pay counsel fees for men who were apprehensive that some charge might eventually be lodged against them. It is time enough for the State of Maine to be responsible for counsel fees for men charged with an offense when such a charge has been lodged. If such a precedent as this were established every man who had a contract with the Highway Department might well feel that his contract would be looked into. He might be apprehensive and we would have a hundred counsel all over the State of Maine putting in the same number



of days' time as these gentlemen assert they have put into their investigation. The whole thing, it seems to me, is highly improper and I am emphatically opposed to paying even as much as a penny for such a bill as this.

Mr. DOUGLAS of Hancock: Mr. President, I do not wish to become partisan or to take sides on this question. I simply rise to ask the Senator if he would not take out the words "apprehensive of something" because I believe that if none of us were apprehensive of something the lawyers would fare very poorly, even in civil life, let alone in the Legislature. It is the mere fact that some of us might be apprehensive of something that causes us to employ a lawyer and I had rather have the wording in there changed. I think they employ the lawyers to advise them as to their procedure in the matter rather than that they were apprehensive of something that was coming out of that committee. I think it would be only fair to all three of them that that wording should be changed, especially the record part of it.

Mr. WEATHERBEE: Mr. President, I assume that if the members of the Highway Commission of the State of Maine felt perfectly confident that no charges would be preferred against them, it would not have troubled them one particle, and they would not have engaged counsel at all. I insist necessarily, that if counsel were engaged, there must have been some apprehension that the committee might prefer some charges. I do not imply that there would be any foundation for such charges at all, but I do insist there would have been an apprehension, otherwise counsel would not have been engaged. My language still stands.

Mr. DOUGLAS: Mr. President, as it is now in the records, I am satisfied.

Mr. SPEAR: Mr. President, may I state that if the resolve is admitted, I will move to table it.

The PRESIDENT: The Chair is of the opinion that any member of this body has the right to introduce a bill or resolve. This body has certain rules of procedure, and it seems to the Chair that the only question before the Senate now is whether the Senator from Cumberland, Senator

Spear, shall introduce the resolve out of order. If the resolve is introduced out of order the question would probably come before the Senate, whether it should be referred to the next Legislature or whether the rules be suspended and it be taken care of by this Legislature. So the only question now before the Senate is whether the rules be suspended and the Senator from Cumberland, Senator Spear, be permitted to introduce his resolve out of order, which he has asked to do. Is it the pleasure of the Senate that this motion prevail and that the resolve be received?

Mr. MURCHIE: Mr. President, allow me to say that I do not mean any discourtesy to the Senator from Cumberland, Senator Spear. I simply mean that this is a problem, a real problem, and there is no way that this Legislature can meet that problem except by having a hearing and it seems to me that we might as well stop this at the beginning as at some time later in the process. I am simply trying to save time.

The PRESIDENT: The question before the Senate is whether or not the Senator from Cumberland, Senator Spear, shall be permitted to introduce a resolve out of order.

A division of the Senate was had.

The PRESIDENT: Seventeen having voted in the affirmative and ten in the negative, the necessary two-thirds vote of the membership of the Senate to suspend the rules and receive the resolve, out of order has failed, the motion of the Senator from Cumberland, Senator Spear, is lost and the resolve is not received at this time.

Mr. WEATHERBEE: Mr. President, if we may have a recess of a few minutes I think we can take care of a bill that has been put upon the table, so that it may be passed to be enacted.

The PRESIDENT: The Chair will declare a short recess.

#### After Recess

The Senate was called to order by the President.

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

From the House; out of order: Re-

port of the Committee on Ways and Bridges, on bill "An act to establish a State Highway Commission with a full time Chairman" (H. P. 1598) (H. D. 610) reporting the same in a new draft, under the title of "An act to establish a State Highway Commission" (H. P. 1758) (H. D. 827) and that it ought to pass.

Comes from the House, report accepted, House Amendment "A" indefinitely postponed, and the bill passed to be engrossed without amendment.

In the Senate, on motion by Mr. Minott of Cumberland, the report was accepted in concurrence and the bill received its first reading.

Thereupon, on further motion by the same senator, the rules were suspended and the bill received its second reading.

Mr. MINOTT of Cumberland: Mr. President, is this bill in its proper form that it may be amended?

The PRESIDENT: The Chair will state that it is.

Mr. MINOTT: Mr. President and Members of the Senate, I have an amendment which I wish to present at this time, the reason being this: In talking with some of the members of the Highway Committee, three of them told me that they thought the bill was put through in order that the members of the Legislature might have an opportunity to take it up and present it as they saw fit, for the reason that it was a matter of administration in which every member of the Legislature might have an opportunity to participate. Two members of the Ways and Bridges Committee said differently.

I am presenting this for discussion, feeling this,—that the present bill does not offer a constructive program, that which the people of the State of Maine should demand and rightly have.

I might say that this amendment provides for a full time man, with two additional members part time. It places the salary under the Governor and Council of the full time commissioner, the salary of the part time members not to exceed two thousand dollars a year.

