

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

# Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, November 14, 1933

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Tuesday, November 14, 1933.

This being the day designated in the proclamation of the Governor for the meeting of the Eighty-sixth Legislature in extra session, the members of the House of Representatives assembled in their hall at four o'clock in the afternoon and were called to order by the Speaker. Prayer was offered by the Rev. Mr. McWhorter of Augusta.

The SPEAKER: This special session of the Legislature meets as a result of a proclamation by His Excellency, the Governor, which the Clerk will now read.

**STATE OF MAINE****PROCLAMATION BY THE GOVERNOR****Special Legislative Session**

The Merrill Trust Company of Bangor has made application for membership in the Federal Reserve System.

Membership in the Federal Reserve System guarantees the deposits to the extent permitted under the Federal Banking Act of 1933.

Insurance of deposits under the Act becomes effective on January 1, 1934.

The plan endorsed by the stockholders on November 10 and approved by the Reconstruction Finance Corporation and the Federal Reserve System calls for the granting of a new charter to the Merrill Trust Company and the formation of a mortgage company to be known as the Merrill Mortgage Company.

The Reconstruction Finance Corporation will invest two million dollars (\$2,000,000) in the preferred stock of the Merrill Trust Company and more than three million dollars (\$3,000,000) in the Mortgage Company.

The plan as adopted by the stockholders and approved and supported by the Reconstruction Finance Corporation and the Federal Reserve System will prevent loss to any depositor in the Merrill Trust Company.

The plan calls for the control of the Merrill Trust Company to be in the hands of the present preferred stockholders and the Reconstruction Finance Corporation subject to the supervision of the Federal Reserve System.

The Reconstruction Finance Corporation and the Federal Reserve System will act immediately upon the granting of the charters by the Legislature.

In order to cooperate with the stockholders of the Merrill Trust Company, the Federal Reserve System and the Reconstruction Finance Corporation, I herewith call into special session the Eighty-sixth Legislature to assemble in their respective chambers at the Capitol, in Augusta, on Tuesday, the fourteenth day of November, 1933, at four o'clock in the afternoon, to consider the granting of such charters and such general legislation as may be necessary to permit banks to become members of the Federal Reserve System.

The occasion is extraordinary.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this thirteenth day of November, in the year of our Lord one thousand nine hundred and thirty-three and in the one hundred and fifty-eighth year of the Independence of the United States of America.

LOUIS J. BRANN

Governor.

By the Governor:

ROBINSON C. TOBEY

Secretary of State.

(Seal)

A true copy:

Attest:

(Signed)

ROBINSON C. TOBEY,

Secretary of State.

Read and ordered placed on file.

The Clerk thereupon called the roll of the House.

One hundred and forty members answering to their names, a quorum was declared to be present.

On motion by Mr. Farris of Augusta, it was

Ordered, that a committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the hall of the House for the consideration of such business as may come before the House.

Thereupon the Chair appointed as such committee Representatives Farris of Augusta, Scates of Westbrook, Fernald of Winterport, Smith of Vinalhaven, Mason of Mechanic Falls, Carleton of Portland and Sprague of Oakfield.

Subsequently the committee reported, through its chairman, that it had attended to its duty.

On motion by Mr. Burns of Eagle Lake, it was

Ordered, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon the Clerk of the House was directed to convey the message to the Senate, and subsequently reported that he had performed the duty with which he was charged.

At this point a message was transmitted from the Senate, through its Secretary, informing the House that a quorum was present in their chamber and that body was ready for the consideration of such business as may come before it.

The SPEAKER: For the purposes of the record, three members who did not reply to the roll call have appeared and reported their presence to the Clerk. The gentleman from Livermore Falls, Mr. Dow, the gentleman from Friendship, Mr. Whitney, and the gentleman from Hope, Mr. Hobbs.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Duquette, for the purpose of introducing, out of order, a resolution, and the Clerk will read.

