

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, March 22, 1929

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Young of Hallowell.

Journal of the previous session read and approved.

From the Senate: Bill an act to create a Commissioner of Highways, S. P. 693, S. D. 363.

Comes from the Senate introduced by unanimous consent under suspension of the rules and referred to the committee on Ways and Bridges.

In the House

Mr. KITCHEN of Presque Isle: Mr. Speaker and Members of the House: Under no consideration would I consent to a suspension of the rules at this time unless it was proved conclusively that it was an emergency matter. I do not feel at this time that such emergency exists, and for that reason I object to the suspension of the rules.

The SPEAKER: The gentleman from Presque Isle, Mr. Kitchen, objects to the suspension of the rules. The question before the House is whether the House shall allow to be introduced Senate Paper 693, S. D. 363, an act to create a Commissioner of Highways.

Mr. ALDRICH of Topsham: Mr. Speaker, I move that this matter lie upon the table and be specially assigned for Tuesday next.

The SPEAKER: Does the gentleman move that the bill lie upon the table?

Mr. ALDRICH: No, this motion.

The SPEAKER: The question before the House is whether the House shall receive this bill.

Mr. ALDRICH: And I ask, Mr. Speaker, that the matter lie upon the table.

Mr. ROUNDS of Portland: Mr. Speaker, if we receive it—

The SPEAKER: There is a motion before the House which is not debatable and the Chair is considering the parliamentary situation which is unusual.

Mr. ALDRICH: I withdraw the motion, Mr. Speaker.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, asks leave to withdraw his motion.

The House granted permission to

the gentleman to withdraw his motion.

The SPEAKER: The situation appears to be this: The Joint Order heretofore passed, of which the text will be at the Speaker's desk in a moment, provided that all matters introduced after February 28th should be referred to the next Legislature. In order to introduce a bill and refer it to the present Legislature there must be a two-thirds vote of both branches. Such a vote was obtained in the Senate, which, as the Chair understands, received the bill unanimously and referred it to the committee on Ways and Bridges. The House would necessarily, therefore, receive the bill but could refer it to a committee of the present Legislature only by a two-thirds vote under the fifty-eighth rule of the House; and the question before the House is whether the House shall concur with the Senate in the reference of this bill to the committee on Ways and Bridges.

Mr. ALDRICH: Mr. Speaker, it is unnecessary to relate the history of the present situation in respect to the Highway Commission.

The Highway Commission of this State—and so far as we know without any ground, at least any ground which has been presented to us—has been charged with something of the nature of which we are ignorant. We have been asked, practically, to abolish that Commission. These Commissioners have asked the people of the State of Maine, and this Legislature, that they be given an opportunity to be heard, and I say to you that up to this time that request has not been acceded to. One week ago a committee was appointed by both branches of this Legislature upon representation made to us here that, by the method thereby adopted, we would get immediate action; but to this moment we have received no report of any kind from that committee so that the Highway Commission is in identically the same position as before. Now I submit to you that any bill—and I assume that this is a bill which would be the means of legislating out of office these Highway Commissioners, against whom, as I have said, so far as I know no charge is made,—for us to suspend our rules and accept or permit a bill of this character to be intro-

duced can be construed in only one way by the people of this State, namely, that we as a Legislature are contemplating the possibility of enacting legislation whereby these men shall be removed; and I submit to you that at a time when they have not been faced with any charges, at a time when we have a right to assume that they are innocent, it would be an outrage for this Legislature to accept under suspension of our rules any bill affecting the Highway Department.

Now permit me to advise you what the Constitution says on this subject. This bill can only be introduced here, if I understand it, as an emergency measure, and I assume that that is the basis for it. I noticed in the Sunday papers that the gentleman whom I believe introduced it in to the Senate said that he had been contemplating this for a long time, that an emergency existed. If he had been contemplating it for a long time, why did he not introduce it a month ago. The Constitution provides that an emergency bill shall include such measures as are immediately necessary for the preservation of the public peace, health or safety. Is there anything in connection with this Highway scandal that threatens the public peace, the public health or the public safety in this State. The only thing that it threatens, my friends, is in my judgment that unless we do something before long, Maine will lie undefended before the onslaught of the Federal Government, unprotected by anybody. I say to you now that the only thing I can see which lies between Maine being placed in that position and being maintained in its sovereign rights is this Legislature.