Your "Spear Committee" in reporting, reported that the present department organization of the highway system was somewhat unsound, and I offer this amendment merely to present to you what I believe the people consider a constructive piece of legislation and to replace that law

with which, under these present conditions through which we are now passing, they are not satisfied.

I move the adoption of this amendment.

The Secretary read Senate Amendment A:

"Senate Amendment A to H. P. 1758, H. D. 827, an act to establish a State Highway Commission.

"Amend said House Paper 1758, House Document 827, by striking out all after the enacting clause and inserting in place thereof the following:

"Sec. 1. The Governor with the advice and consent of the Council shall appoint a State Highway Commission consisting of three persons, one to serve for one year, one to serve for two years, and one to serve for three years. As vacancies occur by expiration they shall be filled by appointment as above described, and such appointment shall be for three years. Whenever a vacancy occurs through any reason, the appointment shall be made as above described for the unexpired portion of said term. Any member may be removed by the Governor, with the advice and consent of the Council, for cause after hearing.

"Sec. 2. From the persons so appointed, the Governor shall name a Chairman, who shall devote full time to the duties of his office. Except when sitting in session with the other members of the Commission, he shall execute, or cause to be executed, all orders, rulings and decisions of the Commission except as may be otherwise provided by statute. The Commission shall hold sessions at their office in Augusta on stated days twice in each month, and shall hold meetings for the transaction of business in Augusta, or in other convenient places in the State at such other times as the Chairman may designate.

"Sec. 3. When appointed and qualified under this act, said Commission hereby created, shall succeed to and exercise all the rights and powers of the present State Highway Commission, or any member thereof, expressly or impliedly given by this act, and shall perform all the duties of said present State Highway Commission, which is hereby abolished.

"Sec. 4. The salary of said Chairman shall be fixed by the Governor with the advice and consent of the Council, and the salary of the other members of the Commission shall be fixed in like manner not exceeding

\$2,000 per year. The members of the Commission shall also be paid their necessary expenses when engaged in their official business.

"Sec. 5. Not more than two members of the Commission shall be members of the same political party."

Mr. LELAND of Piscataquis: Mr. President, I move the bill and amendment lie upon the table until later in the day.

Mr. MINOTT: Mr. President, as I understand it, that motion is not debatable.

The PRESIDENT: The Chair will state that the motion to table is not debatable.

Mr. MINOTT: Mr. President, may I ask for a division?

The PRESIDENT: The question before the Senate is on the motion of the Senator from Piscataquis, Senator Leland, to table the bill and amendment pending adoption of Senate Amendment A. The Senator from Cumberland, Senator Minott, asks for a division.

A division of the Senate was had.

Sixteen having voted in the affirmative and nine in the negative, the motion to table the bill and amendment pending adoption of Senate Amendment A prevailed.

#### Orders of the Day

The President laid before the Senate, an act relating to the registration of non-resident trucks, (S. D. 111), tabled on April 11th by Mr. Oakes of Cumberland, pending passage to be enacted; and on motion by that Senator the bill was retabled.

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 on April 11th by Mr. Carlton of Sagadahoc, pending acceptance of report; and on motion by that Senator, the bill was retabled.

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 11th by Mr. Spear of Cumberland, pending acceptance of report.

Mr. SPEAR of Cumberland: Mr. President, I yield to the Senator from Aroostook, Senator Pinkham.

Mrs. PINKHAM of Aroostook: Mr. President, I now move the report of the committee, "Ought not to pass" be accepted.

The motion prevailed.

The President laid before the Senate, petition of one of the members of the Highway Commission, tabled on April 11th by Mr. Spear of Cumberland, pending consideration; and on motion by that Senator, the petition was retabled.

The President laid before the Senate, an act to regulate the quality of sardines packed in this State, (H. D. 664), tabled on April 11th by Mr. Minott of Cumberland, pending passage to be enacted.

Mr. MINOTT of Cumberland: Mr. President, I move that this bill be retabled.

Mr. MURCHIE of Washington: Mr. President, will the Senator from Cumberland, Senator Minott, assign a time later in the day for consideration?

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

Mr. MINOTT: Mr. President, it would be rather hard to assign any date at this particular time. I am waiting for a little information.

Mr. MURCHIE: Mr. President, under the rules, if this is retabled now it will not come off until tomorrow, will it?

The PRESIDENT: The Chair will state that the Senator is correct. It will automatically come off the table tomorrow morning. The Senator from Washington may ask for a division if he wishes.

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

A division of the Senate was had.

Four having voted in the affirmative and twenty-two in the negative, the motion to retable was lost.

Mr. SLOCUM of Cumberland: Mr. President, I move that this bill be passed to be enacted.

Mr. MURCHIE: Mr. President, I think this bill carries an emergency clause, does it not?

The PRESIDENT: The Chair will state that this is an emergency

measure and in order to pass to be enacted, requires a two-thirds affirmative vote of all the members elected to this body.

A division of the Senate was had. Twenty-six having voted in the affirmative and none in the negative, the bill was passed to be enacted in concurrence.

