

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 2, 1935.

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the Eighty-seventh Legislature convened in the Senate Chamber and were called to order by Royden V. Brown, Secretary of the Senate of the Eighty-sixth Legislature.

Prayer was offered by Rev. Herbert E. P. Pressey of Augusta.

Communication from the Secretary of State,

STATE OF MAINE

Office of the Secretary of State,
To Royden V. Brown, Secretary of the Senate of the Eighty-sixth Legislature:

In compliance with Section 36, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Eighty-seventh Legislature, as appears by the report of the Governor and Council under date of October 3, 1934.

First Senatorial District—Elmer H. Billings of North Berwick, Eugene C. Carll of Buxton, John D. Fernald of Saco.

Second Senatorial District—William Bissett of Portland, Franz U. Burkett of Portland, Max L. Pinansky of Portland, Harold F. Schnurle of Cape Elizabeth.

Third Senatorial District—Alton Bartlett of Hanover, Burton W. Goodwin of Mexico.

Fourth Senatorial District—Lewis W. Haskell Jr., of Auburn, Elwood P. Weeks of Lewiston, Walter C. Winn of Lisbon.

Fifth Senatorial District—John F. Blanchard of Wilton.

Sixth Senatorial District—N. Gratz Jackson of Bath.

Seventh Senatorial District—Thomas H. Bodge of Augusta, Leroy F. Hussey of Augusta, Ralph B. Pillsbury of Benton.

Eighth Senatorial District—Francis H. Friend of Skowhegan, Harold E. Weeks of Fairfield.

Ninth Senatorial District—William R. L. Hathaway of Milo.

Tenth Senatorial District—Marion E. Martin of Bangor, Frank A. Potter of Bangor, Frank A. Thatcher of Bangor.

Eleventh Senatorial District—George A. Cowan of Damariscotta.

Twelfth Senatorial District—Fred E. Burkett of Union.

Thirteenth Senatorial District—

Roy Lynde Fernald of Winterport.

Fourteenth Senatorial District—C. Carroll Blaisdell of Franklin, George Harmon of Bar Harbor.

Fifteenth Senatorial District—John A. McDonald of East Machias, Homer F. Worcester of Jonesport.

Sixteenth Senatorial District—George F. Ashby of Fort Fairfield, J. Frederic Burns of Houlton, Harvey A. Tompkins of Bridgewater.

In Testimony Whereof, I have caused the seal of the State to be herewith affixed at Augusta, this 2nd day of January, A. D. 1935, of the Independence of the United States of America, the one hundred and fifty-ninth.

(Seal) **ROBINSON C. TOBEY,**
Secretary of State.

Which was read and placed on file.

Roll Call

The roll being called the following Senators-elect responded to their names:

Ashby, Bartlett, Billings, Bissett, Blaisdell, Blanchard, Bodge, Burkett of Cumberland, Burkett of Knox, Burns, Carll, Cowan, Fernald of Waldo, Fernald of York, Friend, Goodwin, Harmon, Hathaway, Hussey, Jackson, Martin, McDonald, Pillsbury, Pinansky, Potter, Schnurle, Thatcher, Tompkins, Weeks of Somerset, Winn and Worcester.

Thirty-one Senators-elect answering to the roll call the Secretary declared that a quorum was present.

On motion by Miss Martin of Penobscot,

That Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect to the Eighty-seventh legislature was present in the Senate chamber ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently Miss Martin reported that she had delivered the message with which she was charged and the Governor was pleased to reply that he will attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Senators Take Oath

Thereupon the Governor, the Honorable Louis J. Brann attended

by the Executive Council came in before whom the Senators-elect took and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew.

On motion by Mr. Friend of Somerset Senators Friend of Somerset, Fernald of Waldo and Bodge of Kennebec were appointed a committee to receive, sort and count votes for President of the Senate.

Having attended to this duty Mr. Friend for the committee reported as follows:

Whole number of votes cast 31.
Necessary for a choice 16.

