

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fifth Legislature

OF THE

STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, January 15, 1931.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. McWhorter of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: An Act relating to registration of motor vehicles. (S. P. 35) (L. D. 8)

Comes from the Senate referred to the committee on Taxation.

In the House:

Mr. BURKETT of Portland: Mr. Speaker, an examination of this bill L. D. 8, shows that instead of being a tax measure, it simply tries to change the matter of registration by providing that on and after September first motor vehicles can be registered for one-half rate. I, therefore, move that it be referred to the committee on Judiciary in non-concurrence.

The motion prevailed and the bill was referred to the committee on Judiciary in non-concurrence.

From the Senate:

Ordered, the House concurring, that all committees are hereby directed to report to the Committee on Appropriations and Financial Affairs, all appropriations of money recommended by them and any acts or resolves recommended by them which amend existing statutes or resolves requiring an appropriation of money.

The Committee on Appropriations and Financial Affairs is hereby directed to make record of said reports, and forthwith submit the same to the Legislature without changes therein. No act or resolve involving an appropriation of money shall be engrossed without having endorsed thereon, in addition to the usual endorsements of the officers of the Senate and House, the following, viz:

"Examined and recorded by the Committee on Appropriations and Financial Affairs.

Spear
Chairman"

In the House:

Mr. ROUNDS of Portland: Mr.

Speaker, the committee on Claims, of which I have been a member for five terms, does not make up its list until the last end of the session. That committee hears the claim but the list is not made up until late in the session. Therefore, we cannot report until we get them all together so that we may know what we are going to give each one.

The SPEAKER: Is it the pleasure of the House that this order have passage in concurrence?

The motion prevailed.

Mr. ROUNDS: I move to table the order.

The SPEAKER: Although the vote has been declared, in deference to the gentleman from Portland (Mr. Rounds) the Chair will permit his motion to table.

The motion to table being doubted, a viva voce vote was taken and the motion to table prevailed.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, January 20th, at 4.30 o'clock in the afternoon.

In the Senate read and passed.

In the House read and passed in concurrence.

The following bills and resolve were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture

By Mr. Perham of Paris: An act relating to payment of damages done by dogs or wild animals. (H. P. 5)

Education

By Mr. Allen of Sanford: An act in regard to qualifications of teachers. (H. P. 6)

(500 copies ordered printed)

Inland Fisheries and Game

By Mr. Eaton of Calais: An act to increase the bounty on bobcats. (H. P. 7)

By Mr. Lancaster of Canaan: An act relating to closed time on deer. (H. P. 8)

(500 copies ordered printed)

Judiciary

By Mrs. Morey of Lewiston: An act relating to enginemen, fires, and prevention of fires. (H. P. 9)

(500 copies ordered printed)

By the same member: An act relating to false alarm of fires. (H. P. 10)

(500 copies ordered printed)

Pensions

By Mrs. Morey of Lewiston: Resolve providing for a State pension for Isabelle Willett. (H. P. 11)

Taxation

By Mr. Sterling of Caratunk: An act to impose an excise tax on motor express companies. (H. P. 12)

(500 copies ordered printed)

Ways and Bridges

By Mr. Eaton of Calais: Resolve for the repair of the Carson Road, so-called, in Calais. (H. P. 13)

Orders of the Day

The SPEAKER: Any matter of a miscellaneous sort comes under orders of the day.

Mr. ROUNDS of Portland: Mr. Speaker, I find that the order just tabled by me this morning, coming through from the Senate, only relates to departments, therefore I would like to take it from the table and move its passage in concurrence.

Thereupon the order was taken from the table and passed in concurrence.

On motion by Mr. Scates of Westbrook, it was voted to take from the table the order tabled by that gentleman relative to the adoption of the Joint Rules; and on further motion by the same gentleman it was voted to concur with the Senate in the adoption of the order relative to the Joint Rules.

Mr. JACK of Lisbon: Mr. Speaker, is this the proper time to rise to a point of special privilege?

The SPEAKER: It is perfectly proper.

Mr. JACK: Mr. Speaker and honorable members of the Eighty-fifth Legislature: I wish a certain amount of emphasis placed on the word Honorable irrespective of the fact, or in view of the fact, of the lambasting which we are getting through the press of Maine, being called "petty grafters" and words of a similar nature.

I assumed before I came over here, and I assume now, that the

members of this House—a part at least—are the flower of the citizenship of Maine, including the men and women embraced therein. You recently have read criticisms in the various newspapers of Maine and the opinions which they portrayed there is being reflected in the newspapers of other states. Now I simply request this: If they are going to speak of us I request that they be kind enough to tell the truth and let it go at that. As to whether or not they have been doing that, I will read some of the stuff that has been circulated through the homes of Maine on which as a matter of fact I have been approached by some of my constituents as to whether or not it was so.