Whereas, the members of the House of Representatives of the Eighty-sixth Legislature of the State of Maine have been deeply moved by the death on October 4, 1933, of a highly regarded fellow member, the gentleman from Sanford, Charles E. Valley;

And Whereas, the members of the House of Representatives sense a personal loss in the passing of a distinguished son of Maine whose services to his State had ever been honorable;

Now Be It Resolved that the State of Maine mourns the decease of Charles E. Valley of Sanford, whose death in the prime of life deprived her of a valuable public servant, and the members of the House of Representatives mourn the departure of a beloved companion and helpful fellow worker,

And Be It Further Resolved that these resolutions be spread upon the permanent records of the House, and the Clerk transmit a copy to

the bereaved family of the late gentleman from Sanford.

On further motion by Mr. Duquette the resolution was adopted by a rising vote.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Plouff, who presents a resolve and moves its passage. The Clerk will read the resolve.

H. P. No. 1. Resolve on the pay roll of the House of Representatives.

Thereupon the resolve was received out of order, and under suspension of the rules received its two several readings and was passed to be engrossed.

#### Orders of the Day

Paper from the Senate, out of order, disposed of in concurrence.

A message was received from the Senate, through its Secretary, proposing a Joint Convention to be held forthwith in the hall of the House of Representatives for the purpose of extending an invitation to His Excellency, the Governor, to attend the Convention and make such communication as pleases him.

On motion by Mr. Scates of Westbrook, it was voted that the House signify to the Senate its concurrence in the proposal for a Joint Convention.

Thereupon the Clerk of the House performed that duty, subsequently reporting that he had so done, which report was accepted.

At this point the Senate came in and a Joint Convention was formed.

#### IN CONVENTION

The President of the Senate in the Chair.

On motion by Senator Page of Somerset it was

ORDERED, that a committee be appointed to wait upon Honorable Louis J. Brann, Governor, and inform him that the two branches of the Legislature are in convention assembled in the hall of the House of Representatives, and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of that committee on the part of the Senate:

## Senators:

Page of Somerset  
 Jackson of Sagadahoc  
 Robie of Cumberland  
 and on the part of the House:

## Representatives:

Soper of Newport  
 Dow of Portland  
 Blanchard of Wilton  
 Collins of Caribou  
 Newcomb of Scarborough  
 Eastman of Farmingdale  
 Mace of Aurora

Subsequently Senator Page, for the Committee, reported that the committee had discharged the duty assigned it, and that the Governor was pleased to say that he would attend forthwith.

The report was accepted.

Thereupon the Honorable Louis J. Brann, Governor and suite, entered the hall amid applause, the audience rising, and the Governor addressed the Convention as follows:

**MR. PRESIDENT AND MEMBERS OF THE CONVENTION:** It is a great pleasure to have this opportunity of again meeting with the members of the Legislature, and I trust you all had a very happy and agreeable summer.

By Proclamation I requested the members of the Eighty-sixth Legislature to assemble today in special session.

First. To act upon bills concerning the Merrill Trust Company of Bangor. The purposes of the bills are contained in the call.

With your indulgence I will read the information in the call.

"The Merrill Trust Company of Bangor has made application for membership in the Federal Reserve System.

Membership in the Federal Reserve System guarantees the deposits to the extent permitted under the Federal Banking Act of 1933.

Insurance of deposits under the Act becomes effective on January 1, 1934.

The plan endorsed by the stockholders on November 10 and approved by the Reconstruction Finance Corporation and the Federal Reserve System calls for the granting of a new charter to the Merrill Trust Company and the formation of a mortgage company to be known as the Merrill Mortgage Company.

The Reconstruction Finance Corporation will invest two million dollars in the preferred stock of the Merrill Trust Company and more

than three million dollars in the Mortgage Company.

The plan as adopted by the stockholders and approved and supported by the Reconstruction Finance Corporation and the Federal Reserve System will prevent loss to any depositor in the Merrill Trust Company.

The plan calls for the control of the Merrill Trust Company to be in the hands of the present preferred stockholders and the Reconstruction Finance Corporation subject to the supervision of the Federal Reserve System.