The President laid before the Senate, Resolve relative to a new motor boat for the Sea and Shore Fisheries Commission, (S. D. 427), tabled on April 11th by Mr. Slocum of Cumberland, pending consideration; and on motion by that Senator the Senate voted to insist and ask for a Committee of Conference, and the President appointed as members of such Committee on the part of the Senate:

Senators SLOCUM of Cumberland  
CAMPBELL of Washington  
WHEELER of Oxford.

The PRESIDENT: This completes the matters on the calendar. Is there any other matter under Orders of the Day that any Senator desires to take up at this time?

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act to permit cities and towns to lay out bridle paths and bridle trails, (S. D. 421), tabled by that Senator earlier in today's session, pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Carlton of Sagadahoc, the Senate voted to take from the table, an act to authorize the County Commissioners of Sagadahoc County to pay D. B. Cornish to reimburse him for road construction in Phippsburg, Maine, (S. P. 821) tabled by that Senator earlier in today's session, pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Weatherbee of Penobscot, the Senate voted to take from the table, resolve appropriating money to pay claims heretofore approved by the Committee on Claims, (S. P. 809), tabled by that Senator earlier in today's session, pending motion to indefinitely post-

pone House Amendment A in non-concurrence.

The PRESIDENT: The Chair will state that the pending question is on the motion of the Senator from Cumberland, Senator Slocum, that House Amendment A be indefinitely postponed.

The motion to indefinitely postpone House Amendment A in non-concurrence prevailed.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, an act relating to taxes upon mortgaged real estate, (H. D. 816), tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

The PRESIDENT: There being no further business to come before the Senate under Orders of the Day, the Senate will recess until 4 o'clock this afternoon.

#### After Recess

Senate called to order by the President.

From the House out of order: 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. 1728) (H. D. 801) which was passed to be engrossed in non-concurrence in the Senate, April 11th.

Comes from the House, that branch voting to insist on its former action whereby it accepted minority report of Committee on Ways and Bridges, "ought not to pass," and asking for a Committee of Conference, the Speaker having appointed as members of such committee on the part of the House,

Rep. KITCHEN of Presque Isle  
GILLESPIE of Meddybemps  
BURKETT of Portland

In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and join the House in a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Sen. BOND of Lincoln  
LELAND of Piscataquis  
DUNBAR of Hancock

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

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 of said claims by the Claims Committee and make report of his findings.

Which order was passed in the Senate, April 11th.

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

In the Senate, on motion by Mr. Dunbar of Hancock, that body voted to recede and concur with the House in the indefinite postponement of the order.

From the House, out of order: Resolve in favor of the State Park Commission. (S. P. 320) (S. D. 425) which was passed to be engrossed in the Senate, April 10th.

Comes from the House, passed to be engrossed, as amended by House Amendment "A," in non-concurrence.

In the Senate, on motion by Mr. Martin of Kennebec, the resolve and House Amendment A were tabled pending the adoption of the amendment.

From the House, out of order: Resolve proposing an amendment to the Constitution to provide for an additional issue of highway and bridge bonds (S. P. 740) (S. D. 394) which was passed to be engrossed as amended by Senate Amendment B in the Senate April 11th.

Comes from the House, minority report of Committee on Ways and Bridges, "ought not to pass," accepted in non-concurrence.

In the Senate, that body voted to insist on its former action whereby the resolve was passed to be engrossed as amended by Senate Amendment B, and asked for a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

From the House, out of order: Bill, An Act to revise and simplify the Inland Fish and Game Laws of

the State (S. P. 767) (S. D. 412) which was passed to be engrossed as amended by Senate Amendments "A" to "L" and "O," "P" and "Q," in the Senate April 10th.

Comes from the House, Senate Amendments "M" and "N" rejected in concurrence, Senate Amendments "A" to "L" inclusive, and "O," "P" and "Q" indefinitely postponed in non-concurrence; House Amendments "A" to "K" inclusive presented and indefinitely postponed; House Amendment "A" to Senate Amendment "A" indefinitely postponed; House Amendment "A" to Senate Amendment "G" indefinitely postponed, and House Amendment "A" to Senate Amendment "O" indefinitely postponed; House Amendment "L" adopted, and the bill was passed to be engrossed, as amended by House Amendment "L" in non-concurrence.

In the Senate,

Mr. DOUGLAS of Hancock: Mr. President, I think perhaps there would not be so many smiles if I add a word of explanation but I am entirely satisfied with the way the bill has come from the House for the reason that I can see no time to properly go through that number of amendments and have it get through at this session. It strikes out all that we had in the bill in regard to fishing and leaves the fishing laws exactly as they are. There has been no great objection to the hunting laws. Would it be in order to move to pass to be engrossed before I offer an amendment?

The PRESIDENT: The Chair will state that it is in order now to dispose of the amendments. Is it the pleasure of the Senate to recede and concur with the House in the indefinite postponement of all Senate Amendments heretofore adopted?

