

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, November 6, 1934

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

Friday, November 9, 1934.

Senate called to order by the President.

Prayer by the Rev. H. F. Milligan of Gardiner.

Journal of November 7th read and approved.

Mr. Harmon of Hancock presented

Petition signed by Alton H. Cross of Bar Harbor and 47 others in favor of liquor being sold through Licensed Package Goods Stores. (S. P. 3)

Which was referred to the Committee on Temperance.

Sent down for concurrence.

On motion by Mr. Abbott of York, it was

Ordered, the House concurring, notwithstanding the adoption of the following Joint Order—"Ordered, the House concurring, that all bills introduced during the present session be limited to those pertaining to intoxicating liquors, that all such bills be in the office of the Secretary of the Senate or Clerk of the House not later than five P. M. November 6th, 1934 \* \* \*" that this special session of the Legislature receive and act upon bill entitled "An Act for the protection of cattle from 'Bang's Disease'" (S. P. 4).

Sent down for concurrence.

On motion by Mr. Weeks of Somerset,

Recessed, until 11 o'clock.

**AFTER RECESS**

The Senate was called to order by the President.

**Report of Committee**

Mr. McDonald from the Committee on Temperance on Bill "An Act to promote temperance in the use of alcoholic beverages and to control, license and regulate the manufacture, transportation, possession, purchase and sale of alcoholic beverages and alcohol within the State and providing for local option in cities and towns," (S. P. 1) reported that the same ought not to pass.

Which was read and accepted.

Sent down for concurrence.

The PRESIDENT: The Chair will state that the Senate has received back from the House, endorsed, read and passed in concurrence, the joint order adopted this morning per-

mitting the introduction of bill entitled "An Act for the protection of cattle from 'Bang's Disease,'" Senate Paper 4, and the Chair recognizes the Senator from York, Senator Abbott.

Thereupon, on motion by Mr. Abbott of York, the rules were suspended and that Senator presented "Bill, An Act for the protection of cattle from 'Bang's Diseases,'" Senate Paper No. 4; and on further motion by the same Senator, under suspension of the rules, the bill received its two several readings and was passed to be engrossed without reference to a committee.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset,

Recessed until the sound of the gavel.

**AFTER RECESS**

The Senate was called to order by the President.

The majority of the Committee on Temperance on Bill "An Act authorizing the licensing of distilleries, breweries and wineries" (S. P. 2, L. D. 1) reported that the same ought to pass.

(Signed)

Senators—Bissett

McDonald

Farnsworth

Representatives—Carter

Leathers

Littlefield

Bucknam

Hobbs

The minority of the same Committee on the same bill reported that the same ought not to pass.

(Signed)

Representatives—Tompkins

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The majority report was read and accepted, and the bill was given its first reading.

Thereupon on motion by Mr. Bissett of Cumberland the rules were suspended and the bill was given its second reading.

On motion by Mr. Weeks of Somerset, tabled pending passage to be engrossed.

Mr. McDonald from the Committee on Temperance to which had been referred Petition in favor of liquor being sold through licensed Package Goods Stores, reported that the same be placed on file.

The report was read and accepted.

On motion by Mr. Weeks of Somerset,  
Recessed, until one o'clock.

#### AFTER RECESS

The Senate was called to order by the President.

On motion by Mr. Weeks of Somerset,  
Recessed, until four o'clock this afternoon.

#### AFTER RECESS

The Senate was called to order by the President.

The following petitions were received out of order, and were referred to the following committee:

Committee on Temperance.

Mr. Blaisdell of Hancock presented, petitions signed by Percy A. Hasty of Dexter and 5,000 other citizens of the State in favor of liquor being sold through Licensed Package Goods Store.

Sent down for concurrence.

#### Orders of the Day

(Out of Order)

On motion by Mr. Viles of Kennebec, the Senate voted to take from the table, Joint Order concerning the furnishing of fountains to each member and officer of the House and Senate, tabled by that Senator on November 6th pending passage; and on further motion by the same Senator the order received passage.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, bill "An Act authorizing the licensing of distilleries, breweries and wineries" (S. P. 2, L. D. 1), tabled by that Senator earlier in today's session pending passage to be engrossed.

Thereupon, that Senator offered Senate Amendment "A" to Legislative Document 1, and moved its passage:

"Senate Amendment 'A' to Legislative Document 1. Amend Legislative Document 1 by striking out the next to the last sentence thereof and inserting in place thereof the following: 'The same being under the supervision of the Maine State Liquor Commission which shall make necessary rules and regulations for its collection.'"

Senate Amendment "A" was adopted, and on further motion by the same Senator the bill as so amended was passed to be engrossed.

Sent down for concurrence.

#### (Emergency Measure)

(Out of Order)

An Act for the protection of cattle from 'Bang's Disease.'" (S. P. 4).

Which act being an emergency measure and having received the affirmative vote of 28 members of the Senate was passed to be enacted.

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

From the House, out of order,

The Majority of the Committee on Temperance on Bill "An Act to regulate the sale of intoxicating liquors (H. P. 7, L. D. 8), reported that the same ought not to pass.

(Signed)—Senators: McDonald, Bissett, Leathers, Hobbs, Littlefield, Bucknam.

Representatives — Tompkins, Stover, Carter.

The Minority of the same Committee on the same Bill reported that the same ought to pass.

(Signed)—Senator Farnsworth.

In the House, the Minority Report, "ought to pass" was accepted, the bill was given its two several readings and passed to be engrossed as amended by House Amendment "A" and House Amendment "B."

