

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, January 6, 1937.

In convention of the members-elect of the Eighty-eighth Legislature.

This day being the day designated by the Constitution of the State for the meeting of the Eighty-eighth Legislature, the members-elect of the House of Representatives assembled in the hall of the House of Representatives at ten o'clock A. M., and were called to order by Harvey R. Pease, Clerk of the House of 1935.

Prayer was offered by the Rev. Mr. Gessner of Augusta.

A communication was received from the Secretary of State transmitting a certified roll of the Representatives-elect of the Eighty-eighth Legislature.

A call of the roll by the Clerk disclosed the presence of a quorum.

Communication

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

To Harvey R. Pease, Clerk of the House of Representatives of the Eighty-seventh Legislature:

In compliance with Section 36 of Chapter 2 of the Revised Statutes, I beg to report that a vacancy exists in the representation from the following representative class:

Towns of Dover-Foxcroft and Sangerville, caused by the death of Honorable Harvey R. Williams of Dover-Foxcroft.

The Governor by his Writ of Election has called a Special Election to be held Monday, January 11, 1937, to fill this vacancy.

Respectfully,

(Signed) LEWIS O. BARROWS,
Secretary of State.

On motion by Mr. Weatherbee of Lincoln, that gentleman and Messrs. Coolidge of Livermore, Martin of Oakland, Emery of Bucksport, Howes of Charleston, Bates of Patten, and Donahue of Biddeford, were appointed a committee to wait upon the Governor and inform him that a quorum of the members-elect of the House of Representatives had assembled in the hall of the House

of Representatives, and to request his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Mr. Weatherbee subsequently reported that the committee had discharged the duty assigned it, and that the Governor was pleased to say that he would forthwith attend upon the Representatives-elect for the purpose of administering to them the oaths required by the Constitution.

The report of the committee was accepted.

Thereupon, the Governor, attended by his Council, came in and administered to the members-elect, and they subscribed, the oaths required by the Constitution to qualify them to discharge their official duties.

Governor Brann then addressed the House as follows:

I desire to extend to you, the very distinguished membership of this House now convening for the first time, a very warm and cordial welcome to the capital city; and may I express to you the hope, and I think the expectation, that your deliberations here during the current winter will be most happy and most profitable to the State of Maine. It has been the custom that has obtained here in Maine, for some years at least, for the retiring Chief Executive to deliver a valedictory address. It has seemed to me, after considering the matter at some length, that perhaps good judgment on my part should prompt a breach of that custom instead of its observance, and I have come to that determination, recognizing the fact that the very distinguished citizen of Maine who tomorrow is to be inaugurated as your Governor for the next two years has, in my judgment, the ability and the judgment to properly set out to this Legislature in convention assembled tomorrow, the problems that confront us, not only as a Legislature, but as a State.

I think I recognize, through association with many of you during the past four years and from the reputation of those whom I do not have the pleasure of having worked with, that we have this year assembled here at Augusta in both branches of the Legislature very forthright and very able citizens of Maine,

selected by the citizens to represent them here in their respective senatorial and legislative districts; and so it has seemed to me that the matter of the enunciation of the condition of the affairs of the State should very properly be left to that distinguished man who is to administer the affairs of government during the next two years.

In conclusion I do want to extend to you my thanks for the kindness and courtesy extended to me during the four years in perhaps a very trying service as Chief Executive of Maine. And may I finally extend to you a cordial welcome to the capital city and my hope and expectation that your deliberations here at the conclusion of your session will prove to have been in the interests of the citizens of Maine and will meet with their very warm approbation. And so, my friends, I wish you good-morning. (Applause)

Thereupon the Governor, attended by the Council, retired from the hall of the House.

On motion by Mr. Flanders of Auburn, that gentleman and Messrs. Story of Washburn, Newton of Readfield, Noyes of Franklin, Bird of Rockland, Payson of Portland and Burgess of Rumford, were appointed a committee to receive, sort and count votes for Speaker of the House.