Harold E. Weeks had 21; John A. McDonald had 10.

Which report was read and accepted and the Secretary declared the Honorable Harold E. Weeks duly elected President of the Senate of the Eighty-seventh Legislature.

Mr. Weeks was escorted to the chair by Mr. Blaisdell of Hancock and thereupon addressed the Senate as follows:

The PRESIDENT: Members of the Eighty-seventh Legislature, it is impossible by mere words for me to express to you the extreme satisfaction and pleasure which you have given me this morning by electing me to this most exalted position. It is of personal satisfaction to me, especially because of the fact that over a period of thirty years I have served not only in the highest position, now, which the Legislature affords, but also in its humblest position.

In accepting the great responsibility which you have placed upon me I know that I do not now represent any individual in the State of Maine or any particular party, creed or faction. I am here for the purpose of acting for the interests of every individual in the State of Maine and for the interests of each and every one of you as individuals.

In carrying out the duties of this office I ask your cooperation. I know that I will make mistakes because I am only human as are the rest of us, but I want you to know and feel that when I do make a mistake it will be a mistake in mind and thought rather than in heart.

Again thanking you for this extreme honor which you have given me, I await your pleasure.

On motion by Mr. Burkett of Cumberland, the Senate voted that a committee be appointed to receive, sort and count votes for Secretary of the Senate.

On motion by Mr. McDonald of Washington, the Senator from Piscataquis, Senator Hathaway, was authorized to cast one ballot on the part of the Senate in favor of Royden V. Brown for Secretary of the Senate.

This was done and Royden V. Brown of Skowhegan, was declared duly elected Secretary of the Senate for the political years 1935 and 1936.

At the request of the President Mr. Burkett of Cumberland escorted the Secretary-elect to the Council chamber for the purpose of taking and subscribing the necessary oaths of office to qualify him to enter upon the discharge of his official duties.

Subsequently Mr. Burkett reported to the Senate that he had attended to the duty assigned him, and that Royden V. Brown had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the discharge of the duties of the Secretary of the Senate.

On motion by Mr. Jackson of Sagadahoc, the Senate voted that a committee be appointed to receive, sort and count votes for Assistant Secretary of the Senate.

On motion by Mr. McDonald of Washington, the Senator from Waldo, Senator Fernald, was authorized to cast one ballot on the part of the Senate in favor of Chester T. Winslow for Assistant-Secretary of the Senate. This was done and Chester T. Winslow of Raymond was declared duly elected Assistant-Secretary of the Senate for the political years 1935 and 1936.

Mr. Winslow subsequently appeared before George W. Leadbetter, Esq., authorized Dedimus Potestatem and took and subscribed the oaths of office.

On motion by Mr. Hathaway of Piscataquis, the Senate voted that a committee be appointed to receive, sort and count votes for Sergeant at Arms of the Senate.

On motion by Mr. McDonald of Washington, the Senator from Oxford, Senator Bartlett, was authorized to cast one ballot on the part of the Senate in favor of Melten H. Tryon for Sergeant at Arms of the Senate.

This was done and Mellen H. Tryon of Pownal was declared duly elected Sergeant at Arms of the Senate for the political years 1935 and 1936.

On motion by Mr. McDonald of Washington, the Senator from Aroostook, Senator Ashby, was authorized to cast one ballot on the part of the Senate in favor of Louis R. Fowler for Assistant Sergeant at Arms, John K. Forhan for Postmaster, Waldo H. Clark for Doorkeeper, Roy S. Humphrey for Page and Harlan Wadleigh for Page.

This was done and the above were declared duly elected to their several offices for the political years 1935 and 1936.

On motion by Mr. Burkett of Cumberland that Senator was charged with a message to the House of Representatives, informing that body that the Senate had organized by the choice of the Honorable Harold E. Weeks as President, Royden V. Brown as Secretary and Chester T Winslow as Assistant Secretary.