The Senate voted to indefinitely postpone all Senate Amendments heretofore adopted.

The Senate then voted to indefinitely postpone all House Amendments, except House Amendment L. House Amendment L was read and adopted in concurrence.

Mr. DOUGLAS: Mr. President, I have an amendment to offer, Senate Amendment R, which in part takes care of legal errors and the phraseology in most of the cases. I would like to have it read.

The Secretary read Senate Amendment R:

"Senate Amendment 'R' to Senate Document 412, Senate Paper 767, entitled: 'An Act to Revise and Simplify the Fish and Game Laws of the State.' Amend Sect. 35, paragraph 2 by striking out in the first line the word 'otherwise' and in place inserting the words 'of the state.' Amend Sect. 45 by adding at the end of the first sentence thereof the following: 'except as may otherwise be provided by other laws passed at this session of the Legislature.' Amend Sect. 55 by adding at the end of this section the following words: 'except in unorganized townships and territories.' Amend Sect. 35 by inserting after the word 'age' in the second line of said section the words 'and no non-resident of whatever age.' Amend Sect. 60 by striking out in the second sentence of the second paragraph the word 'dead.' Amend Sect. 64, by striking out in line 15 the word 'sixteen' and in place insert the word 'eighteen' and in line 17 striking out the word 'twenty-five' and insert in its place the word 'ten.' Amend Section 62 by adding the following: (f) Provided, further, that it shall be unlawful to hunt or trap foxes from the fifteenth day of February to the first day of December, in Cumberland, Knox, Lincoln, Sagadahoc or York Counties."

Mr. MURCHIE of Washington: Mr. President, this Senate Amendment R carries, as I understand it, seven separate amendments. I don't like to ask that they be voted on separately if it is easier to ask to strike out two by an amendment to the amendment. I will adopt whichever procedure the Chair suggests.

The PRESIDENT: The Senator is in order to offer an amendment to an amendment.

Mr. MURCHIE: Mr. President, then I offer Senate Amendment A to Senate Amendment R and move its adoption. The purpose of this is to strike out the amendments to sections 55 and 60, the third and fifth amendments.

The Secretary read Senate Amendment A to Senate Amendment R:

"Senate Amendment A to Senate Amendment R to Senate Document

No. 412. An act to revise and simplify the fish and game laws of the State. Amend Senate Amendment R to Senate Document No. 412 by striking out lines six, seven, ten and eleven of said amendment."

Senate Amendment A to Senate Amendment R was adopted.

Mr. SLOCUM of Cumberland: Mr. President, may I inquire through the Chair of the Senator from Hancock, Senator Douglas, if amendment R takes care of the unfortunate wording in the section with reference to the definition of "residents and the section with reference to deer meat in lumber camps?"

The PRESIDENT: The Senator from Cumberland, Senator Slocum, inquires from the Senator from Hancock, Senator Douglas, through the Chair and the Senator from Hancock, Senator Douglas, may answer if he desires.

Mr. DOUGLAS: Mr. President, in the short time that I had to read that over I will say that it does, I think. I am not sure of it, however, particularly in regard to the second question. Perhaps, as the Senator has the bill in front of him, he can determine those sections as they are numbered and can apply the amendments.

Mr. SLOCUM: I appreciate, Mr. President, that this is quite involved and I would like to have the matter straightened out as well as possible and so I move that it lie upon the table temporarily.

Thereupon, the bill was laid upon the table pending adoption of Senate Amendment R.

#### Passed to be Engrossed

(Out of Order)

Resolve to provide for a memorial to Harold T. Andrews, the first Maine man to lose his life in the World War. (S. P. 805) (S. D. 431)

#### Passed to be Enacted

(Out of Order)

An Act to amend section 98 of chapter 16 of the Revised Statutes of the State of Maine on State Aid to Academies. (S. P. 750) (S. D. 405)

An Act relating to the pollution of the waters of Carleton Pond. (H. P. 15) (H. D. 822)

An Act with reference to the

personnel of the State Budget Committee. (H. P. 1752) (H. D. 823)

### Finally Passed

(Out of Order)

Resolve in favor of State School for Girls. (S. P. 414) (S. D. 166)

### Passed to be Enacted

(Out of Order)

An Act amendatory of, and additional to existing legislation relating to the State Park, and to the Superintendent of Public Buildings. (H. P. 1750) (H. D. 824)

An Act to exempt certain non-resident motor vehicles from registration while in the State exclusively for display or demonstration purposes; also non-resident passenger busses chartered and used exclusively for private conveyance of non-residents. (H. P. 1736) (H. D. 808)

An Act relative to resident attorneys for foreign corporations. (S. P. 794) (S. D. 426)

An Act relating to fishing in Kewayden Lake in the town of Stoneham (H. P. 1534) (H. D. 555)

An Act to provide for relief of needy dependents of disabled veterans of the World War. (S. P. 736) (S. D. 389)

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

An Act relating to interest charged by small loan agencies. (H. P. 1742) (H. D. 813)

Mr. LELAND of Piscataquis: Mr. President, would it be proper to take action on matters on the table under orders of the day or would you prefer to wait?