One hundred and forty-six ballots were cast; necessary for a choice 74; George E. Hill had 122 and William P. Donahue had 24; and George E. Hill was declared duly elected Speaker of the House of Representatives of the Eighty-eighth Legislature.

Mr. Donahue of Biddeford, thereupon escorted Speaker Hill to the Chair amid the applause of the House, the members rising.

Speaker Hill then addressed the House as follows:

Members of the House of Representatives of the Eighty - eighth Legislature of Maine:

No one could be chosen to the high and honorable office to which you have elected me without a profound appreciation for the confidence you have thus expressed. I thank you very sincerely and I hope that my appreciation may become more manifest in the constant effort I shall make to conduct the office of Speaker with fairness, with firmness, with integrity and with

such measure of ability as may lie at my command.

For the benefit of all, and to the end that we may here perform with order, efficiency and dignity the legislative functions of the State, it becomes necessary that we proceed in accordance with the established principles of parliamentary procedure and in conformity with such special rules as the House may adopt to govern its deliberations. To require a reasonable compliance with those rules is a duty enjoined upon the Speaker. To that end I pledge my earnest endeavor and I invite your continued cooperation.

We shall, in this Legislature, be confronted with very real problems of state-craft. They will constitute a challenge for intensive study, for constructive thought, for free debate within the rules of order, and for the exercise of that sagacity, courage and integrity for which the sons and daughters of Maine have long been known. I have every confidence in the membership of this Legislature and I know that challenge will be duly met.

In the progress of the session you will be frequently confronted by bills in which a direct interest is shown only by particular groups who chance to be immediately concerned. But let us never become unmindful of the broader interests of the people as a whole who may be indirectly but none the less vitally affected. Do not be led into unwise legislation simply by the fact that the particular proponents and opponents of a measure have been brought to an agreement. The contemplated legislation may, by compromise, be rendered satisfactory to them and yet be of detrimental and far-reaching consequence to the great silent majority of our people. As vigilant guardians of that silent majority the opportunity is yours to render distinguished service.

In us as trustees for the people are vested the legislative powers of the State. Let us at all times remember that those powers are very definitely subject to limitations imposed by the people themselves and expressed in the constitutions of our State and of the Nation. Ever mindful of the solemn oaths we have just subscribed, let us be alert to keep within those limitations; for when we exceed them we do that which we were never elected to do, we perform that which we have no authority to perform, and we

work destruction to that which it is our sworn duty to preserve.

It is my hope that in our labors here together we may be tolerant each of the other's point of view, remembering that we debate measures, not men. Let us work in harmony together, animated by a common purpose and united in a common cause, to contribute to the full extent of our ability to the welfare and happiness of all within the borders of this, our beloved State of Maine.

The SPEAKER: The Chair awaits the pleasure of the House.

On motion by Mr. Ellis of Rangeley, that gentleman and Messrs. Palmer of Island Falls, Haskell of Windham, Elliot of Thomaston, Woodbury of Morrill, Haley of South Bristol and Maheu of Waterville, were appointed a committee to receive, sort and count votes for Clerk of the House.

Mr. DONAHUE of Biddeford: Mr. Speaker, as I understand it, there is only one candidate for the office of Clerk of the House. In view of the efficient service of Harvey Pease to the members of the last Legislature and his qualifications to faithfully fulfill that office, I move that the committee be instructed to cast one ballot for Harvey R. Pease for Clerk of the House.

The motion prevailed and the chairman of the committee cast one ballot for Harvey R. Pease of Wiscasset, as Clerk of the House, and he was declared duly elected Clerk of the House of the Eighty-eighth Legislature.

On motion by Mr. Sleeper of Rockland, that gentleman and Messrs. Mosher of Farmington, Chase of Baring, Parsons of Hartford, Paul of Portland, Miss Church of Stockton Springs, and Mrs. Latno of Old Town, were appointed a committee to receive, sort and count votes for Assistant Clerk of the House.

