

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

SENATE

Wednesday, January 7, 1931

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the Eighty-Fifth Legislature convened in the Senate Chamber and were called to order by Royden V. Brown, Secretary of the Senate of the Eighty-Fourth Legislature.

Prayer was offered by Rev. William R. Wood of Augusta.

The following communication was read by the secretary:

STATE OF MAINE

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

In compliance with Section 36, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Eighty-Fifth Legislature, as appears by the report of the Governor and Council under date of October 1st, 1930.

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

Second Senatorial District—William Bissett of Portland, Andrew Jackson of Portland, Paul Frederick Slocum of Standish, Arthur G. Spear of Rockland.

Third Senatorial District—Stanley M. Wheeler of Paris.

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

Fifth Senatorial District—Currier C. Holman of Farmington.

Sixth Senatorial District—Ellis L. Aldrich of Topsham.

Seventh Senatorial District—Burlleigh Martin of Augusta, Frank E. Southard of Augusta, Charles S. Towle of Winthrop.

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

Ninth Senatorial District—John W. Leland of Sangerville.

Tenth Senatorial District—Clarence H. Crosby of Dexter, Artemus Weatherbee of Lincoln, Carl R. Weymouth of Newport.

Eleventh Senatorial District—Harold W. Bishop of Boothbay Harbor.

Twelfth Senatorial District—George L. St. Clair of Rockland.

Thirteenth Senatorial District—A. M. Small of Freedom.

Fourteenth Senatorial District—George S. Foster of Ellsworth, Harris L. McLean of Bar Harbor.

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

Sixteenth Senatorial District—Omar L. Farnsworth of Caribou, Herbert W. Kitchen of Presque Isle, Owen K. Story of Washburn.
(Seal)

In Testimony Whereof, I have caused the seal of the State to be herewith affixed at Augusta, this 7th day of January, A. D., 1931, of the Independence of the United States of America, the one hundred and fifty-fifth.

EDGAR C. SMITH

Secretary of State.

Which was placed on file.

Roll Call

The roll being called the following Senators-elect responded to their name:

Aldrich, Bishop, Bissett, Boulter, Carter, Crockett, Crosby, Farnsworth, Foster, Greenleaf, Holman, Jackson, Kitchen, Leland, Littlefield, Martin, McLean, Murchie, Page, Slocum, Southard, Spear, St. Clair, Story, Towle, Weatherbee, Weeks, Weymouth, Wheeler.

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

On motion by Mrs. Carter of Androscoggin

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

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

Senators Take Oath

Thereupon the Governor, the Honorable Wm. Tudor Gardiner, attended by the Executive Council came in before whom the Senators-

elect took and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew.

On motion of Mr. Littlefield of York

Messrs. Littlefield of York, Slocum of Cumberland, Weymouth of Penobscot were appointed a committee to receive, sort and count votes for President of the Senate.

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

Whole number of votes cast 30.

Necessary for a choice 16.

Hon. Burleigh Martin had 30. (Applause)

Which report was read and accepted and the Secretary declared the Honorable Burleigh Martin duly elected President of the Senate of the Eighty-fifth Legislature.

Mr. Martin was escorted to the chair by Mr. Murchie of Washington.

Mr. MURCHIE of Washington: Members of the Senate of the 85th Legislature, it gives me real personal pleasure to present our President.

The PRESIDENT: Members of the Senate, it is a great honor which you have conferred upon me and I want to thank every member of the Senate. In looking back over the last few years I can see, of the thirty members before me, twenty-seven with whom I have had the privilege of being associated in past legislatures. And so the honor, coming from men, and also from the lady, who know me, is doubly pleasing. I shall pledge you to do my service to the best of my ability, ever mindful of my limitations, and I ask from you that which I know I will receive, your support and your consideration and your help. I know all of the members well. I know the aims and the hopes and the aspirations with which you come here and I know that they all lead to one common goal, and that is service to Maine. Our roads may be a little different, we may occasionally look at things a little differently, but ever the goal is the same and under God's guidance I trust that we can all reach that common goal and be, during this session, of genuine service to our beloved State.

The Chair awaits the pleasure of the Maine Senate. (applause)

On motion by Mr. Weeks of Somerset, Senators Weeks of Somerset, Greenleaf of Androscoggin, Towle of Kennebec were appointed a committee to receive, sort and count votes for Secretary of the Senate.

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

Whole number of votes cast 30.

Necessary for a choice 16.

Royden V. Brown had 30, which report was read and accepted and Royden V. Brown of Bingham, having received all the votes cast, was declared duly elected Secretary of the Senate of the Eighty-fifth Legislature.

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

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

On motion by Mr. Spear of Cumberland, Senators Spear of Cumberland, Page of Somerset, St. Clair of Knox were appointed a committee to receive, sort and count votes for Assistant Secretary of the Senate.

