

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, December 4, 1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Monday, December 4, 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 thirty o'clock in the afternoon and were called to order by the Speaker.

Prayer by the Rev. Mr. Porter of Gardiner.

The SPEAKER: This second special session of the Eighty-sixth Legislature is meeting in accordance with the proclamation issued by His Excellency, the Governor, which proclamation the Clerk will now read.

STATE OF MAINE

Proclamation by the Governor
Special Legislative Session

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation pertaining to the financial affairs of the State.

To act upon the submission of the twenty-sixth amendment to the Constitution of Maine.

The regulation and control of the sale of intoxicating liquors for medicinal and mechanical purposes, permitted under the Constitution of the State.

To act upon the submission of control legislation in lieu of previous prohibitory laws if the twenty-sixth amendment be repealed.

Legislation pertaining to banks and banking.

To act upon the necessary legislation to enable the state and the political units thereof to receive the benefits of the Public Works Act.

To act upon the ratification of the Child Labor Amendment to the Constitution of the United States.

To act upon a bill to provide for a National Forest in the State.

Legislation authorizing Loan and Building Associations to assign or exchange Home Mortgages for Bonds issued by Home Owners' Loan Corporation.

An Act creating a commission on Interstate Compact affecting labor and industries.

To act upon any legislation to promote the welfare of the State.

I, THEREFORE, by virtue of the power vested in me as Governor,

convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, at Augusta, on Monday, the fourth day of December, 1933, at four-thirty o'clock, P. M., in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the Office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twenty-eighth 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.

(Seal)

By the Governor:

ROBINSON C. TOBEY,
Secretary of State.

A true copy:

Attest: ROBINSON C. TOBEY,
(Seal) Secretary of State.

Read and ordered placed on file.

The Clerk thereupon called the roll of the House.

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

During the roll call 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 Secretary of the Senate also transmitted a message from that body proposing a convention of both branches of the Legislature, to be held forthwith in the hall of the House for the purpose of extending an invitation to His Excellency, the Governor, to attend the Convention and present such message as he may please.

On motion by Mr. Tompkins of Houlton, 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.

The Chair appointed the following members: Messrs. Tompkins of Houlton, O'Connor of Bangor, Sanborn of Baldwin, Bushey of Waterville, Crowell of Weston, Whitney of Friendship and Gallagher of Limestone.

On motion by Mr. Scates of Westbrook, it was

Ordered, that a message be conveyed to the Senate that a quorum of the House of Representatives is present.

On motion by Mr. Ashby of Fort Fairfield, 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 was directed to convey the above two messages to the Senate, and he subsequently reported that the duty with which he was charged had been performed.

The SPEAKER: The Chair requests that if any member of this body has any legislation which he proposes to offer that he immediately get it into the hands of the Clerk. There will be a meeting at the adjournment of this session of the committee on Reference of Bills at which time all such legislation will be considered, and we will have tomorrow morning the regular calendar.

At this point Mr. Tompkins of Houlton reported for the committee that waited on the Governor that it had discharged the duty assigned it, and that the Governor was pleased to say that he would attend forthwith.

The report was accepted.

On motion by Mr. Hill of South Portland, it was voted that the rules be suspended to permit the introduction, out of order, of a bill.

The SPEAKER: The Clerk will read the title of the bill.

H. P. 2: An act amending an act, entitled an act to grant a Commission-Manager form of Government to the city of South Portland.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Hill.

Mr. HILL: Mr. Speaker, I move that the rules be suspended and that this bill be given its three sev-

eral readings and passed to be engrossed, out of order, at this time. In respect to that motion, I would like to make a few explanatory remarks.

This Legislature at its regular session enacted two charter bills for the city of South Portland which were referred to the people, and one of those bills was adopted in September on a referendum. It has been discovered that that bill contained some errors in its wording. There is one error that is particularly important that needs to be corrected at once. It is provided in that bill that was passed at the last session that it should become effective immediately following the first city election, which is being held today. It was elsewhere provided that the officials elected should not take office until the first Monday of January. Consequently there is an hiatus of about a month, or will be if this bill is not passed, bringing about a situation of great uncertainty as to the status of the city government of South Portland. To obviate that difficulty, and a few other minor errors, this bill is introduced. I would personally appreciate the forbearance of the members if they would be willing to pass favorably upon this bill without reference to a committee in order that it may take effect today and thereby correct the error to which I have referred.

