

# 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**

Friday, March 20, 1931

Senate called to order by the President.

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

Journal of yesterday read and approved.

On motion by Mr. St. Clair of Knox out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn, to meet Monday, March 23, at 4.30 o'clock in the afternoon.

Sent down for concurrence.

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

From the House:

Bill An Act relating to Aroostook County sleds. (H. P. 610, L. D. 161)

(In the Senate indefinitely postponed in non-concurrence on March 18th)

In the House, that body insisted on its former action whereby the same was recommitted to the Committee on Ways and Bridges in non-concurrence.

In the Senate, on motion by Mr. Littlefield of York, that body voted to adhere to its former action.

From the House:

Bill An Act providing for sentences and the imposition thereof. (H. P. 606, L. D. 207)

(In the Senate recommitted to the Committee on Legal Affairs in non-concurrence on March 18th)

In the House, that body adhered to its former action whereby the minority report "ought not to pass" was accepted.

In the Senate, on motion by Mr. Crosby of Penobscot, that body voted to insist on its former action and ask for a committee of conference.

Thereupon, the President appointed as members of such committee on the part of the Senate, the Senator from Penobscot, Senator Crosby, the Senator from Kennebec, Senator Southard and the Senator from Franklin, Senator Holman.

From the House:

Bill "An Act having to do with increases in the capital stock of

Railroad Corporations." (S. P. 117, L. D. 115)

(In the Senate passed to be engrossed on March 17)

In the House, the bill had its several readings, House Amendment "A" was read and adopted and the bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment "A" was read.

Thereupon, on motion by Mr. Weatherbee of Penobscot the bill was tabled pending adoption of House Amendment "A" in concurrence.

From the House:

"Resolve for the purchase of the history of York, Maine." (S. P. 212, L. D. 808)

(In the Senate passed to be engrossed on March 10th)

In the House, the bill had its several readings, House Amendment "A" was read and adopted and the resolve passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its former action whereby the resolve was passed to be engrossed, House Amendment "A" was read.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve was tabled pending adoption of House Amendment "A" in concurrence.

From the House:

"Resolve for the purchase of one hundred copies of the 'History of the town of Cushing'" (S. P. 325, L. D. 809)

(In the Senate passed to be engrossed on March 10th)

In the House, the resolve had its several readings, House Amendment "A" was read and adopted and the resolve passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its former action whereby the resolve was passed to be engrossed, House Amendment "A" was read.

Thereupon, on motion by Mr. St.

Clair of Knox, the resolve was tabled pending adoption of House Amendment "A" in concurrence.

From the House:

"Resolve for the purchase of one hundred copies of 'Pioneers of Maine Rivers.'" (S. P. 513, L. D. 810)

(In the Senate passed to be engrossed on March 10th)

In the House, the resolve had its several readings, House Amendment "A" was read and adopted and the resolve passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its former action whereby the resolve was passed to be engrossed, House Amendment "A" was read.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve was tabled pending adoption of House Amendment "A" in concurrence.

From the House:

"Resolve for the purchase of Maine Legislature 1820-1931 (S. P. 530, L. D. 871).

(In the Senate passed to be engrossed on March 10th).

In the House, the resolve had its several readings, House Amendment "A" was read and adopted and the resolve passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its former action whereby the resolve was passed to be engrossed, House Amendment "A" was read.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve was tabled pending adoption of House Amendment "A" in concurrence.

Papers from the House disposed of in concurrence.

From the House:

The Committee on Judiciary on bill "An Act relating to itinerant vendors (H. P. No. 910, L. D. 364) reported that the same ought not to pass.

In the House, the report was read and accepted.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending acceptance in concurrence.

From the House:

The Committee on Pensions on bill "An Act relating to state pension law (H. P. 935, L. D. 412) reported that the same ought not to pass.

In the House, the report was read and accepted.

In the Senate, on motion by Mr. Southard of Kennebec, tabled pending acceptance in concurrence.

From the House:

The Committee on Interior Waters on bill "An Act to authorize the construction of a wharf in Long Lake at Naples" (H. P. 111, L. D. 79) reported the same in a new draft (H. P. 1264, L. D. 805) under the same title and that it ought to pass.

In the House, report read and accepted and House Amendment "A" offered, which amendment was indefinitely postponed and the bill given its several readings and passed to be engrossed.

In the Senate, report read and accepted in concurrence, House Amendment "A" read and indefinitely postponed in concurrence and the bill given its first reading.

Thereupon, on motion by Mr. Jackson of Cumberland, tabled pending second reading.

From the House:

The Committee on Inland Fisheries and Game on bill "An act relating to ice fishing in Mousam lake, Square Lake, and Goose pond, situated in the towns of Shapleigh and Acton, in York County (H. P. 537, L. D. 170) reported the same in a new draft (H. P. 1274, L. D. 861) and that it ought to pass.

In the House, report read and accepted, House Amendment "A" read and adopted, the bill given its several readings and passed to be engrossed, as amended by House Amendment "A".

In the Senate, report read and accepted; and on motion by Mr. Boulter of York House Amendment "A" was read and adopted; the bill was given its first reading, the

rules were suspended and the bill given its second reading and passed to be engrossed as amended by House Amendment "A" in concurrence.

From the House:

The Committee on Salaries and Fees on bill "An Act to increase the salary of the Judge of the Municipal Court of the city of Biddeford, (H. P. 862); reported the same in a new draft (H. P. 1277, L. D. 830, under the same title and that it ought to pass.