That Senator retired and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Blaisdell of Hancock that Senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of the Honorable Harold E. Weeks as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

That Senator retired and subsequently reported that he had delivered the message with which he was charged.

Communication from the Department of State transmitting the Senatorial vote.

State of Maine

Office of the Secretary of State
Augusta, Maine, January 2, 1935.

To the President of the Senate:

I have the honor herewith to transmit the returns of votes given by the several cities, towns and plantations in this State on the 2nd Monday in September last, for State Senators.

Respectfully,

(Signed) ROBINSON C. TOBEY,
Secretary of State.

Which was read and on motion by Mr. Burns of Aroostook was referred to the Committee on Senatorial Vote.

Orders

On motion by Mr. Ashby of Aroostook, it was

ORDERED, that the Secretary of the Senate be directed to invite clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate.

On motion by Mr. Burkett of Cumberland, it was

ORDERED, that the State Librarian be directed to provide each officer and member of the Senate with a copy of the Acts and Resolves of the Eighty-sixth Legislature.

On motion by Mr. Bissett of Cumberland, it was

ORDERED, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years of 1935 and 1936 shall be referred for examination and report.

The President appointed

Senators Bissett of Cumberland, Pinansky of Cumberland, Blanchard of Franklin, Burkett of Knox, Carll of York, Worcester of Washington, Goodwin of Oxford.

On motion by Mr. Tompkins of Aroostook, it was

ORDERED, that the Official Reporter of the Senate be authorized to procure the services of a type-writing operator during the present session at an expense not exceeding \$400; also an assistant reporter at an expense not exceeding \$700; for the preparation and completion of the Legislative record.

On motion by Mr. Burns of Aroostook, it was

ORDERED, that the Secretary of the Senate be authorized to secure the services of three stenographers for the present session; one for the office of the President and two for the office of the Secretary.

On motion by Mr. Pinansky of Cumberland, it was

ORDERED, that the Secretary of the Senate prepare and have printed 150 diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Fernald of Waldo, it was

ORDERED, that \$1000 be made available to change the upholstery in the Senate Chamber, and the drapery back of the President's chair, so that it will properly match the carpet; this to be carried out under the direction of the Secretary of the Senate.

On motion by Mr. Schnurle of Cumberland, it was

ORDERED, that the Secretary of the Senate purchase such stationery, office supplies and equipment as may be needed to carry on the business of the Senate.

On motion by Mr. Blanchard of Franklin, it was

ORDERED, that the rules and orders of the Senate of the Eighty-sixth Legislature be the rules and orders of this Senate.

On motion by Mr. Blaisdell of Hancock, it was

ORDERED, that the Secretary of State be directed to furnish for the use of the Senate, four copies of the Revised Statutes, of the State, one copy each of the Holy Bible, Webster's International Dictionary, Bouvier's Dictionary and Reed's Parliamentary Rules.

On motion by Mr. Harmon of Hancock, it was

ORDERED, that Charles P. Lyford of Augusta be appointed Official Reporter of the Senate with the same compensation as paid at the last regular session of the Legislature.

On motion by Mr. Bodge of Kennebec, it was

ORDERED, that the Senate hold one session a day commencing at ten o'clock in the forenoon until otherwise ordered.

On motion by Mr. Pillsbury of Kennebec, it was

ORDERED, that the President of the Senate be authorized to appoint a Folder for the Senate.

Subsequently, the President appointed Wallace Jewell as Folder.

On motion by Mr. Bartlett of Oxford, it was

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

On motion by Mr. Pillsbury of Kennebec, it was

ORDERED, the House concurring,

that A. G. Robinson be State House Investigator during the present session of the Legislature at the same rate of compensation paid Mr. Robinson during the last session, the same to be charged to Legislative expense.

Sent down for concurrence.