The Reconstruction Finance Corporation and the Federal Reserve System will act immediately upon the granting of the charters by the Legislature.

In order to cooperate with the stockholders of the Merrill Trust Company, the Federal Reserve System and the Reconstruction Finance Corporation" the action of the Legislature should be favorable and immediate.

Second. To act upon a bill amending one section of the general banking law. Its purpose is to avoid a technical objection which prevents the immediate admission to the Federal Reserve System of certain banks.

I regard it as of great importance that banking institutions desiring to become members of the Federal Reserve, thus automatically being entitled to government insurance of deposits, should not be prevented from so doing by reason of mere technical legal objections. To meet this situation promptly by the enactment of the proposed laws under the emergency provision of our Constitution, would strengthen the newly organized banking institutions of the State.

I assume that it may be that the Legislature will consider at this session only the matters outlined in the Call. If I am correct in my understanding of the situation it will be necessary to reconvene the Legislature at some subsequent time during the present year. Discussing the matter with the distinguished President of the Senate and the equally distinguished Speaker of the House, we agreed that if it were agreeable to the other members of the Legislature that the Legislature would again be reconvened in special session on the fourth day of December, the fourth day of December being the Monday

following Thanksgiving. I mention that, that you may understand that in all human probability the subsequent call for the special session will be as of the fourth day of December of this year. And I desire, my friends, in conclusion to thank you for your attendance here at this special session of the Legislature. (Applause, the convention rising.)

The Governor and suite then retired, amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved and the Senate retired, amid the applause of the House.

### IN THE HOUSE

The Speaker in the Chair.

#### RECESS

Papers from the Senate, out of order.

From the Senate: Bill an act to incorporate the Merrill Trust Company, S. P. 1, L. D. 1.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed without reference to a committee.

In the House, taken up out of order under suspension of the rules, given its three several readings without reference to a committee and passed to be engrossed in concurrence.

From the Senate: Bill an act to extend the charter of Merrill Trust Company, S. P. 2, L. D. 2.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed without reference to a committee.

In the House, taken up out of order under suspension of the rules, given its three several readings without reference to a committee and passed to be engrossed in concurrence.

From the Senate: Bill an act to incorporate the Merrill Mortgage Company, S. P. 3, L. D. 3.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed without reference to a committee.

In the House, taken up out of order under suspension of the rules, given its three several readings without reference to a committee and passed to be engrossed in concurrence.

From the Senate: Bill an act to extend the charter of Merrill Mort-

gage Company, S. P. 4, L. D. 4.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed, without reference to a committee.

In the House, taken up out of order under suspension of the rules, given its three several readings, without reference to a committee and passed to be engrossed in concurrence.

From the Senate: Bill an act to assist State banks in joining the Federal Reserve System, S. P. 5, L. D. 5.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed, without reference to a committee.

In the House, taken up out of order, under suspension of the rules, given its three several readings, without reference to a committee and passed to be engrossed in concurrence.

#### Passed To Be Enacted (Emergency Measures)

S. P. 1, L. D. 1: An act to incorporate The Merrill Trust Company.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division being had,

One hundred and thirty-two voting in the affirmative and none in the negative, the bill was passed to be enacted.

S. P. 3, L. D. 3. An act to incorporate the Merrill Mortgage Company.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,

One hundred and thirty-five voting in the affirmative and none in the negative, the bill was passed to be enacted.

S. P. 5, L. D. 5. An act to assist

State banks in joining the Federal Reserve System.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,

One hundred and thirty-six voting in the affirmative and none in the negative, the bill was passed to be enacted.

#### Passed To Be Enacted

S. P. 2, L. D. 2: An act to extend the charter of the Merrill Trust Company.

S. P. 4, L. D. 4: An act to extend the charter of the Merrill Mortgage Company.

Out of order, paper from the Senate:

From the Senate: Bill an act to amend Chapter 29 of the Private and Special Laws of the Year 1869, entitled "An act to incorporate the town of Ellsworth into a city; and to validate certain acts of the Ellsworth municipal officers, S. P. 6, L. D. 6.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed without reference to a committee.