In the House, the report read and accepted, House Amendment "A" read and adopted, the bill given its several readings and passed to be engrossed, as amended by House Amendment "A".

In the Senate, report read and accepted in concurrence, House Amendment "A" read and adopted in concurrence, the bill as amended by House Amendment "A" given its first reading; the rules were suspended and the bill given its second reading and passed to be engrossed as amended by House Amendment "A" in concurrence.

#### House Bills in First Reading

Resolve for the laying of the County taxes for the year nineteen hundred and thirty-one. (H. P. 1356)

Resolve for the laying of the county taxes for the year nineteen hundred and thirty-two. (H. P. 1357)

(The rules were suspended and the following bills and resolves were given their second reading and passed to be engrossed.)

Resolve in favor of Howard F. Dollard, compensating him for damages. (H. P. 295, L. D. 868)

Resolve in favor of Elwyn Houston of Wells. (H. P. 1296, L. D. 869)

Resolve in favor of Maurice E. Gould of Sherman Mills. (H. P. 1297, L. D. 870)

Resolve in favor of Horace Kelly. (H. P. 1298, L. D. 871)

An act establishing the Natanis Game Preserve in the town of Vassalboro in the county of Kennebec. (H. P. 1301, L. D. 862)

An act relative to the issuing of hunting and guiding licenses. (H. P. 1302, L. D. 863)

An act to incorporate the Lubec

Cemetery Association. (H. P. 1303, L. D. 864)

(On motion by Mr. Murchie of Washington, tabled pending first reading.)

An act relating to pauper settlements. (H. P. 1304, L. D. 865)

An act to incorporate the Berwick Cemetery Association. (H. P. 1305, L. D. 866)

An act repealing obsolete appropriation law. (H. P. 1006, L. D. 543)

An act relating to the Attorney General. (H. P. 921, L. D. 860)

#### Orders

Mr. Page of Somerset presented the following order and moved its passage:

Ordered, the House concurring, that Senate Paper No. 311 be referred to the members of the Aroostook County Delegation as a special committee with authority to consider the same and report to the Legislature without the holding of any public hearing.

Mr. KITCHEN of Aroostook: Mr. President, I move that the order lie upon the table.

Mr. PAGE of Somerset: Mr. President, I simply introduced this order for the purpose of expediting matters. It has to do with the "Fish River Bill" which I have had on the table such a long time that I really am ashamed of it. I talked with perhaps six or eight or ten members of the Aroostook Delegation and they thought that that was a perfectly proper procedure. I have been a long time in finding out what the International Paper Company would be willing to do and got their final answer Wednesday of this week. I think the order should have a passage to help clean our table.

The PRESIDENT: The Chair will state that of course the motion is not debatable. The question before the Senate is on the motion of the Senator from Aroostook: Senator Kitchen, that this order lie upon the table.

A viva voce vote being had,  
The motion to table prevailed.

#### Bills in First Reading

Resolve in favor of the Northern Maine Sanatorium. (S. P. 232, L. D. 901)

Resolve in favor of the Central Maine Sanatorium for maintenance. (S. P. 233, L. D. 899)

Resolve in favor of the Central Maine Sanatorium. (S. P. 234, L. D. 898)

Resolve in favor of the Central Maine Sanatorium for the construction and equipment of a school house. (S. P. 236, L. D. 897)

Resolve in favor of the Northern Maine Sanatorium to provide adequate water supply (S. P. 237, L. D. 903)

Resolve in favor of the Central Maine Sanatorium for the enlargement of the nurses home. (S. P. 241, L. D. 904)

Resolve in favor of Western Maine Sanatorium for employees building. (S. P. 272, L. D. 902)

An act to establish rules and regulations governing compressed air work. (S. P. 562, L. D. 905)

An act to provide uniform jurisdiction for Municipal Courts. S. P. 563, L. D. 900

### Committee Reports

Mr. Spear from the Committee on Appropriations and Financial Affairs on "Resolve in favor of Knox Memorial known as 'Montpelier' at Thomaston, Maine, for maintenance" (S. P. 164); reported the same ought not to pass.

Mr. Murchie from the Committee on Judiciary on bill "An Act to change the fiscal year for the registration of motor vehicles and the licensing of motor vehicle operators." (S. P. 47, L. D. 27); reported that the same ought not to pass.

Mr. Weeks from the same committee reported same on bill An act relating to the definition of the word "chauffeur" (S. P. 391, L. D. 465).

The same senator from the same committee reported same on bill An act relating to registration and taxation of motor vehicles. (S. P. 436, L. D. 575)

Mr. Murchie from the same Committee reported same on bill "An Act to make certain the legal boundaries of the town of Old Orchard." (S. P. 439, L. D. 578)

Mr. McLean from the Committee on Labor on bill "An Act barring the employment of aliens in the public service except in cases of emergency." (S. P. 419, L. D. 526); reported that the same ought not to pass.

Mr. Crosby from the same committee reported same on bill "An Act relative to hours of labor of

women and children." (S. P. 350, L. D. 352)

Mr. Crosby from the Committee on Legal Affairs reported same on bill "An Act to amend Chapter 29 of the Revised Statutes relating to the State Police." (S. P. 450, L. D. 607).