The PRESIDENT: The Chair will state that the Chair thinks the Senate would be willing to take up Orders of the Day at this time and any matter may be taken off the table any senator desires.

On motion by Mr. Leland of Piscataquis, the Senate voted to take from the table, an act to establish a State Highway Commission (H. P. 1758) (H. D. 827) tabled by that senator earlier in today's session pending adoption of Senate Amendment A.

Mr. LELAND of Piscataquis: Mr. President, I now yield to the Sena-

tor from Cumberland, Senator Minott.

Mr. MINOTT of Cumberland: Mr. President and members of the Senate, I would like permission to withdraw this amendment for the following reasons: The absence of a committee on administration, the lateness of the session, the long distance between the Senate Chamber and the House Chamber, which together with the possibility of other amendments being injected into this matter and add to the confusion which seems to exist at this late hour.

Unanimous consent was given to withdraw Senate Amendment A.

The PRESIDENT: The Chair understands that there is House Amendment B that should be acted upon at this time before the bill is passed to be engrossed.

The Secretary read House Amendment B.

Thereupon, House Amendment B was adopted in concurrence.

Mrs. ALLEN of Penobscot: Mr. President, as I understand this bill at the present time, when we act upon the bill as it is we are voting to abolish our present commission? That is the way I understand it.

The PRESIDENT: The Chair understands that this is a new Highway Commission bill.

Mrs. ALLEN: Mr. President, as I read in Section three, "Said Commission when appointed and qualified under this act shall perform all the duties and may exercise all the rights and powers of the present State Highway Commission, which is hereby abolished." As I look at it we simply want a new commission and if we pass this act as it is we will have one, and at this time I would like to offer Senate Amendment B to this bill and move its adoption. I would like to have a good clean whitewash if we are going to whitewash.

The Secretary read Senate Amendment B: "Senate Amendment B to House Document 827, an act to establish a State Highway Commission. Amend said bill by adding thereto the following section: 'No person who has served during the past four years either as a member of the Highway Commission or Chief Engineer shall be eligible for appointment to the Commission hereby created for a period of four

years from the time this law becomes effective.”

Mrs. ALLEN: Mr. President, when the action is taken on this I would like to have a division.

Mr. LELAND: Mr. President, I dislike to disagree with any proposition put forth by the Senator from Penobscot, Mrs. Allen, but I think under the existing conditions that it would be very unwise to adopt Senate Amendment B and I hope the amendment will not be adopted.

Mr. SPEAR of Cumberland: Mr. President, as I served on this special investigating committee I should like to be excused from voting.

The Senator was excused from voting.

Mr. MINOTT of Cumberland: Mr. President, is it permissible to speak upon this question?

The PRESIDENT: The Chair will state that the motion is debatable.

Mr. MINOTT: Mr. President, I do not wish to discuss any personalities into this bill, but I certainly do not hope this amendment will prevail for the following reasons: We have a Governor whom the people of Maine trust to a great degree. We have a council that represents the different districts of the State. They have done so in the past with a great measure of success in most all instances, and I certainly feel that they are just as capable now as they ever have been.

Mr. BRAGDON of Aroostook: Mr. President, in view of the fact that the principal argument in favor of a measure like this has been that we feel that we are liable to lose our Federal aid for highways unless our present commissioners or a part of them were discharged, it would seem to me that the only logical course for us to take would be to adopt the amendment offered by the Senator from Penobscot (Senator Allen) and assure ourselves that no commissioner would be left on this board who might jeopardize our right to receive Federal aid. I hope the amendment will be adopted.

Mr. DWINAL of Knox: Mr. President, as a member of the investigating committee I also ask to be excused from voting.

The Senator was excused from voting.

Mr. MITCHELL of Aroostook: Mr. President, I wish to ask for that same privilege.

The Senator was excused from voting.

Mr. MURCHIE of Washington: Mr. President, having granted consent to the three members of the Senate who know the most about this Highway Commission not to vote upon this question, I wonder if it would be proper for a member to ask of any one of them or all of them whether or not there is any reason which they can assign as a result of their deliberations why any member of the Highway Commission during the last four years, or any chief engineer, should be considered unfit to hold office in the commission.

The PRESIDENT: The Senator may inquire through the Chair of the three members who served on the Spear Committee and any one may reply who desires.

Mr. SPEAR: Mr. President, our committee has been discharged. The records I think were going to be available at the end of the legislative session. Nothing in those records, it seems to me, would not be available at this time. Therefore, I do not choose to answer any further at this time.

Mr. LITTLEFIELD of York: Mr. President, I do not know that this has anything to do with what I want to say but I do think it wrong to expect us as York County men to vote for this amendment. We have got as good a man in York County, who has been on the commission inside of four years, as there is in the State of Maine and he has done as good a job for York County as ever could be done for a county. Now why should we as York County men sustain that amendment? I feel that four years is back too far. The government said nothing about him. It is simply the commission as it is today.