Mr. DONAHUE of Biddeford: Mr. Speaker, I believe that we all recognize that Earl L. Wing of Kingfield, is well qualified to perform the duties of Assistant Clerk of the House. I therefore move that the committee be instructed to cast one vote for Earl L. Wing of Kingfield, as Assistant Clerk of the House.

The motion prevailed and the chairman of the committee cast one

ballot for Earl L. Wing of Kingfield as Assistant Clerk of the House and he was declared duly elected Assistant Clerk of the House of the Eighty-eighth Legislature.

At this point a message was received from the Senate, through Senator Sewall of Sagadahoc, informing the House that the Senate had been duly organized by the selection of Honorable J. Frederic Burns as President, Honorable Royden V. Brown as Secretary, and Chester T. Winslow, as Assistant Secretary.

On motion by Mr. Philbrick of Cape Elizabeth, that gentleman, Mrs. Currier of Bangor, and Messrs. Dow of Jay, Fernald of Levant, Murchie of Calais, Dow of Kennebunkport, and Tabbut of Columbia Falls, were appointed a committee to notify the Governor of the organization of the House by the election of Honorable George E. Hill as Speaker, Harvey R. Pease as Clerk, and Earl L. Wing as Assistant Clerk.

Mr. Philbrick subsequently reported that the committee had discharged the duty assigned it.

The same information was conveyed to the Senate by Mr. Varney of Berwick.

On motion by Mr. Allan of Portland, duly passed, that gentleman conducted the Clerk and Assistant Clerk to the Governor to take and subscribe the oaths necessary to qualify them to enter upon the discharge of their official duties, and that gentleman subsequently reported that he had discharged the duty assigned him and that the Clerk and Assistant Clerk had taken and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Thereupon, Harvey R. Pease, Clerk, and Earl L. Wing, Assistant Clerk, appeared and entered upon the discharge of their official duties.

Orders

On motion by Mr. Donahue of Biddeford, it was

Ordered, that Frank H. Treworgy of East Surry, be Sergeant-at-arms; Daniel H. Foley of Winterport, be Assistant Sergeant-at-arms; James E. Harvey of Readfield, be Document Clerk; George C. Hunter of Houlton, be Doorkeeper; and that

E. Earl Brown, Jr., of Bangor, and Richard Faulkinham of Winn, be Pages.

On motion by Mr. Dorr of Mexico, it was

Ordered, that the Secretary of State be and is hereby authorized and directed to furnish each member and officer of the House of Representatives with one copy of the revised statutes.

On motion by Mr. Flanders of Auburn, it was

Ordered, that the official reporter of the House be authorized to procure the services of a typist and proof-reader during the present session for the preparation and completion of the Legislative Record.

On motion by Mr. Ayer of Union, it was

Ordered, that the Clerk of the House purchase such stationery, office supplies and equipment as may be needed to carry on the business of the House.

On motion by Mr. Ellis of Castle Hill, it was

Ordered, that the Clerk of the House be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the House during the present session.

On motion by Mr. Stilphen of Dresden, it was

Ordered, that the Secretary of State be authorized and directed to furnish the Clerk of the House with three copies of the Revised Statutes of 1930, and three copies of the Public Laws of the regular and special sessions subsequent thereto.

On motion by Mr. Higgins of Ellsworth, it was

Ordered, that the Clerk of the House be directed to secure uniforms for the House officers.

On motion by Mr. Cambridge of Westfield, it was

Ordered, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal of the House, said copy to be on the desk of each member at the opening of each daily session.

Mr. Goss of Poland, presented the following order and moved its passage:

Ordered, that each member and officer of the House be furnished with one copy each of three daily newspapers published in the State, to be selected by them.

Mr. WEBBER of Auburn: Mr. Speaker, it does not seem to me that there is any necessity for the members to have three daily papers. Four years ago each member had one and got along very nicely. It seems to me it is a waste of money and that this is no time to waste money. If the gentleman from Poland (Mr. Goss) would change his motion, it would be very agreeable to me.