The same senator from the same Committee reported same on bill "An Act relating to motor vehicles and the law of the road." (S. P. 474, L. D. 637)

Mr. Weatherbee from the Committee on Mercantile Affairs and Insurance reported same on bill "An Act relating to limit of insured's deposit on mutual policies." (S. P. 283, L. D. 246)

Mr. Farnsworth from the Committee on Pensions on "Resolve providing for a state pension for Seth C. Ham of Belfast." (S. P. 279); reported that legislation thereon is inexpedient.

Mr. Towle from the Committee on Public Utilities on bill "An act providing for the regulation, supervision and control of motor vehicles used in the transportation of property for hire in the state of Maine." (S. P. 97, L. D. 105); reported that the same ought not to pass.

Mr. Bishop from the Committee on Salaries and Fees reported same on bill "An Act to increase the salary of the register of Probate in Franklin county." (S. P. 430)

Mr. Kitchen from the Committee on Ways and Bridges reported same on bill "An Act to remove limit of highway bond issue." (S. P. 49, L. D. 21)

The same Senator from the same Committee reported same on bill "An Act relating to the Mill Tax Highway fund." (S. P. 261, L. D. 155)

The same Senator from the same Committee reported same on bill "An Act relating to land damages." (S. P. 340, L. D. 303)

The same Senator from the same Committee reported same on bill "An Act relative to the powers and duties of the State Highway Commission." (S. P. 486, L. D. 647)

The same Senator from the same Committee reported same on bill "An Act relating to the construction of culverts by the State Highway Commission." (S. P. 491, L. D. 652)

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. SLOCUM of Cumberland: Mr. President, I move that we reconsider our action with reference to the bill defining the term "chauffeur", whereby we accepted the report of the committee, and I wish to have this matter lie upon the table until we get further information.

The PRESIDENT: The Senator from Cumberland, Senator Slocum, moves that the Senate reconsider its former action—

Mr. SLOCUM: Mr. President, I now ask permission to withdraw my motion as I have just received the information, the legislation being taken care of in another way.

Thereupon, unanimous consent to withdraw the motion was granted.

Mr. SLOCUM of Cumberland: Mr. President, I move that we reconsider our former action whereby we accepted the report of the committee to Legislative Document 607, and I wish to have this lie upon the table.

Thereupon, the Senate voted to reconsider its former action whereby the report of the committee on L. D. 607 was accepted; and on further motion by the same senator the bill and report were laid upon the table.

Mr. ST. CLAIR of Knox: Mr. President, I will move that the Senate reconsider its former action accepting the report of the committee on Legislative Document 21, it being an act to remove the limit of highway bond issues.

Thereupon, the Senate voted to reconsider its former action whereby the report of the committee was accepted on this document; and on further motion by the same senator the bill and report were laid upon the table.

The Committee of Conference on the disagreeing action of the two branches of the legislature on bill "An Act to permit the city of Auburn to pension present and former members of its Fire Department" (H. P. 836, L. D. 318); reported that the same be recommended to the Committee on Legal Affairs.

Which report was read and accepted.

Sent down for concurrence.

Mr. Kitchen from the Committee on Claims on "Resolve in favor of Herbert A. Webster" (S. P. 107); re-

ported the same in a new draft (S. P. 574) under the same title and that it ought to pass.

Mr. Weatherbee from the same Committee on "Resolve appropriating money to pay the claim of Parker W. Lovett against the State of Maine." (S. P. 169, L. D. 277) reported the same in a new draft (S. P. 566) under the same title and that it ought to pass.

The same Senator from the same Committee on "Resolve appropriating money to pay the claim of Leon A. Higgins against the State of Maine." (S. P. 175, L. D. 278) reported the same in a new draft (S. P. 567) under the same title and that it ought to pass.

The same Senator from the Committee on "Resolve appropriating money to pay the claim of Arthur Joseph Carter and Dora W. Carter against the State of Maine." (S. P. 173, L. D. 276); reported the same in a new draft (S. P. 568) under the same title and that it ought to pass.

The same Senator from the same Committee on "Resolve appropriating money to pay the claim of Hannah F. Carter against the State of Maine." (S. P. 179, L. D. 279) reported the same in a new draft (S. P. 569) under the same title and that it ought to pass.

Mr. Weeks from the Committee on Judiciary on bill "An Act relating to 'Intinerant Vendors' and Hawkers and Peddlers" (S. P. 366, L. D. 387); reported the same in a new draft (S. P. 570) under the same title and that it ought to pass.

(On motion by Mr. Greenleaf of Androscoggin, tabled pending acceptance.)

Mr. Southard from the Committee on Legal Affairs on bill "An Act with reference to changes in the capital of corporations" (S. P. 382, L. D. 486); reported the same in a new draft (S. P. 572) under the same title and that it ought to pass.

The same Senator from the same committee on bill "An Act with reference to changes in the authorized capital of corporations" (S. P. 380, L. D. 484); reported the same in a new draft (S. P. 573) under the same title and that it ought to pass.

Mr. Wheeler from the Committee on Mercantile Affairs and Insurance on bill "An Act relating to the taxation of unauthorized insurance companies" (S. P. 476, L. D. 622) reported the same in a new draft (S.

P. 565) under the same title and that it ought to pass.

Mr. Holman from the Committee on Legal Affairs on bill "An Act to enable the county of Franklin to raise money by taxation for the promoting of the health of the citizens of said county" (S. P. 210, L. D. 156); reported the same in a new draft (S. P. 564) under the same title and that it ought to pass.