This Highway matter has been dumped into our lap. It is no affair of ours. It should have not been dumped into our lap. It is a matter for the Governor and Council to whom these men are responsible; but His Excellency has dumped it onto us and we have got to take it.

Now I say to you, do not let us do anything here which by any possibility can be misconstrued by the people of this State. Let us, so far as our action is concerned, serve notice on the people of Maine that, to the extent of our ability, we will permit men who in the eyes of the

law are to be presumed innocent an opportunity to be heard before we do anything which can be construed as aimed at them. If we ever have an investigation—I hope we may sometime—this Legislature will have to be in session, and if it is found that these men are guilty, if it is found that a situation exists which makes it necessary for us to legislate them out of office, how long do you think it is going to take us to do that? Do you think it necessary that we should accept any bill now? If so, suspend your rules; but I implore you in the interests of the State, in the interests of demonstrating to the people of this State that the Legislature at least is determined to fight for the rights of Maine, for the sovereign rights of Maine, for which, let me say men have bled and died for centuries I hope we will demonstrate here with respect to this bill, and any other of a similar character that may be offered here, that there we stand and that we will defend Maine until it is demonstrated that Maine is at fault; and for that reason I ask you that you do nothing which by any possibility can be construed as indicating that these Highway Commissioners of ours should be legislated out of office.

The SPEAKER: The question before the House is whether the House will concur with the Senate in the reference of this bill to the committee on Ways and Bridges, such reference requiring a two-thirds vote by the House.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, do I understand that the bill is now in the possession of the House?

The SPEAKER: The gentleman is correct.

Mr. CHASE: I do not know how to vote upon this at this time. The gentleman from Topsham, Mr. Aldrich, has brought up the question of how our action shall be construed. I think people down my way might think if somebody put in a suggestion, a constructive suggestion, tending to solve this highway proposition, and if I should pitch it out of the window, they might construe my action very differently from what the gentleman from Topsham (Mr. Aldrich) suggests. I do not know whether they

would or not. Personally, I want every constructive suggestion that can be made by anyone to be made to this Legislature, and I want the Legislature to consider it; and, because I do not know how to vote upon this matter at this time, I move that the matter lie upon the table and be assigned for next Tuesday.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the bill lie upon the table and be specially assigned for Tuesday next. As many as are in favor of the motion will say aye—

Mr. KITCHEN of Presque Isle: Mr. Speaker,—

The SPEAKER: The motion for tabling is not debatable.

Mr. KITCHEN: I was going to ask for a division of the House.

The SPEAKER: The gentleman from Presque Isle, Mr. Kitchen, asks for a division of the House. The motion is the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the bill lie upon the table and be specially assigned for Tuesday next. As many as are in favor of that motion will rise and stand in their places until counted and the monitors have returned the count.

A division being had,

Sixty-four voting in the affirmative and 49 in the negative, the motion for tabling and assignment on Tuesday, March 26th, prevailed.

From the Senate: The following order.

Ordered the House concurring, that when the Senate and House adjourn, they adjourn to meet Monday, March 25, at two o'clock in the afternoon.

In the Senate read and passed.

In the House, read and passed in concurrence.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

(S. P. 685) (S. D. 361) Resolve in favor of Emmerson J. Hills and Alice S. Hills of Belmont for damages.

(S. P. 601) (S. D. 269) An act to repeal Section 5, and amend Section 6 of Chapter 72 of the Revised Statutes, relative to notice on application by municipal officers for appointment of guardians.

From the Senate: Report of the committee on Legal Affairs, reporting ought to pass on bill an act to amend Chapter 52 of the Public Laws of 1927, relative to enforcement of motor vehicle laws, (S. P. 593) (S. D. 260)

Comes from the Senate, report read and accepted and the bill given its two several readings under suspension of the rules and passed to be engrossed.