Mr. POULIN of Biddeford: Mr. Speaker, I believe that we should be furnished with three copies from the press. In the first place, we always want our home paper, in the second place we want one of our most cherished papers in the State, and in the next place we want one of the official papers of the proceedings of the State of Maine, namely, the Kennebec Journal. Therefore I am heartily in favor of receiving three papers, and I hope that the order presented by the gentleman from Poland, Mr. Goss, will receive passage.

The SPEAKER: Is the House ready for the question?

A viva voce vote being taken, the order received passage.

On motion by Mr. Carleton of Alna, it was

Ordered, that the Clerk of the House be directed to maintain in his office an alphabetical index of all matters before the Legislature, and a legislative docket showing all action taken on all matters before the Legislature; the necessary additional clerical assistance to be employed by the Clerk with the approval of the Speaker.

On motion by Mr. Weatherbee of Lincoln, it was

Ordered that the Speaker be authorized to appoint a Messenger whose compensation shall not exceed that of the Pages.

On motion by Mr. Hammond of Strong, it was

Ordered, that the rules of the last House of Representatives be adopted for the government of this House until otherwise ordered.

On motion by Mr. Higgins of Ellsworth, it was

Ordered, that Cecil Clay of Belfast, be the Official Reporter of the House for the present session.

On motion by Mr. Richardson of South Portland, it was

Ordered, that each adjournment of the House be until ten o'clock of the following morning unless otherwise voted.

**COMMUNICATION FROM THE
SECRETARY OF STATE
STATE OF MAINE**

Office of the Secretary of State

Augusta, Maine,
January 6, 1937.

To the Speaker of the House of Representatives:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of votes cast for Representatives to the Legislature in the several cities, towns and plantations in the State of Maine at the general election held on September 14th, A. D. 1936.

Respectfully,

(Signed)

LEWIS O. BARROWS,
Secretary of State.

On motion by Mr. Flanders of Auburn, the communication and accompanying returns were tabled pending reference to a committee.

**PAPERS FROM THE SENATE
RECEIVED OUT OF ORDER**

From the Senate: S. P. 11, 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 1937 shall be available for use in 1939.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 10. Ordered, the House concurring, that the Bureau of Purchases be di-

rected to furnish to the Superintendent of Public Printing postage on all correspondence relative to advertising committee hearings during the present session, the same to be charged to legislative expense.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 2, Ordered, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that five thousand copies be printed for the use of the Legislature.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 3, Ordered, the House concurring, that free telephone service be provided for each member of the Senate and House to the number of fifty 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.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 4, Ordered, the House concurring, that all matters pertaining to 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.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 5. Ordered, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 6, 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 five dollars in amount, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

From the Senate: S. P. 9, Ordered, the House concurring, that three hundred and fifty copies of the Legislative Record for the session of 1937 be printed and bound, one copy each for the members of the Senate, House of Representatives, and the Secretary of the 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 (\$500.00).

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

Mr. PHILBRICK of Cape Elizabeth: Mr. Speaker, I move that any members of this House who are hard of hearing be permitted to choose their seats at this time provided they proceed immediately to the Clerk's desk and give their names, and after that is done the lay members of the House be allowed to choose their seats.

The motion prevailed.

From the Senate:

COMMUNICATION
STATE OF MAINE
DEPARTMENT OF STATE

Augusta, January 6, 1937.

To the President of the Senate and to the Speaker of the House of Representatives of the Eighty-eighth Legislature of the State of Maine:

In compliance with the Constitution and Laws of the State of Maine I have the honor to herewith transmit the returns of the vote cast for Governor in the several cities, towns and plantations in the State of Maine at the general election held on September 14, A. D. 1936.

Respectfully,

(Signed) LEWIS O. BARROWS,
Secretary of State.

Comes from the Senate, referred to the Joint Select Committee on Gubernatorial Vote.

In the House, the communication and accompanying returns were referred to the Joint Select Committee on Gubernatorial Vote in concurrence.