On motion by Mr. Hathaway of Piscataquis, it was

ORDERED, the House concurring, that the Joint Rules and Orders of the Eighty-sixth Legislature be the Joint Rules and Orders of this Legislature. (S. P. 1)

Sent down for concurrence.

At this point a message was received from the House of Representatives, informing the Senate that that Branch had organized by the choice of Hon. Nathaniel Tompkins of Houlton as Speaker, Harvey R. Pease as Clerk, and Earl L. Wing as Assistant Clerk.

On motion by Mr. Winn of Androscoggin, it was

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register, and that 5000 copies be printed for the use of the Legislature. (S. P. 2)

Sent down for concurrence.

Mr. Fernald of Waldo presented the following order and moved its passage:

ORDERED, the House concurring, that a Committee on Social Welfare be created.

Mr. BLAISDELL of Hancock. Mr. President, for the purpose of having an opportunity to think the matter over and of learning just what is meant by the order, I move that it lie upon the table.

The motion to table prevailed.

Mr. Bartlett of Oxford presented the following order and moved its passage:

ORDERED, the House concurring, that free telephone service be provided for each member of the Senate and House to the number of twenty-five calls, of reasonable duration, from Augusta to points within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified to by the Secretary of State or his deputy; the cost of this service to be paid to the New England Telephone and Telegraph

Company at regular tariff rates. (S. P. 3)

On motion by Mr. Schnurle of Cumberland the order was laid upon the table.

On motion by Mr. Goodwin of Oxford, it was

ORDERED, the House concurring, that all matters pertaining to printing, binding, advertising, committee record binders, paper supplies and rubber stamps be referred to the Superintendent of Public Printing who shall direct the handling of such matters. (S. P. 4)

Sent down for concurrence.

On motion of Mr. Cowan of Lincoln, it was

ORDERED, the House concurring, that the Secretary of State be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House not exceeding \$5.00 in amount each for the purpose of distributing the various reports as they may desire to mail to the citizens of the State. (S. P. 5)

Sent down for concurrence.

On motion by Mr. Winn of Androscoggin, it was

ORDERED, that the Secretary of the Senate be directed to furnish each member and officer of the Senate during the present session with three daily newspapers printed in the State, as each member and officer may select.

On motion of Mr. Thatcher of Penobscot, it was

ORDERED, the House concurring, that no bill for private or special legislation be received by this legislature after four o'clock in the afternoon on Thursday, January 31, 1935 except by unanimous consent in the body in which it is introduced and further,

That any bill for private or special legislation which shall be received in either body of this legislature by unanimous consent after four o'clock in the afternoon on Thursday, January 31, 1935 shall be referred to the Eighty-eighth Legislature if unanimous consent for its reception is not given in the other body in concurrence, and further

That the Secretary of the Senate cause a copy of the above orders to be published in all the daily and weekly papers of the State, commencing January 10, 1935, and con-

tinuing up to and including January 31, 1935. (S. P. 6)

Sent down for concurrence.

On motion by Mr. Fernald of Waldo, it was

ORDERED, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1935 and 1936 be referred to a joint select committee of seven on the part of the Senate with such as the House may join. (S. P. 7)

Sent down for concurrence.

The President appointed as Senate members of this Committee:

Senators Fernald of Waldo, Thatcher of Penobscot, Cowan of Lincoln, Hathaway of Piscataquis, Weeks of Androscoggin, Haskell of Androscoggin, Bartlett of Oxford.

On motion of Mr. Carll of York, it was

ORDERED, the House concurring, that three hundred and fifty copies of the Legislative Record for the session of 1935 be printed and bound, one copy each for the members of the Senate, House of Representatives, and the Secretary of Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and be it further

ORDERED, that three hundred and fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the legislature and the departments, under the direction of the Document Clerk, and be it further

ORDERED, that a suitable index be prepared for such Legislative Record under the direction of the State Librarian, at an expense not exceeding five hundred dollars (\$500). (S. P. 8)

Sent down for concurrence.