In the House, on motion by Mr. Foster of Ellsworth, tabled pending acceptance of the report in concurrence.

From the Senate: Report of the committee on Ways and Bridges reporting ought to pass on bill an act to provide for building a bridge across the Penobscot river, at or near Bucksport, S. P. 541, S. D. 364.

Comes from the Senate report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

In the House, on motion by Mr. Bove of Naples, tabled pending acceptance of report in concurrence and specially assigned for Wednesday, March 27.

On motion by Mr. St. Clair of Rockland 500 copies of Senate Amendment A ordered printed.

ORDERS

Mr. Rounds of Portland presented the following order and moved its passage:

Ordered, that before placing on file the communication from His Excellency the Governor, dated March 18, 1929, that he be and hereby is respectfully requested to furnish this body the further information, to be placed on file with the same, as to who was the chief engineer of the State Highway Department and who was the inspecting engineer of the Federal Government at the time of the construction of that portion of Highways 102-A, 102-B and 103-A, for the Federal government now demands the refund of \$103,997.53.

Mr. ROUNDS: Mr. Speaker, in support of that order, in our part of the State the newspapers have gone ahead and tried the case, convicted everybody, and we do not know who the men are to blame here in Augusta. It has gone all over this State. Therefore, I would

like to know and I think the members of the House would like to know who was the man who had charge of this work and who were the men right down through. I think the man discharged by the Highway Department could give us some light and give it very quickly who it was ordered this cement out and all about it, and we would not have to stay here a great while to find out about it, and we would find out who was to blame for the whole thing in a very few minutes. We would not have to go to any great expense.

Almost every morning I see an editorial in the Portland papers that these men of the Highway Commission ought to be convicted. If I am not mistaken the new man who came into the Highway Commission found out that this cement that was put in on these different contracts was more than the United States government asked for and that we were putting in richer cement. Anybody who has dealt in cement would understand that if you get the cement too rich, it will crumble. I do not know how many in this House have mixed cement. I have mixed many thousand barrels and I know something about it. I built a bridge for the State of Maine thirteen years ago and it is standing today. The only thing that fell down was a third rate abutment. That third-rate abutment did fall out. I suppose I was responsible for it. They were three months sticking it up and it fell down the next rainstorm, and eleven days after I got it cleaned out I had it put back again, and in two months we gave them a bridge. That was right in midwinter and the bridge today shows for itself.

Therefore if they got all the United States Government requires why should we stand here and haggle over this one hundred and three thousand dollars? It looks to me as though we could find out in a very few minutes by finding the man who was discharged—find out who ordered this cement taken out—and then we would know very quickly what it is all about.

Therefore I would like the order tabled and specially assigned for next Wednesday when the other matter comes up.

The SPEAKER: Does the gen-

tleman move for the printing of the order?

Mr. ROUNDS: Yes, Mr. Speaker.

Thereupon, a viva voce vote being taken, the order was tabled and specially assigned for Wednesday, March 27, and 500 copies ordered printed.

Reports of Committees

Mr. Sturtevant from the Committee on Banks and Banking on bill an act relating to licensed small loan agencies (H. P. 1044) (H. D. 335) reported ought not to pass, as subject matter thereon contained is cared for in another bill.

Mr. McLean from the Committee on Inland Fisheries and Game reported ought not to pass on bill an act relating to ice fishing in Alewife Pond (H. P. 595)

(On motion by Mr. Angell of Saco recommitted to the committee on Inland Fisheries and Game)

Mr. Williamson from the Committee on Judiciary reported same on bill an act to consolidate the general superintendence, management and control of the State Prison, the Reformatory for Men and Reformatory for Women under one Board of Trustees (H. P. 1021) (H. D. 321)

Mr. Sargent from the Committee on Legal Affairs reported same on bill an act to punish derogatory statements affecting banks or trust companies (H. P. 1434) (H. D. 495)

Same gentleman from same Committee reported same on bill an act to validate the incorporation of Louis Kirstein & Sons and to amend its corporate purposes (H. P. 417) (H. D. 130)

Mr. Peacock from same Committee reported same on bill an act relative to bond of executor. (H. P. 1252) (H. D. 424.)