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

Whole number of votes cast 30.

Necessary for a choice 16.

Chester T. Winslow had 30.

The report was read and accepted, and Chester T. Winslow of Raymond, having received all the votes cast, was declared duly elected Assistant Secretary of the Senate for the political years 1931 and 1932.

Mr. Winslow subsequently appeared before George W. Leadbetter, Esq., authorized Dedimus Potestatem, and took and subscribed the oaths of office.

On motion by Mr. Murchie of Washington, Senators Murchie of Washington, Weeks of Somerset, Jackson of Cumberland, were appointed a committee to receive, sort

and count votes for Messenger of the Senate.

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

Whole number of votes cast 29.

Necessary for a choice 16.

Mellen H. Tyron had 29.

The report was read and accepted and Mellen H. Tryon of Pownal, having received all the votes cast, was declared duly elected Messenger of the Senate for the political years 1931 and 1932.

On motion by Mr. Campbell of Washington, the Secretary of the Senate cast the ballot of the Senate for Louis R. Fowler of Monmouth for Assistant Messenger, Edward C. Moody of York for Postmaster, Charles F. Tibbetts of Augusta for Doorkeeper, Carl A. Sawyer of Monmouth for Folder, Waldo H. Clark of Augusta for Assistant Folder.

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

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

At this point a message was received from the House of Representatives, informing the Senate that that branch had organized by the choice of Hon. E. Delmont Merrill as Speaker, Hon. Clyde R. Chapman as Clerk, and Harvey R. Pease, Assistant Clerk.

On motion by Mr. Leland of Piscataquis the same Senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of the Honorable Burleigh Martin as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

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

Communication from the Department of State

A communication from the Department of State. Transmitting the Senatorial vote was received and read.

On motion by Mr. Towle of Kennebec the above communication was referred to the Committee on Senatorial Vote.

Orders

On motion by Mr. Murchie of Washington it was

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

The President appointed James E. Harvey of Readfield.

On motion by Mr. Greenleaf of Androscoggin it was

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

On motion by Mrs. Carter of Androscoggin it was

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

The President appointed Walter Jones of Randolph.

On motion by Mr. Farnsworth of Aroostook it was

Ordered, That the State Librarian be directed to provide each officer and member of the Senate with a copy of the Acts and Resolves of the Eighty-fourth Legislature.

On motion by Mr. Bissett of Cumberland it was

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years 1931 and 1932 shall be referred for examination and report.

On motion by Mr. Small of Waldo, it was

Ordered, that the Official Reporter of the Senate be authorized to procure the services of a typewriting operator during the present session at an expense not exceeding \$400; also an assistant reporter at an expense not exceeding \$700; for the preparation and completion of the Legislative Record.

On motion by Mr. Page of Somerset it was

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

On motion by Mr. Aldrich of Sagadahoc it was

Ordered, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding five dollars for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department and the unexpended balance at the close of the year 1931 shall be available for use in 1932.

Sent down for concurrence.

On motion by Mr. Greenleaf of Androscoggin it was

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

On motion by Mr. Crosby of Penobscot it was

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

On motion by Mr. Murchie of Washington it was

Ordered, that the rules and orders of the Senate of the Eighty-fourth Legislature be the rules and orders of this Senate.

Mr. Weeks of Somerset presented the following order:

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

On motion by Mr. Spear of Cumberland, tabled pending passage.

On motion by Mr. Farnsworth of Aroostook it was

Ordered, the House concurring, that the returns of votes for Gov-

ernor, given in the several cities, towns and plantations of the State for the political years 1931 and 1932 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

On motion by Mr. Southard of Kennebec it was

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

Mr. Murchie of Washington presented the following order:

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

On motion by Mr. Spear of Cumberland, tabled pending passage.

On motion by Mr. Leland of Piscataquis it was

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

Mr. Wheeler of Oxford presented the following order:

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

On motion by Mr. Spear of Cumberland, tabled pending passage.

On motion by Mr. Foster of Hancock it was

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

On motion by Mrs. Carter of Androscoggin it was

Ordered, the House concurring, that the Joint Rules and Orders of the Eighty-fourth Legislature be

the Joint Rules and Orders of this Legislature.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset, it was

Ordered, the House concurring, that all matters pertaining to printing, binding, advertising, committee record binders and paper supplies be referred to the Superintendent of Public Printing who shall direct the handling of such matters.

Sent down for concurrence.

On motion by Mr. Greenleaf of Androscoggin it was

Ordered, that the Secretary of the Senate be directed to furnish each member and officer of the Senate with three daily papers published in the State, such as each member and officer may select.