Mr. Holman from the Committee on Salaries and Fees on bill "An Act increasing the salary of the Judge of the Rockland Municipal Court" (S. P. 34); reported the same in a new draft (S. P. 575) under the same title and that it ought to pass.

Mr. Wheeler from the same Committee on bill "An Act to increase the salary of the sheriff of Somerset county" (S. P. 99); reported the same in a new draft (S. P. 576) under the same title and that it ought to pass.

Mr. Bishop from the same Committee on bill "An Act to increase the salary of the County Attorney of Franklin County" (S. P. 432); reported the same in a new draft (S. P. 577) under the same title and that it ought to pass.

Mr. Campbell from the Committee on Sea and Shore Fisheries on bill "An Act relating to returns made by lobster fishermen" (S. P. 400, L. D. 474); reported the same in a new draft (S. P. 571) under the same title and that it ought to pass.

Mr. Kitchen from the Committee on Ways and Bridges on bill "An Act relative to the construction of pole and wire lines upon and along State and State aid highways" (S. P. 485, L. D. 646); reported the same in a new draft (S. P. 578) under the same title and that it ought to pass.

Which reports were read and accepted and the new drafts laid upon the table for printing under joint rules.

Mr. KITCHEN of Aroostook: Mr. President, I rise to a point of personal privilege.

The PRESIDENT: The Senator may state his point.

Mr. KITCHEN: May I approach the Chair for a moment, Mr. President?

The PRESIDENT: The Senator may.

(Mr. Kitchen approached the

Chair, subsequently returning to his seat.)

Mr. KITCHEN: Mr. President, I move that the rules be suspended and that I may take from the table the order referring S. P. 311 to a special committee of the Aroostook County Delegation, tabled by me earlier in today's session.

Thereupon, the rules were suspended, the order was taken from the table, and on further motion by the same Senator the order received a passage and was immediately sent to the House for concurrence.

Mr. Foster from the Committee on Appropriations and Financial Affairs on "Resolve in favor of the National Conference of Commissioners on Uniform State laws and of the Commissioners from Maine for the Promotion of Uniformity of Legislation in the United States" (S. P. 294); reported that the same ought to pass.

Mr. Crosby from the Committee on Legal Affairs reported same on bill "An Act to provide for the appointment of a recorder for the Municipal Court of Dexter." (S. P. 222)

Mr. Wheeler from the Committee on Salaries and Fees reported same on bill "An Act relating to clerk hire in county offices." (S. P. 514)

Mr. Kitchen from the Committee on Ways and Bridges reported same on "Resolve in favor of the town of New Sharon." (S. P. 61)

Which reports were read and accepted and the bills laid upon the table for printing under joint rules.

Mr. Towle from the Committee on Agriculture on bill "An Act relating to the weight of bread." (S. P. 502, L. D. 732) reported that the same ought to pass.

Mr. Weeks from the Committee on Judiciary reported same on bill "An Act prohibiting the interruption of traffic for certain purposes." (S. P. 199, L. D. 244); reported that the same ought to pass.

Mr. Aldrich from the same Committee reported same on bill "An Act permitting any public official responsible for awarding a contract in competition to request from any proposed bidder a questionnaire." (S. P. 448, L. D. 606)

Mr. Crosby from the Committee on Legal Affairs reported same on bill "An Act to amend 'An Act to incorporate the Bath Water District.'" (S. P. 324, L. D. 300)



Mr. Southard from the same Committee reported same on bill "An Act relating to registration and use of steam boilers and unfired steam pressure vessels." (S. P. 389, L. D. 420)

Mr. Crosby from the Committee on Legal Affairs reported same on bill "An Act relating to masters, pilots, engineers and operators of steamboats." (S. P. 377, L. D. 481)

Mr. Holman from the same Committee reported same on bill "An Act relating to buoys and beacons in navigable waters." (S. P. 378, L. D. 482)

Mr. Southard from the same Committee reported same on bill "An Act relating to corporations." (S. P. 379, L. D. 483)

The same Senator from the same Committee reported same on bill "An Act relating to corporations." (S. P. 381, L. D. 485)

Mr. Crosby from the same Committee reported same on bill "An Act with reference to changes in the capital, capital stock and purposes of public utilities corporations." (S. P. 399, L. D. 473)

Mr. Wheeler from the Committee on Mercantile Affairs and Insurance reported same on bill "An Act relating to qualification and licensing of agents of Insurance Companies." (S. P. 478, L. D. 639)

Mr. Bishop from the Committee on Salaries and Fees reported same on bill "An Act relating to the fees of State Humane Agents." (S. P. 483, L. D. 644)

Which reports were severally read and accepted, the bills read once and Monday next assigned for second reading.

Mr. Weatherbee from the Committee on Indian Affairs submitted its final report.

Which was read and accepted.  
Sent down for concurrence.

#### Passed to be Engrossed

An Act to re-establish the town line between the towns of Hancock and Lamoine. (H. P. 65, L. D. 42)

An Act regulating the transportation of poultry. (H. P. 777, L. D. 323)

(On motion by Mr. Towle of Kennebec, tabled pending second reading.)

An Act relating to classification of registered guides. (H. P. 948, L. D. 427)

An Act relating to hunting from railways. (H. P. 1057, L. D. 613)

(On motion by Mr. Littlefield of York, tabled pending second reading.)