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

A division of the Senate was had. Three having voted in the affirmative and twenty-two in the nega-



tive, the motion to adopt Senate Amendment B was lost.

Mr. LELAND: Mr. President, at the request of another senator I move this be retabled until after recess.

The motion to retable, pending passage to be engrossed as amended by House Amendment B, prevailed.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table, Resolve in favor of the State Park Commission (S. D. 425) tabled earlier in today's session by that senator pending adoption of House Amendment A; and on further motion by that senator House Amendment A was adopted in concurrence and the resolve as so amended was passed to be engrossed in concurrence.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table, An Act to revise the Inland Fish and Game Laws (S. D. 412), tabled by that Senator earlier in today's session, pending adoption of Senate Amendment R.

Mr. SLOCUM of Cumberland: Mr. President, I now yield to the Senator from Hancock, Senator Douglas.

Mr. DOUGLAS of Hancock: Mr. President, I move it now take its usual course and pass to be engrossed.

The PRESIDENT: Is it the pleasure of the Senate that Senate Amendment R be adopted?

Senate Amendment R was adopted.

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

Mr. DOUGLAS of Hancock: Mr. President, I would like to introduce an order out of order. I understand it comes from the Commissioner of Inland Fisheries and Game, and is the usual thing.

The Secretary read the order: ORDERED, the House concurring, that the Commissioner of Inland Fisheries and Game cause to be revised and compiled in convenient pamphlet form the inland fish and game laws, both public and private and special, including public and private and special acts of the 84th

Legislature relating to inland fisheries and game, also the rules and regulations of the Department of Inland Fisheries and Game, and that not exceeding 50,000 copies of said pamphlet be printed for general distribution.

Authority is hereby granted for the employment by the Department of Inland Fisheries and Game of such extra clerical assistance as may be necessary to properly perform said work; the bills for preparing and publishing said pamphlets, including charges for the necessary extra clerical services required, shall be paid out of the appropriation for the operation of the fish hatcheries and feeding stations for fish, and for the protection of fish, game and birds, and for general administration of the Department of Inland Fisheries and Game.

The Department of Inland Fisheries and Game is further ordered to mail five copies of said publication, when issued, to each member of the 84th Legislature.

Mr. SPEAR: Mr. President, I would like that order to lie upon the table until we find what settlement we are to make with the Fish and Game Department. I so move.

The motion to table the order, pending passage, prevailed.

Mr. MARTIN of Kennebec: Mr. President, I wish permission to introduce a bill out of order. This is also an act relating to the Inland Fish and Game laws, simply referring to special rules as made by the Commissioner. It is a matter that has been before legislatures numerous times.

The PRESIDENT: The Senator from Kennebec, Senator Martin, moves that the rules be suspended that he may introduce a bill out of order. Is this the pleasure of the Senate?

Thereupon, the rules were suspended and Mr. Martin of Kennebec presented, out of order, Emergency Act to authorize the promulgation of rules and regulations of the Commissioner of Inland Fisheries and Game. (S. P. 822)

Mr. MARTIN: Mr. President, I would say that this is an emergency act and was first introduced, or a similar one in 1917. It gives the right to the Commissioner for four years to make special rules and

regulations relative to fishing. The law has now been changed so that under the proposed act introduced by the Senator from Hancock, Senator Douglas, so that this is necessary. If this is not passed as an emergency act it would do away with and take off all specifications relative to fly fishing on all great lakes and soon spoil fishing. These regulations were last passed in 1925 to July 7, 1929. I trust and move this order will receive passage at this time.

The PRESIDENT: The Senator from Kennebec, Senator Martin, now moves that the rules be again suspended and that this bill receive its several readings and be passed to be engrossed without reference to a committee. Is this the pleasure of the Senate?

The motion prevailed.

Thereupon, the bill received its two several readings without reference to a committee, and was passed to be engrossed.

#### After Recess

The Senate was called to order by the President.

From the House, out of order: Bill "An Act to authorize the Treasurer of State, under the direction of the Governor and Council, to issue bonds for bridge construction, conditional on the adoption by the people of a Constitutional amendment authorizing such bonds." (H. P. 1300) (H. D. 445)

(In Senate, April 12, majority report of Committee on Ways and Bridges, reporting "ought not to pass" accepted in non-concurrence.)

Came from the House, that branch insisting on its former action whereby it accepted minority report of the same Committee, reporting "ought to pass," and asking for a Committee of Conference, the Speaker having appointed as House members of such a Committee,

Representatives:

KITCHEN of Presque Isle,  
GILLESPIE of Meddybemps,  
BURKETT of Portland.

In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and join the House in a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

From the House: Resolve proposing an amendment to the Constitution to provide for an additional issue of bridge bonds. (H. P. 1301) (H. D. 446)

(In Senate, April 12, majority report of Committee on Ways and Bridges, reporting "ought not to pass," accepted in non-concurrence.)