On motion by Mr. Crosby of Penobscot, it was

Ordered, that the Secretary of the Senate be authorized to furnish wrappers and postage stamps for each member and officer of the Senate not exceeding \$10.00 in amount each for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Mr. Murchie of Washington presented the following order:

Ordered; the House concurring that no bill for private or special legislation be received by this Legislature after four o'clock in the afternoon on Tuesday, January 27, 1931 except by unanimous consent in the body in which it is introduced; and further ordered, that any bill for private or special legislation which shall be received in either body of this Legislature by unanimous consent after four o'clock in the afternoon on Tuesday, January 27, 1931, shall be referred to the eighty-sixth Legislature, if unanimous consent for its reception is not given in the other body in concurrence; and further ordered, that the Secretary of the Senate cause a copy of the above orders to be published in all the daily and weekly papers of the State, commencing January 12, 1931 and continuing up

to and including January 26, 1931.

Mr. PAGE of Somerset: Mr. President, I dislike very much to dis-appoint my brother Senator from Washington County but I would like to have that lie on the table for awhile, if in order, and I therefore so move.

The motion prevailed.

Mr. Greenleaf of Androscoggin presented the following order:

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

On motion by Mr. Spear of Cumberland, tabled pending passage.

On motion by Mr. Holman of Franklin it was

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

Sent down for concurrence.

Mr. SPEAR of Cumberland: Mr. President, there is a matter that I would like to take up with the Senate at this time pertaining to a joint order which is likely to come over from the House, to refer all legislative expenses to a committee on legislative expenses, hoping for some economy in this regard. This order will contemplate replacing the joint committee on telephone service of the Legislature, and the telephone service proposition will be included. To point out where some economies could be made I would like to call attention to \$9,000 which has been spent for weekly index of documents. That costs \$9,000 and I doubt very much if it is worth it. I had a schedule prepared here which I would like to have the Secretary of the Senate read as it would inform the members of the Senate as to how some of this money has been spent and where it is thought that some economies might be made. If the order should go through the House and the Senate I also have an order that I would introduce regarding the Senate expenses.

The Secretary read the schedule above referred to.

Mr. SPEAR: I move that this schedule be placed on file.

Mr. LITTLEFIELD of York: Mr. President, I do not know whether the rest of the Senators realize what that all means, but I know that I do not. As I understand it, this is the start of an economy period in this year's business. Now, if it is, I think that it should be printed and presented to the Legislature, instead of placing it on file. I therefore move that five hundred copies of that schedule be printed and presented as quickly as possible to the Legislature.

Mr. SLOCUM of Cumberland: Mr. President, I note in that schedule that the first committee was Aeronautics and Radio Control with clerk hire put down as one hundred and fifty dollars; two bills and two hearings. If my memory serves me correctly the committee voted fifty dollars for clerk hire and I am surprised to note by that schedule that one hundred and fifty dollars was paid to the clerk. I may be in error as to the vote of the committee but as chairman of that committee in the eighty-fourth Legislature I believe that there must have been some error or some change made in the amount voted by the committee.

The PRESIDENT: The motion before the Senate is that the schedule presented by the Senator from Cumberland, Senator Spear, be placed on file. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: And the Senator from York, Senator Littlefield, moves that five hundred copies of the schedule be printed. Is this the pleasure of the Senate?

The motion prevailed.

On motion by Mr. Page of Somerset, the Senate voted to take from the table the order relative to the closing time for bills, tabled by that senator earlier in today's session pending passage; and on further motion by the same senator, the order received passage.

Mr. MURCHIE of Washington: Mr. President, the purpose of that order of course is to try and get this Legislature out of session be-

fore all the snow melts. I would like to introduce one more order, and promise that it will be the last today. It is for the same purpose, dealing with public legislation.

On motion by Mr. Murchie of Washington, it was

Ordered, the House concurring, that no bill or resolve be received by this Legislature after four o'clock in the afternoon on Tuesday, February 10, 1931, except by unanimous consent in the body in which it is introduced; and further ordered that any bill or resolve which shall be received in either body of this Legislature by unanimous consent after four o'clock in the afternoon on Tuesday, February 10, 1931, shall be referred to the eighty-sixth Legislature if unanimous consent for its reception is not given in the other body in concurrence. These orders shall not apply to bills reported by any joint standing or joint select committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the eighty-fifth Legislature.

On motion by Mr. Greenleaf of Androscoggin,

Recessed, until two-thirty o'clock this afternoon.

After Recess

Senate called to order by the President.

On motion by Mr. Crosby of Penobscot, it was

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature forthwith in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, Attorney General and seven Executive Councilors.

The Secretary delivered the message.

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

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

(For proceedings in Joint Convention see House Report.)

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

Mr. SPEAR of Cumberland: Mr. President, I would like to take from the table the order pertaining to the typewriter. I have been informed that that order was intro-

duced inadvertently and that there is in the possession of the proper parties a typewriter provided two years ago. I therefore move that the order be indefinitely postponed.

The motion prevailed.

On motion by Mr. Crockett of York,

Adjourned until ten o'clock tomorrow morning.