From the Senate: S. P. 8, 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 of 1937 and 1938, be referred to a Joint Select Committee of seven on the part of the Senate with such as the House may join.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence, and the Speaker appointed as members on the part of the House Representatives Churchill of Brewer, Story of Washburn, Sleeper of Rockland, Palmer of Island Falls, Bucknam of Portland, Dow of Norway, and Belanger of Biddeford.

From the Senate: S. P. 14, Ordered, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hearings 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 such rooms are to be used for that purpose.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

On motion by Mr. Sleeper of Rockland, it was voted that the minority floor leader and minority assistant floor leader be permitted to select their seats in the House before the House proceeds with the drawing of seats by the remaining members.

Mr. WEBBER of Auburn: Mr. Speaker, as it has not yet been stated who will be the majority floor leader and the majority assistant floor leader at this session, I would make the motion that the two seats occupied last session by the majority floor leader and the majority assistant floor leader be reserved for the majority floor leader and assistant floor leader to be named at this session.

Mr. McGLAUFILIN of Portland: Mr. Speaker, what would be the situation if that last vote should conflict with the seats that have already been drawn?

The SPEAKER: If the occasion should arise, the Chair would rule on that situation. The Chair understands that the gentleman from Auburn, Mr. Webber, moves that those members who shall draw seats numbered 151 and 152 vacate those seats upon the election of a floor leader and assistant floor leader by the Republican party, and that they be assigned seats 88 and 89 which were the seats reserved for the Republican floor leader and assistant floor leader. Is this the pleasure of the House?

The motion prevailed, and the members of the House proceeded to draw their seats.

On motion by Mr. Hinckley of South Portland, the House recessed until 2.30 this afternoon.

AFTERNOON SESSION

The Speaker in the Chair.

Papers from the Senate, out of order.

From the Senate: S. P. 1, Ordered, the House concurring, that the joint rules and orders of the Eighty-seventh Legislature be the joint rules and orders of this Legislature.

On motion of Mr. Hinman of

Skowhegan, the order was temporarily tabled.

The SPEAKER: Pursuant to the order passed this morning providing for a Messenger, the Chair appoints as such Messenger Horace W. Day.

Order Out of Order

On motion by Mr. Flanders of Auburn, it was

ORDERED, that the use of the hall of the House of Representatives be granted to the Unemployment Compensation Commission on Friday, January 8th, at 10 o'clock A. M. for the purpose of conducting a Civil Service Examination

House at Ease

At this point a communication was received from the Senate, through its Secretary, proposing a Joint Convention of the two branches of the Legislature, to be held in the hall of the House of Representatives forthwith, for the purpose of electing a Secretary of State, Treasurer of State, Attorney General, State Auditor, Commissioner of Agriculture, and seven Executive Councilors.

On motion by Mr. Weatherbee of Lincoln, the House voted to concur with the Senate in the proposition for a Joint Convention, and the Clerk was charged with and conveyed a message to the Senate, informing that body that the House concurred in the proposition for a Joint Convention.

The Clerk of the House was delegated by the Speaker to convey the message to the Senate, and he subsequently reported that he had discharged the duty assigned him.

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

In Convention

The President of the Senate, Hon. J. Frederic Burns, in the Chair.

On motion by Senator Goudy of Cumberland, it was voted to appoint a committee to receive, sort and count votes for Secretary of State.

The Chairman of the Convention thereupon appointed as members of such committee Senators Goudy of Cumberland, Cook of Somerset, Osgood of Oxford, and Representatives Findlen of Fort Fairfield, Bucknam

of Portland, Carleton of Alna, Dwinall of Camden, and Demers of Springvale.

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

Whole number of votes cast, 171; necessary for a choice, 86; Honorable Frederick Robie had 148 and Honorable Peter MacDonald had 23.

The report was accepted and Honorable Frederick Robie, having received a majority of the votes cast, was declared elected Secretary of State for the political years 1937-1938.