In the Lewiston Journal of January 7, 1931, we find this: "ROUNDS ROUNDS UP HOUSE IN FIRST ROUND. SAYS MEMBERS NEED TO TELEPHONE HOME FOR INFORMATION—WANTS 50 FREE CALLS. HOUSE WANTS BOOKS. PASSES ORDER TO BUY EACH MEMBER DICTIONARY, BIBLE AND RULE BOOK."

For the purpose of getting this into the Record, I am going to read the entire article, although I shall comment perhaps only on a part of it.

"AUGUSTA, Jan. 7 (Special)—Ed Rounds, member of the House from Portland, may be a veteran of the Legislature, may require a cane when he walks, but he still packs a punch when any one attempts to step on the legislative toe. He took a swipe at the State Government Survey, in the first round of the 1931 legislative battle Wednesday morning, and the round was his.

An order was introduced providing for the appointment of a special joint committee of two from the Senate and three from the House, to be known as the Committee on Legislative Expenditures and which should pass upon all expenditures of the Legislature before they could be made.

Instantly Mr. Rounds moved that the order be tabled. He said that he didn't think it was right for the Legislature to pass over its rights to a group of five men. Every member of experience knew that the legislators found it mighty necessary to

telephone to their constituents for information at times during the session. At five previous sessions he had introduced an order providing that each member have 50 free calls for the session.

He realized there were 90 members of the House who didn't understand the needs of the House because they were all new. He thought they should give consideration to this matter before adopting the order.

Carleton of Portland wanted to know when the order could come off the table, and was told that that was a question which could not be answered until Mr. Rounds saw fit to designate a date. The order was then passed without a dissenting vote."

Here is the part I want you to listen very attentively to:

"Scarcely had the order been tabled when another order was offered instructing the Secretary of State to provide each member of the House with two dictionaries, a Bible, and Reed's Parliamentary Rules.

"I move that the order be laid on the table," said Carleton of Portland.

The house with a whoop yelled 'No', and then passed the order for the books, the Bible and the Parliamentary Rules."

Of course it is barely possible that the gentleman who wrote that might be in error. I trust he is in error and that he will be gentleman enough to make the proper correction because I will now read for his edification—assuming that he may be here at this time—and if he is not, I hope the information will get to him—the order that was criticized.

"STATE OF MAINE

In House, Jan. 7, 1931.

Ordered, that the Secretary of State be directed to deliver to the Clerk of the House one copy of Webster's Unabridged Dictionary, one copy of the Standard Dictionary, one Holy Bible, one copy of Cushing's Parliamentary Law, one copy of Reed's Parliamentary Rules, and one copy of Robert's Rules."

Those were to be delivered to the Clerk of the House; nothing of the kind for the membership. I might add, however, that if the Bible would have a tendency to correct

him, assuming that he is doing this maliciously, I will hold up my hand and vote for a Bible for him.

Now the next proposition is in the Portland Press Herald of January 12, 1931, where you will find this editorial.

"Legislative Perquisites

Senator Spear of Cumberland County and Representative Carleton, of Portland, tossed a tear gas bomb into the Legislature the other day when they offered orders in the Senate and House proposing the appointment of special committees to which will be referred all orders pertaining to the purchase of articles which the legislators are supposed to require in order to function properly.

These orders were designed to impose some economies in the carrying on of the Legislature. The amount involved is approximately \$10,000 and perhaps more for it has taken this sum, and sometimes more, to equip all the law makers with the things they are supposed to need to do their work.

It is needless to say that the Spear-Carleton orders which took the Legislature by surprise, were promptly and emphatically sat upon in both branches. In the House, Representative Rounds of Portland, moved almost to tears by the interference with the time honored custom of providing a few perquisites for the law makers, had the order which Mr. Carleton introduced placed on the table. The same thing was done in the Senate. Sometime this week this matter will be threshed out in both the House and the Senate. It will then be decided whether or not the things the State has given to legislators in the past without any quibbling or discussion are to be forthcoming this year.

In the past to each legislator has been handed out the following things:

One fountain pen.
One copy of the Maine Year Book.
One copy of the Revised Statutes.
One copy of Webster's Dictionary.
50 two cent stamps or their equivalent.

Telephone coupons good for 60 toll calls.

American Express franks.
Subscriptions to three newspapers.
Several boxes of stationery, with a supply of pencils and pens.

Some years this list has included pocket books, pocket scissors and pen knives. To our knowledge it has never occurred to anyone to provide the lady members with compacts. This has been overlooked, probably because there have never been more than four or five lady law makers

The only article in the above list which can be justified as not coming under the head of "petty graft" is the copy of the Revised Statutes. Only a few legislators think enough of this valuable volume to retain it for personal use. The most of these law books are either sold or given away. The State House offices are well supplied with Revised Statutes and whenever there is need of consulting this book the usual procedure is for the law maker to visit some office and get some official or clerk to hunt up what he is looking for.

