

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

Thursday, January 8, 1931.

Senate called to order by the President.

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

Journal of yesterday read and approved.

From the House, the following order:

Ordered, the Senate concurring, that a joint select committee be appointed consisting of two members of the Senate, to be appointed by the President thereof, and three members of the House, to be appointed by the Speaker thereof, to be known as the joint committee on legislative expense; and it is further ordered that all joint orders providing for the expenditure of any money to be charged to legislative expense be referred to the joint committee on legislative expense.

In the House, indefinitely postponed.

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

From the House, the following order:

Ordered, the Senate concurring, that the document clerks prepare and keep up to date a cumulative index of all bills and resolves introduced during the session, to show precisely the important steps in the history of each and its final disposition or present status, so that this information will be available to all members of the Legislature on demand, and that no copies thereof be printed.

In the House, read and passed.

In the Senate,

Mr. SPEAR of Cumberland: Mr. President, I would like to inquire if that is a similar order to the one that I have upon the table.

The PRESIDENT: The Secretary will read the order that is on the table.

The Secretary read the order.

The SECRETARY: The order that is already on the table provides that five hundred copies be printed. The House order provides that no copies thereof be printed.

Mr. SPEAR: Mr. President, it appears that these orders are quite similar. They have to do simply

with indexing which would cost \$9,000 and it does not seem to me that that is a wise expenditure of money. The document clerk, I believe, can attend to the filing of those papers without an index and I move that the order that came from the house be indefinitely postponed in non-concurrence.

The motion prevailed.

From the House, the following order:

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

In the House, read and passed.

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

Communication from the Governor:

LIST OF PARDONS, etc. 1929-1930
STATE OF MAINE
Executive Chamber

Augusta, Maine

January 7, 1931

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years 1929 and 1930, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation of sentence, and the condition, if any, upon which the same was granted.

WM. TUDOR GARDINER,

Governor.

Which was read and ordered placed on file.

Sent down for concurrence.

Committee Report

Mr. Farnsworth from the Joint Select Committee on Gubernatorial Vote submitted the following report:

The Joint Select Committee to which was referred the returns on

votes cast for Governor in the several cities, towns and plantations in this state for the political years 1931-32 reports that it has attended to its duty and that the whole number of votes returned for Governor was 149,482. William Tudor Gardiner had 82,310. Edward C. Moran, Jr., had 67,172.

The report was read and accepted and placed on file.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table the order pertaining to indexing of bills and resolves, tabled by that senator yesterday, pending passage.

Mr. SPEAR of Cumberland: Mr. President, I move the indefinite postponement of this order.

Mr. CROSBY of Penobscot: Mr. President, I should regret very much that any hasty action should be taken on a matter which perhaps involves a matter of policy in the House at the other end of the corridor, and accordingly, for the purpose of obtaining more time and allowing the members to think the matter out a little further, I hope that the motion will not prevail.

Mr. SPEAR: Mr. President, I wonder if the Senator from Penobscot (Senator Crosby) understands that this was my own order and not the one that came from the House. Is not that the case, Mr. President?

The PRESIDENT: The Chair so understands it.

Mr. ALDRICH of Sagadahoc: Mr. President, I move that this order be retabled. I feel, as the Senator who has just spoken says, that this represents a decided change of policy and we ought to consider seriously whether or not it may not be of essential and considerable benefit to us to have an index. And for the sole purpose of having more of an opportunity of considering it, I make the motion that this order be retabled.

The motion to retable prevailed.

Order

Mr. Murchie of Washington presented the following order:

Ordered, the House concurring, that a Joint Select Committee consisting of seven members on the part of the Senate to be appointed by the President of the Senate with such members as the House may

join, be appointed to consider the apportionments and assignments of Councillor Districts, Senatorial Districts, and districts for Representatives to the Legislature, as well as such matters as relate to the apportionment and assignment of Congressional Districts, and report to this Legislature by bill or otherwise.

The PRESIDENT: The Chair would like to ask the Senator from Washington, (Senator Murchie) whether he would be willing to have the matter lie upon the table?