In the Senate, on motion by Mr. Farnsworth of Aroostook, the Minority Report of the Committee "ought to pass" was accepted in concurrence and the bill was given its first reading; House Amendment "A" and House Amendment "B" were read and adopted in concurrence and on further motion by the same Senator, under suspension of the rules, the bill was given its second reading.

Mr. VILES of Kennebec: Mr. President, as I understand it there are some amendments to this bill yet to be offered which depend on other bills which are not yet before the Senate. Is it the opinion of the Chair that it would be better procedure to pass the bill to be engrossed at this time?

The PRESIDENT: The Chair understands that the Senator from Penobscot, Senator Weatherbee, has an amendment to be offered and it would seem better to pass the bill

to be engrossed at this time and if there is any further amendment to be adopted that can be done by reconsidering the engrossing, and in the meantime the printing of the bill can go forward.

Mr. VILES: That is as I understand it, Mr. President, and I thought that the Senate should be informed of it.

The PRESIDENT: Does the Senator from Kennebec, (Senator Viles), wish to make a motion, which would be a rather novel one, that after engrossing, the bill lie upon the table in the Senate, or would the Senator be satisfied to allow the bill to take its usual course at this time and be later recalled for amending, which would be the better procedure?

Mr. VILES: The latter procedure would be entirely satisfactory, Mr. President.

Thereupon the bill as amended by House Amendment "A" and House Amendment "B" was passed to be engrossed in concurrence.

On motion by Mr. Weeks of Somerset,

Recessed, until eight o'clock this evening.

#### After Recess

Senate called to order by the President.

From the House, out of order:

The Majority of the Committee on Temperance on Bill "An Act relating to advertising of liquors for sale" (H. P. 4, L. D. 2) reported that the same ought to pass.

(Signed)

Senators—Bissett, McDonald, Farnsworth.

Representatives—Carter, Hobbs, Littlefield, Stover, Bucknam, Leathers.

The Minority of the same Committee on the same Bill reported that the same ought not to pass.

(Signed)

Representative Tompkins.

In the House the Majority report accepted, and the bill given its three several readings and passed to be engrossed under suspension of rules.

In the Senate, on motion by Mr. Bissett of Cumberland, the Majority Report of the Committee "ought to pass" was accepted in concurrence; the bill was given its two several readings under suspension of the rules and passed to be engrossed in concurrence.

From the House, out of order:

Ordered, the House concurring, that a fountain pen be furnished to each member and officer of the House and Senate.

(In the Senate, having been passed earlier in today's session).

Comes from the House, having failed of passage.

In the Senate, on motion by Mr. Littlefield of York, that body voted to recede and concur with the House.

#### Report of Committee

(Out of Order)

Mr. Farnsworth for the Committee on Temperance on Petition signed by Percy A. Hasty of Dexter and 5,000 other citizens of the State in favor of liquor being sold through Licensed Package Goods Stores. (S. P. 5) reported that the same be placed on file.

Which report was read and accepted.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset,

Recessed until 9 o'clock this evening.

#### After Recess

The Senate was called to order by the President.

Mr. SCHNURLE of Cumberland: Mr. President, I rise to a point of personal privilege.

The PRESIDENT: The Senator may state his point.

Mr. SCHNURLE: Mr. President, it is a great honor to be elected to this body but beyond the honor I consider that it gives a man a great many privileges, among those, personal privilege. I think it is a privilege for me to be allowed to associate with men of the calibre and standing of the members of this Senate. I have been associated with some of them very closely in some things. I have watched many of them very carefully in some of their doings, but there is one man in particular that I have been amazed at.

I have watched this man at work and watched him at play and I have marveled at his ability—athletic and otherwise. I have laughed at his ready wit and homely but telling philosophy—and above all things have I admired his stamina and apparent youth. As I have watched him gamboling in the Halls and Corridors of the Augusta House where he maintains his bowling alley, I have come to the conclusion

that at some time in his life he has quaffed from the cool depths of that fountain so much sought by men of maturing years, that fountain to which go the halt, the blind and the lame ducks, seeking to renew those lagging and dormant senses that the toll of the passing years has so materially changed. It is to the fountain of youth that I have been referring, and I only wish that it lay within the power of this honorable body to present to this most honorable member the complete fountain, drinking glass and all. But alas—the Senate has no such broad powers—in fact at times I question whether it has power at all. It is, however, with a feeling that I have been signally honored in being asked to present to this member a fountain. To be sure, not a fountain from which will come babbling those crystal pure waters of perpetual life and youth, but instead there will issue therefrom a smooth, rhythmic flow of fluid of an indigo hue.

Ed, your fellow members, with the deep feeling of fellowship and friendship, of loving care and tenderness, that they have always shown toward you, desire to present you in these closing days of

your long and somewhat questionable career, this fountain pen, and with it enough money to buy you plenty of ink to last out your eternal life.

Mr. LITTLEFIELD of York: Mr. President, and fellow members of the Senate, I certainly appreciate this and I had no thought of it, and as a matter of fact I cannot properly express myself. Now that is really a fact. I have been here for twelve years and I don't know that I have made an enemy in either end of this capitol, and I hope I haven't, but I do know that I have made a lot of as good friends as anybody could make in the State of Maine. I certainly appreciate this pen. I don't care if that is all gold in there; I wouldn't sell this pen for that amount of gold. I thank you, gentlemen.

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The PRESIDENT: Is there any further business to come before the Senate this evening?

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On motion by Mr. Weeks of Somerset,

Adjourned, until tomorrow morning at ten o'clock.