The "Year Book" is a valuable volume for any citizen to possess. But it does not cost a great deal and most law makers own one anyway before they go to Augusta.

There is probably need for the dictionaries but they are not consulted by the legislative orators any too frequently at best. No legislator is ever to be seen walking around with a Webster's Dictionary under his arm or consulting one on his desk. The postage stamps, amounting to \$10, are good anytime and anywhere. Few law makers use anywhere near 500 two cent stamps writing to their constituents. A letter to the folks at home about once a week would be a fair average of the expenditure the average Senator or Representative makes for postage.

The coupons given to the Legislators to pay for toll calls come in handy. They enable the Legislator to call up his home or his office every day and see how things are getting on. Most telephone calls which the legislators participate in are those which are put through to the State House by persons who want to tell the Senators or Representatives "where they get off" or what to do. It is needless to say that the legislators do not pay for these calls.

The franks with which to send packages by express without cost are only used to ship back home some of the things the wide awake

legislator is able to collect from State departments during his service at Augusta. These express franks save the acquisitive legislators considerable money but so far as helping the State's business any they could be dispensed with.

Each legislator is permitted to subscribe to three newspapers which the State pays for. There does not seem to be any very good reason why the State should pay for three newspapers for a member of the Legislature. If he finds time to read one newspaper a day the average legislator is doing extremely well and the cost of one newspaper a day does not place a very heavy burden on the law maker.

In fact Senators Spear and Carleton have pointed out a way by which the State can save at least \$10,000. This is not a very great sum but it is large enough to warrant an attempt being made to save it.

Members of the Legislature are now paid \$600 for their services. In some cases it is sufficient to defray their hotel bills and traveling expenses. But as legislative salaries go, among the smaller states, Maine is generous enough with its law makers, so most people feel.

Most citizens, including those who are in politics, like above everything else, to "get something for nothing." Collecting a few extra perquisites is a mania with many people. Our legislators are not above doing it, or haven't been in the past. It seems probable they will not all be in sympathy with the Carleton-Spear orders which are designed to save the State \$10,000. We are of the opinion that these two gentlemen have not contributed anything to their popularity by their attempt to interfere with a time honored, legislative practice."

I will say for the benefit of the Record that the Press Herald is one of the so-called newspaper chain groups. Perhaps we have only one group in Maine, but it is very possible that there may be something in the background that this Legislature knows nothing about at this time; I don't know about that. There are, however, a few things in here that I would like to call your attention to. The editorial speaks of a copy of the Maine Year Book. Now I assume that this is a business institution here. I assume that we

are sent here to participate in the business of the State of Maine. I also assume that you probably could not go into an office in the State of Maine, a business office, without finding a Year Book in it; and I also assume that more than one Year Book will be necessary in this State House unless you want the legislators holding everything up racing over the building to find one.

The next thing is a fountain pen. So far as I am concerned, they can have the fountain pens; they can keep the fountain pens; but there is something else to be considered. Supposing these ink wells are full of ink and that the pens that are stuck along here may be full of ink and for aught I know I guess they are. If so, you will find your desks all daubed up, and if out in a committee room it might be that a business man would use a fountain pen; but whether he would or not, I do not think that there is a single member here who cares much about the fountain pens.

As to the copy of the Revised Statutes, this is a law-making body, and it is fair to assume that there will be quite a few members who will wish to consult the Revised Statutes and probably it would be well enough for him to have one under his hand to expedite business.

One copy of Webster's Dictionary! Well, now, this is my second term here and I have not seen any Webster's Dictionaries on the desks nor any dictionary going to the membership, also I have asked members who have been here five or six terms and they do not know of the members individually having dictionaries.

As to the 500 two-cent stamps, as a matter of fact we could probably get along if we did not have them and pay out postage out of the magnificent six hundred dollars which he says will pay our board and hotel bill.

Telephone coupons! Well, now, a man usually is selected as a legislator because he has some standing in his community and a man of some business interests. Now if it is to be the picaune policy of the State of Maine, backed up by something that has not yet shown its head, to say that a man cannot call up his constituency to notify them that there is a measure coming up

in which they are or should be interested without paying for it out of his own pocket, I would like to know it.

As to the American Express franks, I do not know much about that. As a matter of fact I have not shipped out any of the State's waste baskets; I refused. I did not intend to be put in the position of being told that I had something that I did not pay for. I did not wish to give anybody the opportunity of telling me that I lugged off any of the State's property without the vote of this House.