Comes from the House, that branch having voted to insist on its former action whereby it accepted minority report of the same Committee, reporting "ought to pass," and asking for a Committee of Conference, the Speaker having appointed as House members of such a Committee,

Representatives:

KITCHEN of Presque Isle,  
GILLESPIE of Meddybemps,  
BURKETT of Portland.

In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and join the House in a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

From the House: Bill "An Act to authorize the County Commissioners of Hancock County to pay Henry W. Sargent for damage to land and land taken for a ferry." (H. P. 1761)

Comes from the House, passed to be engrossed, under suspension of the rules, without reference to a Committee.

In the Senate, under suspension of the rules, the bill received its two several readings and was passed to be engrossed in concurrence, without reference to a committee.

From the House: 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) which was passed to be engrossed in the Senate April 12th,

Comes from the House, minority report of the Committee on Ways

and Bridges, reporting "ought not to pass," accepted in non-concurrence.

In the Senate, on motion by Mr. Leland of Piscataquis, that body voted to insist and asked for a Committee of Conference, and the President appointed as members of such committee on the part of the Senate,

Senators BOND of Lincoln,  
LELAND of Piscataquis,  
DUNBAR of Hancock.

### House Bill in First Reading

(Out of Order)

Resolve in favor of a memorial for William Pitt Fessenden (H. P. 755) (H. D. 830)

(The rules were suspended and the resolve was given its second reading and passed to be engrossed in concurrence.)

From the House, out of order: "An Act to consolidate the general superintendence, management and control of the state prison, the reformatory for men and reformatory for women under one board of trustees, and to provide for the temporary transfer of inmates." (H. P. 1675) (H. D. 729)

(In the Senate, April 3, passed to be engrossed in non-concurrence, the House having previously indefinitely postponed the bill.)

In the House: Committee of Conference having been appointed and having reported that they were unable to agree, the report of the Committee of Conference was accepted.

Comes from the House, that branch asking for another Committee of Conference, the Speaker having appointed as House members of such a Committee, Representatives:

LAUGHLIN of Portland,  
JACKSON of Bath,  
GAY of Waldoboro.

In the Senate, on motion by Mr. Crosby of Penobscot, the Senate voted to insist and join the House in another Committee of Conference; and the President appointed as members of such committee on the part of the Senate,

Senators MARTIN of Kennebec,  
CROSBY of Penobscot,  
PINKHAM of Aroostook.

On motion by Mr. Spear of Cum-

berland, the Senate voted to take from the table, an act to provide for relief of needy dependents of disabled veterans of the World War (S. D. 389), tabled earlier in today's session by that senator pending passage to be enacted.

Thereupon, on motion by the same senator the rules were suspended and the Senate voted to reconsider its action whereby this bill was passed to be engrossed.

The same senator then presented Senate Amendment A and moved its adoption: "Senate Amendment A to Senate Paper 736, (S. D. 389). Amend said bill by adding after the words 'and council' in the first section, the words 'as chairman,' and further amend by striking out the whole of Section eight and substituting in place thereof the following, to be known as Section eight, 'Section eight. For the purpose of carrying out the provisions of this act a sum not to exceed \$35,000 annually shall be set up and disbursed to the Department of Public Welfare upon the approval of the Commission named in the first section of this act, said sum to come from one mill levied for war purposes as provided by Chapter 221 of the Public Laws of 1921 as amended.'"

Mr. WEEKS of Somerset: Mr. President, I hope that this amendment will not be adopted. This bill is an act to provide relief for dependents, needy dependents, of World War veterans. It had a very extended hearing before the Judiciary Committee and I think a large number of that committee wished to raise the amount of money from \$50,000 to \$75,000. But we who have been in the service felt that it would be better to keep down as much as possible the amount involved and so the bill was reported out for \$50,000. This amendment changes that amount from \$50,000 to \$35,000, which is an increase of only \$7,000 from what was used last year. I notice also that the amendment places in the Department of Public Welfare the handling of this money. It seems to me that the Department of Public Welfare is overcrowded at this time and that the way the money has been handled through Mr. Leadbetter in the past will better take care of this situation than to have

it handled by the Department of Public Welfare. I sincerely hope the amendment will not be adopted.

Mr. SPEAR: Mr. President, under ordinary conditions I would agree with the Senator from Somerset, Senator Weeks. This money is now being handled by the messenger to the Governor. The messenger to the Governor is Chairman of this new set-up, according to the amendment. This welfare work is now being conducted under a different department and the reason for offering the amendment was to cut it down from \$50,000 to \$35,000. They are now using about \$28,000 or \$30,000. We have granted an increase up to \$35,000. Under the Department of Public Welfare there is an aid for dependent mothers and children. We have raised that \$20,000 over the budget which makes \$300,000 that they are now receiving. The larger number of dependent mothers and children that are cared for the less money they need in this department, as I understand it. I am not a World War veteran. I shall vote for the amendment and I shall vote for the bill because I am not a World War veteran. I think the bill, unless the amendment is adopted, is bad legislation, it is class legislation. I hated to take this position but it seems to me that with the Messenger as Chairman and the Adjutant General on the board and three other members to be appointed by the Governor, who would probably come from the American Legion, excepting for Mr. Cornish, who is the secretary that I believe will come under this bill, but he would simply be secretary, and with the Chairman of the Public Welfare directors being our former president, Mr. Holley, who knows financial matters as he does, I think it is a proper place to put it, under the Public Welfare Department. I have talked with the Governor about it several times and my impression is that he is not very keen for the bill at all but would be more apt to accept it with this amendment than he would be without it. I therefore hope the amendment will be adopted.