Thereupon, out of order, and under suspension of the rules, without reference to a committee, the bill had its three several readings and was passed to be engrossed.

Sent up for concurrence.

On motion by Mr. Fernald of Winterport, out of order and under suspension of the rules, it was

ORDERED, That the Controller shall file with the Clerk of the House within forty-eight hours of the passage of this order an itemized account, showing number of meetings attended by each member, salaries, fees and other expenses, including telephone calls, postage, mileage allowance, etc., paid to each member of the Governor's Council since he assumed office in January of 1933 and also the detailed itemized expenditures of any and all sums charged against the contingent fund of the Governor and Council.

Mr. FERNALD of Winterport: Mr. Speaker, I have an order to present

out of order, under suspension of the rules, but before the Clerk reads the order I would like to move that, following the reading of the order by the Clerk, since it is a proposition governed by Rule 46 of the House which reads: "A proposition to require the opinion of the Judges of the Supreme Court, as provided by the Constitution, shall not be acted upon until the next day after such proposition is made." In consequence thereof I move you, sir, that after the Clerk has read the order, the same lie on the table until tomorrow morning.

The order is as follows:

Whereas, it appears to the House of the Eighty-sixth Legislature that the following is an important question of law, and the occasion a solemn one; and

Whereas, the question of providing revenue to carry out the necessary expenditures of the state is a problem now confronting the present House of Representatives; and

Whereas, there is a doubt as to the constitutionality of one of our present laws that is now providing revenue for the state:

ORDERED, the Justices of the Supreme Judicial Court are hereby requested to give to the House, according to the provisions of the Constitution in this behalf, their opinion on the following question, to wit: Do the provisions of Section 77 of Chapter 12 of the Revised Statutes conflict with the Constitution?

The **SPEAKER**: The Chair suggests that the gentleman from Winterport, Mr. Fernald, inform the House as to the provisions of Section 77 of Chapter 12 of the Revised Statutes, as to which section he asks the opinion of the Supreme Court.

Mr. **FERNALD**: Section 77 of Chapter 12 of the Revised Statutes of Maine provides that there shall be imposed upon the owners of bank stock in the State of Maine a tax amounting to 15 mills, which provided for the State in 1931 \$315,000, which provided in 1932 a decreased revenue of \$235,000, and will provide for this fiscal year \$76,000. The provision of the Constitution which provided for this law was a provision that it was to permit the taxation of intangible property, and it is my contention, fellow members, that it was not the intention, nor is it the true construction of the Constitution as is now provided

by the present law—Section 77 of Chapter 12 of our present law—that all the property held by all of the people of the State of Maine under a constitutional provision providing for the taxation of intangibles, that the Legislature of Maine could reasonably select bank stock.

The **SPEAKER**: The Chair does not anticipate any argument on the matter—simply an explanation of the terms of the Section.

Mr. **FERNALD**: I will answer your question, Mr. Speaker, and I apologize to the members of the House for digressing. Chapter 12, Section 77 provides that a tax of fifteen mills is to be levied against the assessed value of bank stock held in national banks and trust companies.

Thereupon the order was received under suspension of the rules, out of order, read and laid on the table in compliance with House Rule 46.

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 Weatherbee of Penobscot, it was

Ordered, that a committee be appointed to wait upon the 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 Weatherbee of Penobscot, Blaisdell of Hancock, Seavey of Oxford; and on the part of the House, Representatives Sterling of Caratunk, Burgess of Rumford, Eastman of Farmingdale, Fogg of Rockland, Gross of Lisbon Falls, Hawkes of Richmond and Lebel of Brunswick.

Subsequently, Senator Weatherbee, 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, including Mr. Phillips Lord (Seth Parker) and Mrs. Lord, entered the

hall, amid applause, the audience rising, and the Governor addressed the Convention as follows:

To the Members of the 86th Legislature, in Special Session:

Under the authority conferred by the Constitution, the Legislature is called into special and extraordinary session.

The following information is respectfully submitted:

Financial Affairs

The great concern is to maintain the financial stability of the State.

Other considerations are secondary.