Mr. MURCHIE: Yes, Mr. President, I move that it lie upon the table.

The motion to table prevailed.

Mr. SLOCUM of Cumberland: Mr. President, I move to reconsider the vote with reference to the measure that came over from the House referring to indexing bills. My purpose is to place it upon the table so that both of these measures may be given consideration at the same time.

Mr. SPEAR of Cumberland: Mr. President, I would like to have a division on that.

The PRESIDENT: The question is on the reconsideration of the action of the Senate in indefinitely postponing the order in non-concurrence with the action of the House.

Mr. MURCHIE of Washington: Mr. President, I wonder if I may have the record read. It is not my recollection that we voted the indefinite postponement in non-concurrence.

The SECRETARY: The order came from the House read and passed and sent up for concurrence. In the Senate Chamber this morning it was indefinitely postponed in non-concurrence.

Mr. ST. CLAIR of Knox: Mr. President, may we have the order read?

The Secretary read the order.

Mr. SLOCUM: Mr. President, where we have another order on the table with reference to this matter my sole purpose is to have this reconsideration so that when the matter is brought up we can decide what we wish to do and it can then be settled and whichever bills we do not believe to be right can be then indefinitely postponed and the other bills, if any of them are considered

necessary and right, can be sent along.

The **PRESIDENT**: The question before the Senate is on the motion of the Senator from Cumberland, Senator Slocum, that the Senate reconsider its action of this morning in indefinitely postponing in non-concurrence the order which has just been read by the Secretary. The Senator from Cumberland, Senator Spear, has called for a division.

A division of the Senate was had. Fourteen having voted in the affirmative and nine in the negative, the motion to reconsider prevailed.

Thereupon, on motion by Mr. Slocum of Cumberland, the order was retabled.

Order

On motion by Mr. Holman of Franklin, it was

Ordered, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Hon. William Tudor Gardiner and inform him that he has been duly elected Governor of the State of Maine for the current political years of 1931 and 1932.

The President appointed on the part of the Senate, Mr. Holman of Franklin, Mr. Crockett of York, Mr. McLean of Hancock.

Sent down for concurrence.

Subsequently the foregoing order came back from the House, read and passed in concurrence, and the Speaker having joined on the part of that branch the following members:

Messrs. Burkett of Portland, Blaisdell of Franklin, Jacobs of Auburn, Hathaway of Milo, Bussey of Dixmont, Jack of Lisbon, Eaton of Calais.

Mr. **SPEAR** of Cumberland: Mr. President, I move to take from the table the order passed yesterday directing the State Librarian to furnish copies of the Acts and Resolves of the Eighty-fourth Legislature to the members of the Senate.

The motion prevailed.

Mr. **SPEAR**: I now yield, Mr. President, to the Senator from Washington, Senator Murchie.

Mr. **MURCHIE** of Washington: Mr. President, the State Librarian

advises us that there is not in the possession of the State at the present time a sufficient supply of the Acts and Resolves of the Eighty-fourth Legislature to comply with the order. It would therefore be necessary to have some bound, and in view of the fact that we have a 1930 revision incorporating in it all of the laws of 1929 I will move that the Senate reconsider its action of yesterday whereby this order was passed.

The motion to reconsider prevailed.

Mr. **MURCHIE**: Mr. President, I now move that the order be indefinitely postponed.

Mr. **LITTLEFIELD** of York: Mr. President, I would like to ask the Senator from Washington, Senator Murchie, if the copies are not printed and, if not in the library whether they are not in some other place.

The **PRESIDENT**: The Senator from Washington, Senator Murchie, may answer.

Mr. **MURCHIE**: I can only answer the question, Mr. President, by saying that I do not know, save that I do know that the Librarian says that there are not a sufficient number of bound copies. I do know also that as far as the public laws are concerned the Revised Statutes incorporate all of the acts of the last session so the only value this order would have would be the value that would be obtained by success to the private and special laws and the resolves.

Mr. **LITTLEFIELD**: I would like to ask the same senator if the Revised Statutes are in possession of the Librarian.