An Act relating to a biennial revision of "Fish and Game" laws. (H. P. 1060, L. D. 616)

An Act to provide for co-operation between the United States Department of Agriculture, the Commissioners of Agriculture of the New England states, and the Maine Department of Agriculture in the collection and publication of statistics and for other purposes. (H. P. 1078, L. D. 654)

An Act relating to the supervision of Indian Old Town schools. (H. P. 1295, L. D. 850)

(On motion by Mr. Weatherbee of Penobscot, tabled pending second reading.)

An Act exempting charitable organizations from excise tax. (H. P. 1294, L. D. 851)

An Act relative to transportation of deer beyond the limits of the state. (S. P. 79, L. D. 91)

Resolve in favor of the State Reformatory for Men. (S. P. 154, L. D. 886)

An Act relating to the procedure of Public Utilities Commission. (S. P. 426, L. D. 532)

An Act to legalize terms held by the Sea and Shore Fisheries Commission since the expiration of terms for which they were appointed, of one or more of them and to make valid any findings that they may render as a result of same. (S. P. 427, L. D. 533)

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

An Act relating to time limit on notices in re hearings on licenses for wharves and fish weirs. (S. P. 426, L. D. 534)

Resolve appropriating money to cover departmental deficiencies (S. P. 559, L. D. 884)

Mr. SPEAR of Cumberland: Mr. President, I move that this be tabled for the purpose of offering an amendment later.

The motion to table prevailed.

An Act providing that the Governor may suspend open season for hunting and fishing in time of drought. (S. P. 560, L. D. 887)

#### ORDERS OF THE DAY

The President laid before the

Senate, An Act relating to probation officers for Cumberland County (L. D. 722), tabled by Mr. Jackson of Cumberland on March 18th pending second reading, and today assigned; and on motion by that Senator the bill received its second reading and was passed to be engrossed, in concurrence.

The President laid before the Senate, An Act relating to the Charter of Old Town, (L. D. 314), tabled by Mr. Aldrich of Sagadahoc on March 18th pending second reading and today assigned; and on motion by that Senator the bill received its second reading and was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate, An Act relating to the salary of the Commissioner of Agriculture, (L. D. 841), tabled by Mr. Aldrich of Sagadahoc on March 18th pending second reading and today assigned.

Mr. ALDRICH of Sagadahoc: Mr. President, I would now ask the indulgence of the Senate that this matter be retabled and give as the reason, that parties concerned are still conferring and I hope as the result of those conferences time may be saved this body. I would therefore move that this bill be retabled.

The motion to retable prevailed.

The President laid before the Senate, An Act in relation to the salary of the State Auditor, (L. D. 839), tabled by Mr. Aldrich of Sagadahoc on March 18th pending second reading and today assigned; and on motion by that Senator the bill was retabled.

The President laid before the Senate, An Act relating to the disposal of fines and costs collected by the State Highway Police, (L. D. 825), tabled by Mr. Littlefield of York on March 18th pending second reading and today assigned.

Mr. LITTLEFIELD of York: Mr. President, I would like to have this bill retabled for the reason that there is another bill pending which this bill will have to do with if the other bill in any way should happen to go through, and I move to have it retabled.

The motion to retable prevailed.

The President laid before the Senate, An Act relative to the salary of the Commissioner of Inland Fisheries and Game, (L. D. 832), tabled by Mr. Aldrich of Sagadahoc on March 18th pending second reading and today assigned; and on motion by that Senator, the bill was retabled.

The President laid before the Senate, An Act to amend the Charter of the Fish River Power and Storage Company, (L. D. 304), tabled by Mr. Page of Somerset on March 19th pending reference to a committee, and today assigned.

Mr. PAGE of Somerset: Mr. President, I move this bill be referred to the Aroostook County Delegation, according to an order introduced by me earlier in the day.

The PRESIDENT: The Chair will state that it has just been advised that the order presented by the Senator from Somerset, Senator Page earlier in the session has been accepted and passed by the House.

The motion to refer to the Aroostook County Delegation prevailed.

The President laid before the Senate, House Report from the Committee on Banks and Banking, "Ought Not to Pass" on An Act to place holding companies of banks and trust companies and investment affiliates under the supervision of the Bank Commissioner, (L. D. 544), tabled by Mr. Slocum of Cumberland on March 19th pending acceptance of the report and today assigned.

Mr. SLOCUM of Cumberland: Mr. President, I am sorry to have to disagree with the findings of the honorable members of the Banks and Banking Committee. The proponents of the measure feel that this bill should receive favorable action and I am, I presume, merely talking for the Record. However, I hope that the report of the committee "ought not to pass" will not prevail and in substantiation of my position, I would like to refer to a very unfortunate condition prevailing in this country at the present time and the recent past. The Federal