The income of the State has sharply declined.

To preserve the ratio of safety between income and expenditures we have limited and reduced State expenditures.

Comparison of receipts of first five months of fiscal year ending June 30, 1933, and first five months of present fiscal year:

Last fiscal year (5 months)	\$13,716,865.57
Present fiscal year (5 months)	9,733,322.78
Decrease in receipts..	\$3,983,542.79

Comparison of expenditures of first five months of fiscal year ending June 30, 1933, and first five months of present fiscal year:

Last fiscal year (5 months)	\$14,408,208.12
Present fiscal year (5 months)	9,428,626.54

Decrease in expenditures

\$4,979,581.58
(Included in above expenditures are disbursement made on account of Federal Relief Administration, and Federal Public Works Administration, totalling \$1,512,055.83. Grants from Federal Government.)

To put in easily remembered figures, the decrease in State income has been approximately \$4,000,000.00 and the decrease in State expenditures has been approximately \$5,000,000.00 in first five months of present fiscal year.

Treasury position as of December 1, 1933:

Cash on hand and in banks	\$3,118,876.66
Amount in closed banks (unavailable)	573,625.37
Amount that should be in State Treasury as obligated funds)	4,704,830.10

(This amount includes amount immediately payable to cities and towns for state aid and special resolves) 1,037,000.00

It is estimated that the total State expenditures, exclusive of Federal grants will not exceed \$16,000,000.00 for the present fiscal year.

Drastic savings were made in the salaries of the departments and institutions of the State earlier in the year.

Further curtailment would mean the elimination of State activities.

Payment of State Taxes by Cities and Towns

Cities and towns have found it increasingly difficult to pay State taxes.

The credit of the State, unless some new source of revenue is immediately found, depends upon the ability of the municipalities and towns to pay promptly their State taxes.

The difficulty of calculation lies in the inability to know to what extent the municipalities can discharge their obligations to the State.

Many cities and towns have made a most satisfactory record.

The failure to pay has not been through neglect, but through inability.

Unavailable town funds in closed institutions and the failure of the individual to pay taxes have hampered in many cases.

Prompt payment by municipalities would insure a sound treasury position.

The disquieting fact is that cities and towns already in arrears on last year's taxes owe the State substantially \$1,500,000.00 as of December 1, 1933.

The heartening side of the picture is the friendly relations that exist between the State and the municipalities.

There is a fine spirit of determination to weather the storm.

It is a splendid manifestation of the sturdy moral fibre of Maine that has always proposed to meet obligations when due.

New Sources of Revenue

Additional sources of revenue aside from that which may accrue from possible temperance legislation, can be found only in the imposition of new forms of taxation.

We do not need more money to run the State unless the present taxation system fails to produce the anticipated revenue.

Any new form of taxation should be directed toward abatement of the present assessment upon properties least able to pay, namely, farm, home and tenement property.

This involves a revision of the present tax system.

Temporary Loan

The Constitution prohibits the State borrowing in excess of \$800,000.00.

The full amount permitted by the Constitution had been borrowed when this administration assumed office.

No borrowing, however necessary, is possible.

The credit of the State cannot be further pledged.

The present amendment to the Constitution was approved in 1919.

The total state expenditures were then only about \$9,000,000.00.

Since that time the State has expended as much as \$31,000,000.00 a year.

The borrowing capacity of the State should be increased to at least \$2,000,000.00, and I respectfully recommend that this Legislature submit a resolution at the next State election amending the Constitution and increasing the borrowing capacity.

Sales Tax

I regard a sales tax as a means of quick relief as impracticable.

To pass as emergency legislation, a two-thirds vote is necessary.

Without the emergency clause appended a referendum would undoubtedly be resorted to, delaying its operation for many months.

Merchants have adjusted their affairs under the National Recovery codes, and any action by the State which would tend to disturb conditions at this time is undesirable unless unqualifiedly necessary.

Tax Revision

The basic and fundamental trouble is that the direct tax system of the State has broken down. Subsequently every problem of the State is essentially a tax or revenue problem.

The tax system is outworn and must be replaced by a new one.

The revision of the tax laws become immediately necessary.

Further delay will jeopardize the credit of the State.