Mr. CROSBY of Penobscot: Mr. President, I desire to subscribe to the remarks of the Senator from Somerset, Senator Weeks, and as a

member of the American Legion, which has asked few favors of this Legislature, I hope the amendment will not be adopted.

Mr. SLOCUM of Cumberland: Mr. President, I also want to second the remarks of the Senator from Somerset, Senator Weeks. I fear that Senator Spear is worried about this particular measure as class legislation, not appreciating that there was a class that went to the World War and it is to provide for their needy dependents, and I can assure the Senator from Cumberland, Senator Spear, that there were a large number of cases that could not be handled with the funds they had in the past. I hope the amendment will not prevail.

Mr. LITTLEFIELD of York: Mr. President, I think we are getting into pretty small business when we try to take anything away from our dependents of the World War. I also think that we are in fully as small business when we start in to put it into the Public Welfare and take it away from George Leadbetter who, as everybody in this State knows, is one of the best men to watch that condition that we have got. I think we are just fooling away our time here and I hope the motion will not prevail.

Mr. MARTIN of Kennebec: Mr. President, I wish also to second the remarks of the Senator from Somerset, Senator Weeks. I trust that the amendment will not be adopted. This matter received very careful consideration before the Judiciary Committee and, as the Senator from Somerset, Senator Weeks, has stated, a number of us felt that the amount of \$50,000 was too small and that a larger amount should be appropriated. However, those who were primarily interested in the bill felt that \$50,000 would be sufficient. It is a matter of historical record that every state and every nation has prospered that looks out properly for its soldiers and sailors and for their dependents, and to adopt this amendment, it seems to me, would be a step backward in the State of Maine. I trust it will not be adopted.

Mr. SPEAR: Mr. President, there is one correction I think I should make with reference to what Senator Littlefield said, and that is that this amendment does not take

it out of the hands of George Leadbetter. This amendment makes him Chairman of the board.

Mr. OAKES of Cumberland: Mr. President, as a member of the Judiciary Committee that heard this matter and also as a member of the American Legion, I hope the members of the Senate will not adopt this amendment. This is a very important matter. It takes care of a need that can be reached in no other way and I think the bill is a very fine measure.

Mr. DOUGLAS of Hancock: Mr. President, as one of the Four-minute Men of twelve years ago who spoke to an audience more than two hundred times I remember some of the promises that we made at that time and I am heartily in accord with the Senator from Somerset, Senator Weeks, that we should give them all that we are able to give and carry out the promises that we made to them when they went across to help us at that time. I hope the amendment does not prevail.

Mrs. PINKHAM of Aroostook: Mr. President, I also hope that the amendment will not be adopted. I have a new reason which I wish to present and that is my excuse for speaking on the subject. As a Red Cross worker for over ten years I have found that there are a great many families of soldiers of the World War who are unable to get help in any way because we are not able to prove service connection with their disability. For that reason, and because a small increase of \$5,000 or \$6,000 is not sufficient to help the soldiers' families which have been unable to be helped in any way, I hope the amendment will not prevail.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Spear, that Senate Amendment A be adopted. The Senator from Somerset, Senator Weeks, asks for a division.

A division of the Senate was had.

Two having voted in the affirmative and twenty-eight in the negative, the amendment was not adopted.

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

On further motion by the same senator the bill was then passed to be enacted.

The PRESIDENT: The Chair will declare a short recess.

#### After Recess

The Senate was called to order by the President.

#### Report of a Committee

(Out of Order)

The Committee of Conference, on the disagreeing action of the two branches of the Legislature, on "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) reported unanimously that the House recede and concur with the Senate in the passage of this resolve.

The report was accepted.

On motion by Mr. Oakes of Cumberland, out of order and under suspension of the rules, it was

Ordered, the House concurring, that 1200 additional copies of Senate Document 332 and Senate Document 380 be printed and that 1200 copies of the amendments to the above documents be printed and that both be bound together and that a copy of them be mailed to each attorney at law, as nearly as may be reached, in the State, and that ten copies be mailed to each clerk of the Judicial courts.

On motion by Mr. Weatherbee of Penobscot, out of order and under suspension of the rules, it was

Ordered, the House concurring, that the Governor be requested to return to the Senate, Senate Paper 541, Senate Document 364, an act to provide for building a bridge across the Penobscot River at or near Bucksport to be known as the Waldo-Hancock Bridge.

On motion by Mr. Page of Somerset

Adjourned until tomorrow morning at ten o'clock.