Reserve Board recently brought forth figures to show that throughout the United States one bank out of 18 57-100 has had to close its doors,—a very dark picture, a very unfortunate situation,—but there is a bright side to the picture that I am very glad to be able to report, name!—if I am correctly informed, only two banks in the whole of New England have had to close their doors within the last year and not a single bank in the State of Maine. Therefore, there is a bright side to this dark picture. Unfortunately there have grown up in the United States certain organizations which are called holding companies and investment affiliates which, in other states, have practised certain things that have apparently been responsible for this condition of bank failure. We are fortunate in Maine to have men interested in our banking holdings and investment affiliates who are running those organizations ethically and I do not think we have any cause to fear of their changing their methods, but our law today, while it gives complete authority to the Bank Commissioner with reference to the control of banks and trust companies, has a loophole which does not allow him to have authority over the holding companies of banks and trust companies, and this bill was introduced by those who felt that we should give complete authority to the Bank Commissioner to control not only the banks and trust companies, but also the holding companies which may purchase a majority of the stock of the banks and control them. The opponents of the measure said in effect, that the Bank Commissioner has that authority today, but it is interesting to note that no lesser banker than Owen D. Young recommended among other recommendations, that legislation similar to this be enacted to prevent any unethical persons from getting control of holding companies. This is not a very radical bit of legislation because even the opponents say today that the Bank Commissioner has the authority in effect, but he has not the actual statutory authority, and this bill was introduced to give him that authority without question. The opponents, it would seem, say that if there

were any unethical practices being practised, that this should pass, but that inasmuch as the holding companies of banks and trust companies in the State of Maine are not practising anything unethical, they therefore do not think it is time to pass such legislation. In effect, therefore, they say, "Do not lock the door because no one as yet has stolen the horse." The proponents of this measure wish to lock the door before the horse is stolen. Therefore, Mr. President, inasmuch as there is a possibility of the horse being stolen, and where the majority of the Banks and Banking Committee believe that not yet is it time to lock the door, I believe the best method to adopt would be to leave the padlock on the hasp for a future Legislature to snap on the padlock, and therefore, Mr. President, I move this bill be referred to the Eighty-sixth Legislature.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Slocum, that this bill be referred to the next Legislature.

A viva voce vote being had

The motion to refer to the next Legislature was lost.

Thereupon, on motion by Mr. Bissett of Cumberland, the report of the committee "ought not to pass" was accepted.

The President laid before the Senate, House report from the Committee on Banks and Banking, "Ought not to Pass" on An act relating to loans on trust and banking companies' capital stock (L. D. 658), tabled by Mr. Slocum of Cumberland on March 19th pending acceptance of the report, and today assigned.

Mr. SLOCUM of Cumberland: Mr. President, I am in about the same position with reference to this bill as on the last one argued. This bill refers to the making of loans on trust and banking company capital stock. Today it is unlawful for a bank to make loans on shares of its capital stock or discounts, and this bill would put under the same provisions of law, the shares of stock of any corporation holding, owning or controlling banks. It is merely broadening the present law

so that no bank can make loans or discounts on the securities of its own shares or any company owning or controlling the majority of its capital stock. I am sorry again, as one of the proponents of this bill, to have to disagree with the members of the Banks and Banking Committee, and I hope the report of the committee, "ought not to pass" will not prevail.

The PRESIDENT: The question before the Senate is on the acceptance of the report of the committee, "ought not to pass."

A viva voce vote being had,

The report of the committee "ought not to pass" was accepted.

The President laid before the Senate, An act to amend Section one hundred eighteen of Chapter twenty-nine of the Revised Statutes, (L. D. 834), tabled by Senator Spear of Cumberland, on March 19th pending passage to be engrossed, and today assigned.

Mr. SPEAR of Cumberland: Mr. President, I yield to the Senator from York, Senator Littlefield, for the purpose of giving him an opportunity to offer an amendment. After the amendment is offered, I would like an opportunity to say something on the amendment and the bill.

Mr. Littlefield of York offered the following amendment and moved its adoption:

"Senate Amendment 'A' to L. D. No. 834, S. P. 534. An act relative to Court Jurisdiction of Violations; Transmission of Fines. Amend said act by striking out the words, 'All fines and forfeitures collected under this chapter, when the arrest is made by a member of the state highway police, shall be paid one-half to the commission and applied as provided in section one hundred seventeen, and one-half into the treasury of the county where the offense is prosecuted. When the arrest is made by any other officer, all fines and forfeitures, and in either case, all costs of officers employed on a per diem basis or on salary, shall be paid into the treasury of the county where the offense is prosecuted', and inserting in place thereof the following:

'All fines and forfeitures collected under this chapter, when the

arrest is made by a member of the state highway police, or inspector, together with any part of the costs taxed by the court for such member or inspector, shall be paid one-half forthwith to the treasurer of state and applied as provided in section one hundred seventeen, and one-half into the treasury of the county where the offense is prosecuted. When the arrest is made by any other officer, all fines and forfeitures, and in either case, except as above stated, all costs, shall be paid into the treasury of the county where the offense is prosecuted'."

Mr. SPEAR: Mr. President, I have a memorandum here from the Attorney General, in which he states that he hopes the pending bill, Senate Paper 534, Legislative Document 834, which I tabled, will be indefinitely postponed. I think that also applies to the amendment. At the present time the State receives approximately \$42,000 in fines which is approximately \$2000 less than it was in 1930. For our purposes, \$42,000 would be about the amount that we now collect. If this amended bill should receive passage the State would lose one half, or \$21,000 which would be distributed to the counties, in a manner according to the amount which each county turned in. Of course, as Chairman of the Appropriations Committee, I would dislike to see the State lose that money because the tax payers would have to make it up and it would have to be made up by direct taxation. There is also another bill pending whereby there is the possibility that the State Highway Police may be granted more money for an extension of their activities. That money, of course, would come out of road money. But if the State loses this \$21,000 and the State Highway Police is granted more out of highway funds, it would seem to me to be inexpedient, and I move the entire matter, when it comes to vote, be indefinitely postponed, and I would like to have a division.