In the House, received out of order, under suspension of the rules, given its three several readings, without reference to a committee, and passed to be engrossed in concurrence.

#### RECESS

#### Passed To Be Enacted (Emergency Measure)

S. P. 6, L. D. 6: An act to amend Chapter 29 of the Private and Special Laws of the Year 1869, entitled "An act to incorporate the town of Ellsworth into a city; and to validate certain acts of the Ellsworth municipal officers.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had, one hundred and twenty-eight voting in the affirmative and none in the negative, the bill was passed to be enacted.

The SPEAKER: Are there any members who have come in since the roll was called? In order to be entitled to their mileage and pay, such members should report to the Clerk at once.

I am sorry I cannot inform you more definitely about the plans for adjournment. We will have to wait until some word comes from the Senate as to that. When the House finally adjourns the Controller's office is prepared to pay the members immediately by check here at the Clerk's desk.

#### RECESS

The SPEAKER in the Chair.

Papers from the Senate, out of order

From the Senate: Resolve on the pay roll of the Senate. S. P. 10, L. D. 10.

Comes from the Senate, received under suspension of the rules, read twice and passed to be engrossed without reference to a committee.

In the House, received under suspension of the rules, read twice and passed to be engrossed in concurrence without reference to a committee.

From the Senate: Bill an act authorizing Building and Loan Associations to assign or exchange home mortgages for bonds issued by Home Loan Corporations.

Comes from the Senate in that body received under suspension of the rules, read twice and passed to be engrossed without reference to a committee, and subsequently in the Senate engrossment reconsidered and bill referred to the next special session of this Legislature.

In the House, referred to the next special session of this Legislature in concurrence.

#### Finally Passed

(Out of order)

S. P. 10, L. D. 10: Resolve on the pay roll of the Senate.

H. P. 1: Resolve on the pay roll of the House of Representatives.

Papers from the Senate, out of order.

From the Senate: Bill an act to amend the law relating to savings banks investment, S. P. 8, L. D. 8.

Comes from the Senate, referred

to the next special session of the Legislature.

In the House, referred to the next special session of the Legislature in concurrence.

From the Senate: Bill an act to amend the law relating to acquiring of stocks, bonds and other securities by savings banks, institutions for savings, trust companies and loan and building associations. S. P. 9, L. D. 9.

Comes from the Senate referred to the next special session of the Legislature.

In the House referred to the next special session of the Legislature in concurrence.

A message was received from the Senate, transmitted through Senator Robie of Cumberland, informing the House that the Senate had transacted all business before it and is ready to adjourn without day.

On motion by Mr. Farris of Augusta, that gentleman was appointed as a messenger to wait upon the Senate and inform that branch that the House has transacted all business before it and stands ready to adjourn without day.

From the Senate, out of order.

Ordered, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted upon all matters before them and are ready to receive any communication he may be pleased to make.

Comes from the Senate, read and passed with the following members

appointed on its part: Senators Weeks of Somerset, Holman of Franklin and Seavey of Oxford.

In the House, read and passed in concurrence.

The Chair appointed on such committee Representatives Goudy of So. Portland, Tompkins of Bridgewater, Boyle of Sumner, Hussey of Augusta, Ward of Thorndike, Dow of Livermore Falls, and Nevers of Patten.

Mr. Farris of Augusta subsequently reported that he had delivered the message with which he was charged.

Subsequently Mr. Goudy of So. Portland for the committee reported that it had performed the duty with which it was charged.

Paper from the Senate, out of order

#### STATE OF MAINE

Office of the Governor

Augusta, November 14, 1933.

To the President of the Senate and Speaker of the House:

I herewith transmit a list of the acts and resolves passed by the present Legislature at the Special Session. I have approved a total of six acts and two resolves. I know of nothing further to engage your attention.

Respectfully submitted,

LOUIS J. BRANN,

Governor

Comes from the Senate, in that body read and placed on file.

In the House, read and placed on file in concurrence.

On motion by Mr. Oliver of Bath, The House adjourned without day.