The **PRESIDENT**: The Senator from Washington, Senator Murchie, may answer the question.

Mr. **MURCHIE**: I understand, Mr. President, that the State Librarian has an ample supply of Revised Statutes. He should have. They have just been printed.

Mr. **LITTLEFIELD**: Mr. President, it is my understanding that he has none. Now, if he has none and they are to be produced, I think that if the laws of the Eighty-fourth Legislature are not forthcoming to the members, the Revised Statutes should be. I am not opposed to either one of these orders and I do hope that the Senator from Cumberland, Senator Spear,

will change this order, if the laws are not available, to the Revised Statutes instead of the Acts and Resolves.

Thereupon, on motion by Mr. Littlefield of York, the order was laid upon the table.

Committee Report

Mr. Holman for the Committee appointed to inform the Governor-elect of his election, reported that the Committee had waited upon the Honorable William Tudor Gardiner, Governor-elect, and that he was pleased to reply that he accepted the office and would attend on the Legislature at such time as may be designated for the purpose of taking and subscribing the oaths required by the Constitution to qualify him for the discharge of his official duties.

On motion by Mrs. Carter of Androscoggin, it was

Ordered, that a message be sent to the House of Representatives proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of administering to the Honorables George C. Lord, Frederick Robie, Charles S. Cummings, Blaine S. Viles, Forrest H. Bond, Lewis O. Barrows, and Allen C. T. Wilson, the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties, and for the further purpose of administering to the Honorable William Tudor Gardiner, Governor-elect, the oaths required by the constitution to qualify him to enter upon the discharge of his official duties.

The Secretary delivered the message and subsequently reported that he had performed the duty assigned to him.

Subsequently a message was received from the house, by Mr. Chapman, its clerk, concurring in the proposition for a joint convention for the purpose of administering the oaths to the Executive Councillors and to the Governor-elect.

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.)

In The Senate

Upon the return of the Senators to their chamber the Senate was called to order by the President.

The President announced the appointment of the Senate members of the Joint Standing Committees to be joined with the members on the part of the House.

(For Joint Standing Committee see House report.)

The President announced the appointment of the following Standing Committees of the Senate:

SENATE STANDING COMMITTEES

On Bills in Second Reading

Kitchen of Aroostook.
Bissett of Cumberland.
Crockett of York.
Weatherbee of Penobscot.
Carter of Androscoggin.
Campbell of Washington.
Wheeler of Oxford.
Page of Somerset.
Weeks of Somerset.
Foster of Hancock.
Farnsworth of Aroostook.
Jackson of Cumberland.

On Engrossed Bills

Murchie of Washington.
Slocum of Cumberland.
Greenleaf of Androscoggin.
Crosby of Penobscot.
Littlefield of York.
Spear of Cumberland.
Holman of Franklin.
Southard of Kennebec.
Aldrich of Sagadahoc.
Bissett of Cumberland.
Story of Aroostook.
McLean of Hancock.

On motion of Mr. Spear of Cumberland, out of order, it was

Ordered, that the Secretary of the Senate be directed to furnish a copy of the Maine State Year Book to each member and officer of the Senate.

On motion by Mr. Campbell of Washington, out of order, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, January 13th, at four-thirty o'clock in the afternoon.

Sent down for concurrence.

Subsequently the foregoing order came back from the House read and passed in concurrence.

On motion by Mr. Farnsworth of Aroostook, out of order, it was

Ordered, that the State Librarian be directed to provide each officer and member of the Senate with a copy of the Revised Statutes.

On motion by Mr. Boulter of York, out of order, it was

Ordered, the House concurring, that a Joint Select Committee of three on the part of the Senate, with such as the House may join, be appointed to consider the Governor's message and report a

reference of its several subjects to appropriate committees.

The President appointed as members of such committee on the part of the Senate, the Senator from York, Senator Boulter, the Senator from Aroostook, Senator Story, and the Senator from Kennebec, Senator Towle.

On motion by Mr. Jackson of Cumberland

Adjourned until Tuesday afternoon, January 13th, at four-thirty o'clock.