On motion by the Senator from Penobscot, Miss Martin, it was voted to appoint a committee to receive, sort and count votes for Treasurer of State.

Thereupon, the Chairman of the Convention appointed as members of such committee, Senators Martin of Penobscot, Hussey of Kennebec, Chase of Piscataquis, and Representatives Eddy of Bangor, Payson of Brooks, Phair of Caswell Plantation, Seabury of Yarmouth, Buker of Bath and Brown of Eagle Lake.

The committee having attended to its duty, Senator Martin, for the committee, reported as follows:

Whole number of votes cast, 176; necessary for a choice 89. Honorable Belmont A. Smith of Bangor, had 152, and Honorable Ralph Cooper of Belfast, had 24.

The report was accepted and Honorable Belmont A. Smith, having received a majority of the votes cast, was declared elected Treasurer of State for the political years 1937-1938.

On motion by Senator Laughlin of Cumberland, it was voted to appoint a committee to receive, sort and count votes for Attorney General.

Thereupon, the Chairman of the Convention appointed as members of that committee Senators Laughlin of Cumberland, Kennedy of Hancock, Fortin of Androscoggin, and Representatives Alden of Auburn, Young of Old Orchard Beach, Melanson of Cherryfield, Allen of Bowdoin, Prince of Harpswell, and Miss Smith of Van Buren.

The committee having attended to its duty, Senator Laughlin, for the committee, reported as follows:

Whole number of votes cast, 176;

necessary for a choice, 89; Honorable Franz U. Burkett received 146, and Honorable Louis B. Lausier, received 301.

The report was accepted and Honorable Franz U. Burkett, having received the majority of all the votes cast, was declared elected Attorney General for the political years 1937-1938.

On motion by Senator Graves of Hancock, it was voted to appoint a committee to receive, sort and count votes for State Auditor.

Thereupon, the Chairman of the Convention appointed upon that committee Senators Graves of Hancock, Potter of Penobscot, Chase of Piscataquis, and Representatives Elliot of Thomaston, Mrs. Currier of Bangor, Messrs. Ellis of Fairfield, Dean of Greenville, Pike of Lubec, and Fergie of Lewiston.

The committee, having attended to the duty assigned it, Senator Graves, for that committee, reported as follows:

Whole number of votes cast, 174; necessary for a choice, 88. Honorable Elbert D. Hayford had 155, and Honorable Arthur J. Matthews had 19.

The report was accepted and Honorable Elbert D. Hayford having received a majority of all the votes cast, was declared elected State Auditor for the political years of 1937-1938.

On motion by Senator Beckett of Washington, it was voted to appoint a committee to receive, sort and count votes for Commissioner of Agriculture.

Thereupon, the Chairman of the Convention appointed upon that committee Senators Beckett of Washington, Deering of York, Ashby of Aroostook, and Representatives Bragdon of Wells, Ayer of Union, Martin of Oakland, Thorne of Madison, Plummer of Lewiston and Poul-in of Biddeford.

The committee, having attended to its duty, Senator Beckett, for the committee, reported as follows:

Whole number of votes cast, 177; necessary for a choice, 88. Honorable Frank W. Washburn had 152, and Honorable McAllister M. Clark had 25.

The report was accepted and Honorable Frank W. Washburn, having received the majority of all the votes cast, was declared elected Commissioner of Agriculture for the

political years 1937-1938-1939 and 1940.

On motion by Senator Hussey of Kennebec, it was voted to appoint a committee to receive, sort and count votes for seven Executive Councilors.

Thereupon, the Chairman of the Convention appointed upon that committee: Senators Hussey of Kennebec, Potter of Penobscot, Malliar of Androscoggin and Representatives Story of Washburn, Haskell of Windham, Dow of Jay, Day of Durham, Ramsey of Winslow and Mrs. Thurston of Bethel.