As to stationery: They say we have some stationery around here. Does not every business institution have stationery around? I assume that I might use three or four sheets concerning my personal matters during my term here.

As a matter of fact, if you boil this all down, will you not find that this is all a part of the equipment which any business institution should have?

The editorial says: "The only article in the above list which can be justified as not coming under the head of 'petty graft'—some of you gentlemen may enjoy that, you may enjoy having it broadcasted over the State of Maine that the Legislature of Maine is made up of a membership of petty grafters; some may enjoy having it spread over the whole of New England, and perhaps beyond, that the legislators of Maine are petty grafters.

Unconsciously the writer put his foot in his own trap as I will show you. Every man who came over here, or was to come, received a letter—unfortunately I could not get one of those forms because I did not suppose we would run into this proposition—saying that we were entitled to three newspapers, and of course a new member would naturally think that that was all right. I state this to show you that, as a matter of fact, the very people who are now condemning the legislature approached us on the proposition, making themselves accessories before the fact. Here is one of the letters:

"At the opening of each session it is customary to pass an order permitting each member to subscribe to three newspapers for the duration of the session such subscriptions to be paid for by the

State. As the Kennebec Journal is the official state paper, and the paper which publishes the most complete reports of legislative activities, you will undoubtedly wish to select it as one of the three. Although the legislature will not convene for several months, yet, we would like to have your order now so that we may arrange for prompt and accurate delivery as soon as the session starts. We are enclosing a legislative subscription order blank. Won't you please fill this in and return it to us at an early date?"

Now I want to take you back to that proposition that "The only article in the above list which can be justified as not coming under the head of 'Petty Graft' is the copy of the Revised Statutes." The rest of that list is all petty graft. Now let's see who gets the petty graft, or at least a part of it. I had the audacity to go down and get my information from the Auditor's Department and I find that the subscriptions to the three newspapers at the last session cost in the House \$819.60 and in the Senate \$178.61, making a total of \$998.21 of petty graft that they got and yet they hold themselves up as being holier than Thou. My answer to the whole proposition is heal thyself before you come in here and attempt to place a stigma on the citizenship of Maine who are sent here and I wish to go on record here that I resent these insinuations whether they like it or not. (Applause)

Mr. ROUNDS of Portland: Mr. Speaker, is there any motion before the House.

The SPEAKER: There is not.

Mr. ROUNDS: I would like the privilege of answering some things which are laid to me.

The member from Portland, Mr. Rounds, was granted the privilege requested by him.

Mr. ROUNDS: Mr. Speaker, I can remember back before most of you in this House were born that this same newspaper, under the direction of the powers that were at that time did their best to belittle me before I ever came to this Legislature. When I was nominated I was told by different interests in this State that I would lose my job; but I got the nomination in convention by forty-five out of forty-nine votes. I was told by

some millionaires that the money was behind me if I wanted to come. I said I did not want to come. It ran along for almost ten years and under the direct primary law I was nominated and elected. The powers that were who controlled that same newspaper who heard read from this morning, the managers said "Belittle him, ridicule him in everything he says," and it was done. They found that the Legislature of Maine would not agree to this but that they would help me out, and it was making votes for me. And the same people told them to stop belittling me. What was the consequence? The Republican party in the State of Maine was defeated in the very next year. I did not again run for the Legislature until 1917, but when I did this paper tried to belittle me all the time. However, I have been elected every time except once when the Klan was in power and they left me out. They have tried every way they could to count me out and they have tried every way they could to put me out. Even in this last election I was knocked out of sixty votes in one ward and I know who it was did it and he has come to me and asked me to try to get his pay raised since he did it. (Laughter)

I will say that all my life I have tried to be fair; and as to anything I have done in this Legislature I am not afraid to go home and face the people. I am alone in my position as opposed to the Portland City Charter. My opponents are supporting it and trying to knock me out, but the old man is still on his feet. (Laughter)

Now I tell you ladies and gentlemen it is time that we assert ourselves and not let the newspapers of this State belittle the Legislature of Maine. We all know that we are not doing anything wrong and we are trying to save for the State, but it is not right to crowd four or five into a room across the river here, and in Bangor forty-eight are sleeping in the corridors. Much is said about unemployment. Why not put wings on these buildings and have the room that should be had and not having people running around the streets crazy who are likely to shoot your child, my child, shoot my wife or anybody on the street. I believe it is time that these things should be attended to.

There are over two hundred now on the waiting list at Pownal who cannot get in and still we cannot have a proper building where these people should be segregated. If this were done it would save the State a great deal more than six per cent. I believe the State can borrow at four per cent. I believe

this is the time when we should declare our independence of the newspapers and not have them telling us what to do and what not to do. I thank you. (Applause)

Thereupon the House adjourned under the order until 4:30 P. M. Tuesday, January 20, 1931.