I realize it will take time to hold the necessary hearings and to formulate a bill, but the work should be undertaken immediately, and en-

acted into law by this Legislature or submitted to the people for approval.

The revision should be completed in three months.

I wish very much it might be submitted for its final acceptance to the people.

Two recess Committees have been named.

The first, a Recess Committee on Taxation, and the second a Commission to Make a Survey of Public School Finances in the State of Maine, both appointed by the Executive under the authority of the Legislature.

The Legislature may determine, in its wisdom, that the Committees should be enlarged to include every interest in the State.

The revision should include provision for paying the old age pensions under Chapter 267 of the Public Laws of 1933.

Maine can no longer delay the assumption of this humane responsibility.

Flexibility Act

An act providing flexibility in the handling of State revenues and expenditures during the period of the present State emergency should be re-enacted to continue in effect until a revision of the tax system is effected.

Highways

It will be urged that we divert highway funds.

Maine has expended vast sums in the construction and maintenance of highways.

I subscribe to the policy.

I believe that in normal times every dollar of highway funds should be spent upon the highways without diversion.

No other State department has been treated with such liberality.

The figures are astounding.

In the last twenty years the State has expended for highway construction and maintenance one hundred and forty-eight million dollars.

This does not include the contributions made by cities and towns on State aid work.

Outstanding highway and bridge bonds amount to \$29,333,000, and that comprises substantially the entire bonded debt of the State.

The highway work in Maine this year has been supplemented by a grant of \$3,369,917.00 from the Federal Government.

Of this amount \$1,102,759.31 has

been expended, leaving a balance of \$2,267,157.69 yet to be expended.

9,430 men were employed on these Federal projects during the month of November.

It is estimated that as many men will be employed in the completion of the Federal road program next year.

At this very hour 10,000 men in the State are working under the Civil Works Administration, and more than one-half of these men are employed on road projects.

This is about one-half the number ultimately to be given work.

The great purpose to relieve unemployment in the State is being achieved.

My judgment is that further Federal grants will be made to the State for road construction.

I respectfully recommend to the consideration of the Legislature the creation of a one full time highway commissioner in place of the present three man commission.

Repeal and Temperance Legislation

Nationwide prohibition will end tomorrow.

Repeal of the national amendment has been decisive and overwhelming.

It will no longer be illegal under the Constitution of the United States to manufacture and sell intoxicating liquors.

The problem of regulation is now returned to the states.

The 26th Amendment to the State Constitution reads as follows:

"The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider may be permitted under such regulations as the Legislature may provide. The Legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified."

For the purposes enumerated in the Constitution, I recommend the passage of an Act controlling the sale and keeping of intoxicating liquors to be effective until the 26th Amendment is either rejected or retained by vote of the people.

Pure liquors at reasonable prices should be made available.

The old-fashioned saloon must not come back.

Our great problem in Maine is to eliminate the illegal sale and transportation of intoxicants.

Our real contest is against the smuggler, the bootlegger and the kitchen speakeasy.

If control legislation is enacted, I urge upon our citizens the necessity of patronizing the constituted sources of supply instead of those persons who may attempt to transport and sell illegally.

The question may arise as to whether an Act to become effective after the repeal of the 26th Amendment can be voted upon simultaneously with repeal.

I am firmly of the opinion that the permanent control legislation should be adopted by direct vote of the people at a referendum election.

The great cause of the failure of the prohibitory law has been the failure of the people to morally and legally support the same.

The success of any law rests upon the support of the people.

Upon the question of the validity of a law dependent upon a future contingency, Chapter 38 of the Public Laws of 1921 apparently establishes a precedent in Maine.

The Act provides that,—

"This Act shall not take effect unless and until the constitution of this state is amended by striking out the word 'present' in the fifth and thirty-fourth lines of section five, article four, part first, thereof, or as otherwise amended so as to allow the casting of ballots at elections by voters not present at the polls in person."

A Legislative Act to depend on a future contingency was upheld by the Supreme Court of Connecticut in the case of Pratt vs. Allen, Volume 13, Connecticut Reports, pages 127 and 128.

I address this phase of the situation to your consideration.

Bills prepared under the supervision of very eminent citizens, including members of the Legislature, will be introduced for your information and assistance and as a basis of consideration.