Mr. LITTLEFIELD of York: Mr. President, Senator Spear seems very serious about this matter and there is nothing about it that should make him serious because he knows now just how this vote is to be, and as I understand it, has already got the set-up fixed so that

the money will be available for the State Highway Police, or in other words, a \$20,000 raise on their appropriation. Be that as it may, the fact remains, that our several counties in this State have to bear the whole expense of the State Highway Police outside of their per diem pay. When this bill was stopped the other day it was in the process, I think, of enactment. A man rushes in here with a piece of paper covered with blue chalk and tells Senator Spear that this is going to cost the State \$50,000 and that it must be stopped. I don't blame Senator Spear. He gets up and immediately stops it. He comes over and tells me why he stops it and I asked him at once how much they turned into the State, and of course he didn't know. But they afterwards brought to our attention a letter which gave us three years right off. In 1928 they turned into the State \$29,491.50. In 1929 they turned in \$34,733.25 and in 1930 they turned in \$41,933.38. Now, if you can show me how we lose \$50,000 by taking away one half of the \$41,933.38, it is a new way of figuring to me. Now, gentlemen, here is just the idea,—just a minute before I come to that. The man who rushed in here with the blue figures began to tell how much it cost the State to run the municipal courts of this State and he ran on a great tirade and the Senator from Cumberland (Senator Spear) and I listened to him and after we summed it up and boiled it down, the State doesn't pay a dollar toward running the municipal courts of the State. Each county in which the municipal court is located pays the full expense for running the court. I think it is needless for me to stand here and say one word, but I asked the man after we had thrashed out the salaries, if he would give me the cases presented in the courts of York County by the State Highway Police so that I could see whether it did cost our county anything or not. Senator St. Clair, being with me, said, "I would like to have my county, too." Here is the paper that was given me, but I hardly think it is right. I mean, in other words, I think he cheated himself, but that isn't my fault. He did actually give me this. Here are two cases in the Kittery trial jus-

tice court of appeal. Now, to those who know nothing of appeal, that is simply this, the men were taken into court and our court heard the case and found them guilty and they appealed. Here was expense to the county on the case. In one case, which was one out of three which this paper says was taken to the trial justice, there was a single sale of liquor where they paid \$100. In the Kittery Municipal Court they had one case of larceny. This was continued. This is a case that cost the county of York. In three more bound over cases in that court, two more turned over to Rhode Island officials, two more found not guilty, one found appeal, three paid fines, one of \$9.00, one \$6.90, and one \$10.00; two more turned over, one to the Department of Justice and the other to the school officials. That was all in York County. Every one of these cases except three cost the County of York something.

Now in the Rockland Municipal Court there were six committed to jail. I don't know how long they may have had to stay in jail but they may have been there over night waiting for bail or they may have stayed thirty days or perhaps sixty days; I don't know. But in any event this cost the county something. Here are four cases found not guilty. That meant four trials which cost the county something. Here is one case discharged, one case committed and five cases bound over. Every one of those cases cost the county something, I don't know how much, but in any event we have got in this State sixteen counties and a small average—I didn't stop to look that up although I could have—but to give them the benefit of all doubt we would average two municipal courts in each county and I think in some there are as high as five or six and those salaries run from \$700 per year to \$2400 per year. Each one of those courts also have a recorder whose salary ranges from, I think, around \$400 to \$1400 a year. Then on top of that the county has to furnish the court room, the fixtures, the books and the records, and not only that but the jail and the accommodations for these prisoners. Now, I hope that my amendment to this will prevail so that the counties may get part of the money back

which it costs them to prosecute these cases.

Mr. SLOCUM of Cumberland: Mr. President, may I ask through the Chair of the Senator from York, Senator Littlefield, what difference the amendment makes from the printed bill?

The PRESIDENT: The Senator from Cumberland, Senator Slocum, asks a question through the Chair of the Senator from York, Senator Littlefield, who may answer if he desires.

Mr. LITTLEFIELD: Mr. President, I think it makes simply this difference. The bill gives the whole of the charges to the State and I wouldn't stand for it. I wanted half of whatever money the State highway police picked up turned in to the county where it was picked up and the other half immediately turned in to the State, and they didn't like it; but that is what it does.

Mr. SLOCUM: Mr. President, I hope that the motion of the Senator from York, Senator Littlefield, prevails.

Mr. MURCHIE of Washington: Mr. President, may I ask through the Chair if the Senator from Cumberland (Senator Spear) is willing to read into the record the memorandum or letter which he says he has from the Attorney General.

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

Mr. SPEAR: Mr. President, I would be very glad to have the Secretary read the letter in order to satisfy the Senator from Washington, Senator Murchie.

The PRESIDENT: The Senator from Cumberland, Senator Spear, requests that the Secretary read the letter in question, which the Secretary will do.

The Secretary read the following letter:

"March 17, 1931.

"Memo to Senator Spear:

In Re: Division of Highway Fines and Forfeitures Between State and County.