On motion by Mr. Billings of York, it was

ORDERED, the House concurring, that the Bureau of Purchases be directed to furnish to the Supt. of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to legislative expense. (S. P. 9)

Sent down for concurrence.

On motion by Mr. Fernald of York, it was

ORDERED, the House concurring,

that the members and officers of the legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding five dollars for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department and the unexpended balance at the close of the year 1935 shall be available for use in 1937. (S. P. 10)

Sent down for concurrence.

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

Ordered, the House concurring, that each member and officer of the legislature be furnished with a fountain pen. (S. P. 11)

On motion by Mr. Hussey of Kennebec, the order was laid upon the table.

On motion by Mr. McDonald of Washington, it was

ORDERED, the House concurring, that no bill or resolve be received by this legislature after four o'clock in the afternoon on Thursday, February 7, 1935, except by unanimous consent in the body in which it is introduced, and further,

ORDERED, that any bill or resolve which shall be received in either body of this legislature by unanimous consent after four o'clock in the afternoon on Thursday, February 7, 1935, shall be referred to the Eighty-eighth Legislature if unanimous consent for its reception is not given in the other body in concurrence. These orders shall not apply to bills reported by any joint standing or joint select committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Eighty-seventh Legislature; and be it further

ORDERED, that the Secretary of the Senate cause a copy of the above orders to be published in all the daily and weekly papers of the state, commencing January 9, 1935 and continuing up to and including January 31, 1935. (S. P. 12)

Sent down for concurrence.

On motion by Mr. Potter of Penobscot, it was

ORDERED, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hear-

ings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing, forty-eight hours previous to the time when said rooms are to be used for that purpose. (S. P. 13)

Sent down for concurrence.

On motion by Mr. Blaisdell of Hancock,

Recessed until two o'clock P. M.

AFTER RECESS

The Senate was called to order by the President.

On motion by Mr. Bissett of Cumberland, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature forthwith in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, Attorney General, and seven Executive Councillors.

The Secretary delivered the message.

Subsequently a message was received from the House of Representatives by Mr. Pease its Clerk, announcing that that branch concurred in the proposition of the Senate for a Joint Convention for the purpose of electing a Secretary of State, Treasurer of State, Attorney General and seven Executive Councillors.

Thereupon the Senate retired to the Hall of the House of Representatives, where a Joint Convention was formed.

(For proceedings in Joint Convention see House Report.)

IN THE SENATE

The Senate was called to order by the President.

On motion by Mr. Fernald of Waldo, it was

Ordered, that the use of the Senate Chamber be granted to the Maine State Bar Association for the afternoon of Wednesday, January 9, 1935.

The PRESIDENT: The Chair wishes to inform the Senate that the Senator from Androscoggin, Senator Haskell, who was absent this morning has taken and subscribed the oath of office required by the Constitution.

Orders of the Day

On motion by Mr. Hussey of Kennebec, the Senate voted to reconsider its action taken earlier in today's session whereby it was ordered that one thousand dollars be made available to change the upholstery in the Senate Chamber; and on further motion by the same Senator the order was laid upon the table pending passage.

On motion by Mr. Schnurle of Cumberland, the Senate voted to take from the table, Joint Order relative to free telephone service, tabled by that Senator earlier in today's session pending passage.

Thereupon, that Senator offered the following amendment and moved its adoption:

"That the order be amended by

striking out the words 'twenty-five' and including in their place the word 'fifty'."

The amendment was adopted and on further motion by the same Senator the order as so amended received passage.

Sent down for concurrence.

On motion by Mr. Hussey of Kennebec, the Senate voted to take from the table, order relative to fountain pens, tabled earlier in today's session by that Senator pending passage; and on further motion by the same Senator the order was indefinitely postponed.

On motion by Miss Martin of Penobscot,

Adjourned, until tomorrow morning at ten o'clock.