They are not intended to influence the deliberations of the Legislature.

Banks and Banking

Our present banking laws need study, strengthening and revision.

Many banks have gone through

the banking crisis in sound condition; others have not, indicating a failure either in management or supervision, or both.

We should consider every unsound banking practice disclosed by the events of the last few months, and correct by legislative enactment.

Chain banking, holding company control and interlocking directorates should be prohibited by law.

There should be more frequent examinations required by law.

The law in reference to investments and loans should be revised to protect depositors against unsafe investments and unsound loans.

Suitable penalties should be prescribed for criminal or wilful neglect of the directors and officials of banks.

I recommend that the law be changed to permit the liquidation of closed state banks by the Bank Commissioner.

This is the practice of thirty-nine states of the Union.

It is the practice of the Federal Government.

In New England, New Hampshire, Vermont, Massachusetts and Rhode Island liquidate banks through the banking departments.

The law should provide for the fullest publicity at all times available to the depositors, of closed banks.

The Bank Commissioner should also be placed in charge of the reorganization of closed banks, subject to the supervision of the courts.

Public Works Under National Recovery Act

The Constitution of the State provides that the credit of the State shall not be directly or indirectly loaned in any case.

In order to avail ourselves of the provisions of the Public Works Act in accepting loans and grants from the Federal Government, it is necessary to pledge the credit of the State.

For this reason the State has been unable to avail itself of the benefits of the National Recovery Act.

To take advantage of the Public Works Act, the Legislature must pass an Enabling Act amending Article 42 of the Constitution relating to the debt limit of the State.

The Enabling Act, if passed, must be voted on by the people at the State election in 1934.

In order for cities and towns who have exceeded their debt limit to

take advantage of the provisions of the Act, it will be necessary to amend Article 34 of the Constitution of the State by the same procedure.

Bonds of Home Owners' Loan Corporation

I recommend the passage of legislation relating to the bonds of the Home Owners' Loan Corporation.

The purpose of the Home Owners' Loan Act is to save homes of people in distress by reason of foreclosure or otherwise.

The financing of the Home Owners' Loan Corporation is done by the exchange of bonds for the mortgage which is taken up and re-financed.

There is apparently no legal authority for loan and building associations to accept these bonds.

As a consequence the work of the Home Owners' Loan Corporation in this state has been impeded.

Loan and building associations desire to cooperate, but cannot do so because of lack of legal authority.

This situation should be corrected.

Other phases of the situation are covered in the bill.

Federal Child Labor Amendment

I recommend the ratification of the Federal Child Labor Amendment to the Constitution of the United States.

It establishes the sixteen year minimum age in practically all industries.

This is the standard set by the National Recovery Act codes.

The National Recovery Act ends in June, 1935.

This standard can only be perpetuated through a ratification of the Federal Amendment, and subsequent passage of law along the lines of these standards now accepted as desirable by a great majority of Americans.

I trust the amendment will be ratified by the Legislature.

National Forests

The Federal Government stands ready to establish a national forest in the state by the purchase of one million acres of land.

The Government does not resort to condemnation proceedings, but buys in the open market.

I respectfully suggest that the forest be designated as the "Roosevelt National Forest."

I further respectfully urge the passage of the private and special

legislation relating to the Moosehead Lake State Park and Camping Reserve Project sponsored by the Honorable Frank C. Hinckley of Bangor.

Commission on Interstate Compact

The Act simply provides for the establishment of an unpaid commission on Interstate Compacts, affecting labor and industry.

It consists of seven members, of whom one shall be a member of the Senate, to be designated by the President of the Senate; three shall be members of the House of Representatives, to be designated by the Speaker of the House; and three appointed by the Governor.

They are to confer with similar Commissions representing the other New England states for the purpose of working out uniform standards, affecting labor and industry in New England.

I thank you very much for your attention. (Applause, the audience rising).