The committee, having attended to the duty assigned it, Senator Hussey, for that committee, reported as follows:

Whole number of votes cast, 170; necessary for a choice, 86. The nominees, Frederick O. Eaton, Harold F. Schnurle, Frank N. Blanchard, Herbert E. Wadsworth, Percy T. Clarke, Orman B. Fernandez and Andrew J. Beck, had 139 each, and the nominees, Alton Bartlett, John Clark Scates, Simon Luce, Frank E. Mace, James Shea, William Waterhouse, and Ralph K. Wood each had 31 votes.

The report was accepted and Messrs. Frederick O. Eaton, Harold F. Schnurle, Frank N. Blanchard, Herbert E. Wadsworth, Percy T. Clarke, Orman B. Fernandez and Andrew J. Beck were declared elected Executive Councilors for the political years 1937 and 1938.

On motion by Senator Owen of Kennebec, it was

Ordered, that the Secretary be directed to notify Honorable Frederick Robie of his election as Secretary of State, Honorable Belmont A. Smith of his election as Treasurer of State, Honorable Franz U. Burkett of his election as Attorney General, Honorable Elbert D. Hayford of his election as State Auditor, Honorable Frank P. Washburn of his election as Commissioner of Agriculture, and the Honorable Frederick O. Eaton, Harold F. Schnurle, Frank N. Blanchard, Herbert E. Wadsworth, Percy T. Clarke, Orman B. Fernandez and Andrew J. Beck of their election as Executive Councilors for the political years 1937-1938.

Subsequently the Secretary reported that he had notified the officers as directed.

On motion by Senator Hussey of Kennebec, it was

Ordered, that a message be sent to the Governor, informing him of the selection of Honorable Frederick Robie as Secretary of State, Honorable Belmont A. Smith as Treasurer of State, Honorable Franz U. Burkett as Attorney General, Honorable Elbert D. Hayford as State Auditor, Honorable Frank P. Washburn as Commissioner of Agriculture and the Honorables Frederick O. Eaton, Harold F. Schnurle, Frank N. Blanchard, Herbert E. Wadsworth, Percy T. Clarke, Orman B. Fernandez and Andrew J. Beck as Executive Councilors for the political years 1937-1938.

The Chairman of the Convention appointed Senator Hussey of Kennebec, to convey the message, and subsequently that Senator reported that he had delivered the message with which he was charged.

At this point the Joint Convention was dissolved, its purposes having been accomplished, and the Senate retired to its Chamber amid the applause of the House.

In the House

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Hinman.

On motion by Mr. Hinman, the order tabled by that gentleman earlier in the day, relating to the joint rules and orders of the Eighty-seventh Legislature, was taken from the table.

Mr. HINMAN: Mr. Speaker, I now offer House Amendment A, striking out the phrase "and orders", wherever it may appear, and move its adoption.

The SPEAKER: The gentleman from Skowhegan, Mr. Hinman, presents House Amendment A and moves its adoption. The Clerk will read the amendment.

House Amendment A to S. P. 1, Joint Order relative to Joint Rules. Amend said order by striking out the phrase "and orders" wherever it appears in the order.

The SPEAKER: The Clerk will read the order as it would be worded if this amendment is adopted.

The CLERK (reading)

Ordered, the House concurring, that the joint rules of the Eighty-seventh Legislature be the joint rules of this Legislature.

Thereupon, House Amendment A was adopted, and the order as amended was passed in non-concurrence.

Mr. EDDY of Bangor: Mr. Speaker, I wish unanimous consent to make a statement to the House.

(Unanimous consent granted)

Mr. EDDY: Mr. Speaker, I wish to announce that Representative Norman E. Whitney of Bangor, arrived too late to answer to the roll call, but he is now present in the House, ready to enter upon his duties.

The SPEAKER: The House hears

the statement of the gentleman from Bangor.

Under the regular adjournment order adopted this morning, every adjournment of the House is until 10 o'clock on the following morning unless otherwise voted; and the gentleman from Hampden, Mr. Leonard, moves that the House will now adjourn.

The motion prevailed, and the House so adjourned.