"I hope the pending bill, S. P. 534, L. D. 834, which you tabled last week will be indefinitely postponed. Following are the figures showing

what the State has received in the last three years:

"1928.....	\$29,491.50
1929.....	34,733.25
1930.....	41,933.38

"Under this bill, as reported, the State will lose more than half these amounts, viz—it will lose half the fines and forfeitures and, in addition, will lose costs collected from convicted persons to cover State Highway Police expenses which under this bill will go to the County.

"The State Highway Police aid the county in many matters where the county would be put to expense but for the maintenance of this body by the State. It is only fair that the State should get the amount which the Highway Police produce. The only argument against it which has been made is that the county has to pay the expense of jailing persons no matter who arrests them. This expense is, however, more than offset by the benefit which the Highway police is to the county in other matters.

"The proposed bill is an instance of depriving the State of a small income at the same time when more and more expense is being put on the State.

"I will hand a redraft to Senator Weeks who reported out the bill, which redraft saves at least the costs for the State. I hope you will postpone the whole proposition so that this redraft will not have to come in. If you cannot indefinitely postpone it then at least I hope that the redraft goes through, which I understand is satisfactory to Senator Littlefield and at least saves the State some loss.

(Signed) C. F. R."

Mr. MURCHIE: Mr. President, I asked that that be read into the record, because, if my recollection is correct—and I have talked it over with one other member of the Judiciary Committee—the Attorney General did not see fit to come before the Committee and give us his advice at the time of the hearing. It seems to me that orderly procedure would require that even distinguished state officials when they believe they have tangible objections to a bill, to present those objections to the committee instead of having them acted upon by some other member who has not the bill before him. For that reason, believing that it might have the ef-

fect of working for better procedure in another session, I hope that the motion of the Senator from York, Senator Littlefield, will not prevail.

Mr. ALDRICH of Sagadahoc: Mr. President, may I ask by whom that bill was reported from the Committee?

The PRESIDENT: The Chair will state that the bill was reported from the Committee on Judiciary by the Senator from Somerset, Senator Weeks.

Mr. ALDRICH: Mr. President, I feel that in the absence of the Senator from Somerset, Senator Weeks, that possibly on his behalf and on behalf of the Judiciary Committee I should make an explanation to this body of his attitude and of the attitude of the committee in unanimously reporting this bill favorably. The situation before this bill came to the committee of this Legislature was this, that wherever an arrest is made by a county official all of the costs and fines go to the county, but whenever an arrest happens to be made by a highway policeman then everything went to the State. Now, the question before this body is whether or not the procedure which was being followed was equitable to the county and this bill proposes a more equitable manner of treating this situation in cases where the state highway policemen make the arrests, that the expense of the county in connection with the costs and in connection with handling prisoners shall be recognized and that the amount received in the way of fines shall be distributed one-half to the county and the other half to the State and we thought, in view of the fact that the county is bearing the total expense of these courts into which these offenders are brought and is further bearing the expense of taking care of all prisoners—and I assume that probably in a great many of these cases imprisonment accompanies the fine—we thought it was only just and reasonable that the county should receive some compensation from those cases in which the highway policemen happen to appear. And may I say that the mere fact that we may in the past have been following a course

which is not fair to the counties is no reason in my judgment why we should continue to follow that inequitable course. For these reasons our committee felt that this was a reasonable and perhaps an equitable proposition and even though the State by an equitable proposition may lose a slight amount of money the mere fact—and that is the only argument that I see here—the mere fact that the State thereby is going to lose something which the county ought to have certainly is no compelling or controlling reason with us.

Mr. SPEAR: Mr. President, what is the motion before the Senate?

The PRESIDENT: The question before the Senate is upon the motion of the Senator from Cumberland, Senator Spear, that Senate Amendment "A" offered by the Senator from York, Senator Littlefield, be indefinitely postponed and a division was requested.

A division of the Senate was had.

One Senator having voted in the affirmative and twenty-four opposed, the motion to indefinitely postpone Senate Amendment "A" did not prevail.

Mr. MURCHIE: Mr. President, am I right now in believing that the motion before the Senate is on the adoption of Senate Amendment "A"?

The PRESIDENT: The Senator is correct.

Thereupon, Senate Amendment "A" was adopted.

The PRESIDENT: The question now before the Senate is on the passage of this bill to be engrossed as amended by Senate Amendment "A"

Thereupon, the bill as amended by Senate Amendment "A" was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate, New Draft of An Act relative to the salary of the State Librarian (H. P. 1278, L. D. 831) tabled by Mr. Bishop of Lincoln on March 19th pending second reading and today assigned.

Mr. ALDRICH of Sagadahoc: Mr. President, may I say in connection with this matter that it appears by the record that Senator Bishop of Lincoln, tabled this

matter yesterday and I wish to explain that he did that for me and in making the request that this matter be retabled I act with his entire approval.

The PRESIDENT: The Senator from Sagadahoc, Senator Aldrich, moves that this bill be retabled.

The motion to retable prevailed.

The PRESIDENT: This completes the assigned matters under Orders of the Day. Are there any unassigned matters on the table that can be brought before the Senate at this time?

Thereupon, on motion by Mr. Page of Somerset, the Senate voted to reconsider its action taken

earlier in today's session whereby An act providing that the Governor may suspend open season of hunting and fishing in the time of drought (L. D. 887) was passed to be engrossed; and on further motion by the same senator the bill was laid upon the table.

The PRESIDENT: Is there any further business under Orders of the Day?

On motion by Mr. Small of Waldo,

Adjourned, until next Monday afternoon at four-thirty o'clock.