The GOVERNOR: My friends of the Legislature, I assume that after listening so very attentively to this dry and uninteresting address of mine you will be delighted at this time to hear from a distinguished citizen of the world. We are all very proud indeed of that sea-girt town of Jonesport, and the gentleman whom I shall introduce to you has made Jonesport the outstanding community in the State of Maine. As a graduate of the educational institutions of our State, he loves Maine as you love Maine. He has depicted the characters of those fine, splendid and outstanding citizens of Maine whom I trust have not entirely passed out of the life of the State. He has brought faith, hope and courage to millions of men and women all over the world. He is not, my friends, the official representative from Jonesport, though I think he might desire at some time in his life to have that very distinguished honor conferred upon him, but he is, my friends, a citizen extraordinary of the State of Maine. And I have the great pleasure at this time, and the distinguished honor, of presenting to you Phillips H. Lord, "Seth Parker." (Prolonged applause, the audience rising).

Mr. LORD: Your Excellency, members of the Legislature and my friends who I think are standing there: The Governor's introduction reminds me of something that might kind of interest you folks. Down

south there was a tall, lanky, country fellow and he had a calf with him, and they were away up in the mountains and he was trying to get the calf across a narrow bridge. He had the calf on the bridge and he wouldn't go across and he was trying to shoo him across, and he was working on that calf for about half an hour. Presently there came along a gentleman in a Rolls Royce automobile and he drove up along the road by the canyon and he saw this country fellow trying to get the calf across the bridge so he stopped his automobile and watched him for a while, laughing to himself, and finally he said, "Young fellow, don't you think that if you got that calf headed just right across the bridge and I blew the horn that it might scare it over?" "Well," the country fellow says, "I reckon you might as well try it, mister." So he got the calf headed right and the fellow in the Rolls Royce reached down and blew the horn and just about scared the daylights out of the calf and it jumped right over the side of the railing down into the canyon below. Well, the country fellow he stood and looked down and saw the calf hit the water, and the calf got out and started wending its way up the side of the canyon. And the fellow in the Rolls Royce said, "Well, it worked, didn't it?" The country fellow said, "Yes, but, mister, don't you think that was a Hell of a honk for such a little calf?" (Laughter and applause)

Well, we got into Portland and we have a lot of friends in Portland, and just sitting down while the Governor was reading the report was the first relaxation that I have had in three or four days. And up here I just feel kind of relaxed and everything because nobody knows where to get me, which reminds me of Grandfather. Perhaps some of you men worked for Grandfather; I don't know. He was the greatest business man in the State of Maine, and I could tell you lots of other things about him, but we will let it go at that. Well, Grandfather had a fellow named Joe Cottle living with him and Joe was awful scared of anything that had to do with anything religious. He thought that God was in the lightning and thunder storms, and everything, and he was awful scared of the Almighty and espec-

ially of lightning and thunder and the like of that. Well, one day Grandfather sent Joe up to Mud Pond to cut some poles and a terrific thunder storm came up with lots of lightning and thunder. Now, Joe had a little shack on the River Road and it got struck by lightning and Grandfather though he should go to Mud Pond and tell Joe about it. So he hitched up the old mare and drove out to the Pond. Now, Grandfather had a very peculiar way of calling anybody. So he says, "Yee-hoo, yee-hoo, Joseph." And then he looked around and didn't see Joe anywhere but pretty soon the bushes over there commenced to wiggle a little and Joe came out and he was all trembling, because it was still thundering and lightning. Joe came over to Grandfather and Grandfather says, "Joe, I got some bad news for you." He says, "Joe, your little shack down on the River Road was struck by lightning and knocked all to smithereens." Joe looked up at Grandfather and he says, "Mr. Phillips, Jesus tried hard to get me but He didn't know where I was." (Laughter)

Well, folks, I will take just a minute longer, because I am not a long-winded fellow, but we have been putting on the Seth Parker program, trying to show the stalwart nature and sturdy character of the folks of Maine. One of the characters that we have in the program is Lizzie Peters. She happens to be my wife,—I am sorry, I mean that I happen to be her husband. She is up here and, you know, Lizzie says the books of the Bible off rather rapidly, and I don't know—the Governor didn't tip me off or anything—but if the Legislature heard the books of the Bible recited it might be rather helpful, so I want to ask Lizzie if she will just stand up for you and say the books of the Bible to you. (Laughter)

Mrs. LORD: I am a little out of practice, folks, but I will say them as fast as I can to you.

(Mrs. Lord, as Lizzie Peters, recited very rapidly the books of the Bible.) (Laughter and applause)

Mr. LORD: Folks, I will just tell you why we are here. When I was a kid I had a dream of something that I wanted to do when I got to be a man. I can remember that when I was about eleven years old I said, "When I get to be a man there is lots of things that are go-

ing to be different. Boys can hit their baseballs into my backyard all they want to and if I ever drive a truck they can hang on back and swing their feet over the end, and we are going to have four Christmases a year and nine Fourth of Julys, and if I ever keep a candy store it will be a store where a fellow can get as much licorice as he wants for a penny." And then I thought, "When I am a little older than that I am going to get a boat and try to find live cannibals and some sunken gold and do all those sort of things. When I got grown up, I guess in body though I never did in mind, I came to the conclusion that I wanted to go out and do the things, I dreamed of doing when I was a boy, so I got this old four-masted vessel and we came to Maine to start out from Portland, because every bit of work I ever did has been about Maine. I will tell you one of the real reasons. It wasn't that I was so patriotic. I can see a couple of my professors in the balcony and they will back me up. I never could spell and I found out that if I wrote love stories and things like that I would have to spend a lot of time looking up in a dictionary how to spell the words. But if I wrote about a rural character in the back woods every time I misspelled something everybody would think it was comical and was all right. So we got to writing dialect and everything we have been putting on the air has been about the woods of Maine and the folks I love so much. So we thought it proper to start from Maine and I wrote to some of the folks up here in Maine that the idea was this: I was going to come up to Maine and we would load the vessel down with Maine products, way down to the rail. See! Well, we haven't loaded it way down to the rail because I made a mistake, you see, and I found out that the business men of Maine were just as good as I was, so it is only half loaded down. (Laughter). We are going to take Maine products, though, all around the world, and set up a little room on board and instead of going down the coast, everybody can come on board and see the things we are taking out from Maine. Because it is just the dream of a boy, and when I say the dream of a boy it is the dream of a typical American boy anywhere from the ages of ten to one hundred and five and we

just like to invite you folks of the Legislature, and the Governor is coming down—he promised he would—and have you all come down on a special train that is leaving here—others know more about the details than I do—that everybody come down and have something to eat and look over the boat we are going on. We have got some awful interesting guns and a mess of fishing tackle and it's all fixed up, and we think when you come down you will lose about five or ten years off your life, because I think you will go back to the dreams you had just the same as I have to the dreams that I have been having, and I think you will probably want to be stowed away with us. I just want to give you the sincerest invitation that anybody ever could give to come down and I wish you would because I have written you into the show tomorrow and I want to use you down there. I am going to turn around and ask the Maine Legislature to sing the chorus of "Sailing Along." The whole idea is to show other Legislatures around the country that there is harmony in the Maine Legislature. (Laughter and applause).

Folks, I just want to tell you what an honor it is to come up here. I have been, perhaps, throwing in some jokes that I thought might interest you; but it is one of the thrills of my lifetime to be able to stand in the Legislature with the Governor of the State of Maine.

I went out from here seven or eight years ago—and I would hate to tell you how much I had in my pocket when I went out. It has just been very fortunate for me that things have gone as they have and people have been so nice, I want to thank you folks here because without the Seth Parker audience we would not have anything at all. I want to tell the people of the State of Maine that some folks throughout the country thought that we were making fun of Jonesport, but that is not so. There is something sweet and beautiful in the simplicity of the life of the country folk that has come out and I think it means a great deal to the folk of the entire country. I would just like to say again that we hope you people will be there with us tomorrow

night because I think we will have an awful good time. I want again to thank the Governor and the members of the Legislature for the honor of being able to address you here today. I thank you. (Applause, the audience rising).

The Governor and suite and Mr. and Mrs. Lord 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.

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

On motion by Mr. Peacock of Lubec, it was

Ordered, that the use of the hall of the House be granted to the Constitutional Convention beginning at ten A. M. on Wednesday, December 6th, 1933.

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

Passed to Be Enacted (Emergency Measure)

H. P. 2, L. D. 12. An act amending an act entitled an act to grant a Commission-Manager form of government to the city of South Portland.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of 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-seven voting in the affirmative, and none in the negative, the bill was passed to be enacted.

On motion by Mr. Allison of Biddeford,

Adjourned until ten o'clock tomorrow morning.