Mr. Blaisdell from same Committee reported same on bill an act relating to finger prints and photographs of criminals. (H. P. 1471) (H. D. 513.)

(Tabled by Mr. Angell of Saco pending acceptance of report and specially assigned for Tuesday, March 26.)

Mr. Burkett from same Committee reported same on bill an act relative to bonds of trustees. (H. P. 1254) (H. D. 426.)

Mr. Sargent from same Commit-

tee reported same on bill an act to require the investment in permanent securities of school funds and other trust funds held by city, town, quasi municipal corporations and state officers. (H. P. 1435) (H. D. 496.)

Mr. Butler from the Committee on Sea and Shore Fisheries reported same on bill an act relating to close time on lobsters west of Petit Manan Point. (H. P. 1491) (H. D. 526.)

Mr. Kane from same Committee on petition for repeal of close time on lobsters at Corea. (H. P. 23) reported that the same be placed on file.

Reports read and accepted and sent up for concurrence.

Mr. Carleton from the Committee on Agriculture reported same on bill an act to provide for the inspection of motor lubricating oil. (H. P. 1597) (H. D. 595.)

(Tabled by Mr. Hawkes of Standish pending acceptance of report.)

Mr. Stone from the Committee on Claims on resolve in favor of the town of Alfred, for reimbursement. (H. P. 635) (H. D. 187) reported same in a new draft (H. P. 1678) under same title and that it ought to pass.

Mr. MacKinnon from the Committee on Inland Fisheries and Game on bill an act to establish a Game Sanctuary in the town of Standish. (H. P. 667) (H. D. 205) reported same in a new draft (H. P. 1672) under the same title and that it ought to pass.

Mr. Williamson from the Committee on Judiciary on bill an act to amend the act establishing the Caribou Municipal Court. (H. P. 843) (H. D. 269) reported same in a new draft (H. P. 1674) under title of an act to amend the act establishing the Caribou Municipal Court and the amendments thereto, and that it ought to pass.

Same gentleman from same Committee on bill an act to simplify civil procedure. (H. P. 242) (H. D. 79) reported same in a new draft (H. P. 1673) under same title and that it ought to pass.

Mr. McCart from same Committee on bill an act in relation to the Ellsworth Municipal Court. (H. P. 1626) (H. D. 644) reported same in a new draft (H. P. 1676) under

same title and that it ought to pass.

Mr. Wing from same Committee on bill an act to permit the closing of public offices in county buildings on legal holidays. (H. P. 1182) (H. D. 388) reported same in a new draft. (H. P. 1677) under title of an act relating to legal holidays and that it ought to pass.

Mr. Jack from the Committee on Legal Affairs on bill an act relating to a green light on motor vehicles seven feet in width and over. (H. P. 1553) (H. D. 567) reported same in a new draft (H. P. 1671) under title of an act relating to a green light on motor vehicles which are seven feet in width or over and that it ought to pass.

Mr. St. Clair from the Committee on Sea and Shore Fisheries on bill an act to make easier living conditions for the owners and occupants of lands bordering on the Georges River and to re-stock the outside fishing grounds with young lobsters. (H. P. 1582) (H. D. 585) reported same in a new draft (H. P. 1670) under title of an act for the better protection of lobsters and crabs in the Georges River and that it ought to pass.

(Tabled by Mr. Vose of Cushing pending acceptance of the report and new draft ordered printed.)

Mr. Lowell from the Committee on Ways and Bridges on bill an act relating to laying out and assessing damages on State and State aid highways. (H. P. 1594) (H. D. 592) reported same in a new draft (H. P. 1681) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Sturtevant from the Committee on Banks and Banking reported ought to pass on bill an act relating to small loan agencies. (H. P. 1237) (H. D. 414.)

Mr. Harrington from same Committee reported same on bill an act relating to the citing of checks and drafts on banks where the maker has not sufficient funds (H. P. 1528) (H. D. 600.)

Mr. Clark from the Committee on Inland Fisheries and Game reported same on bill an act relating to fishing in inland waters in York County. (H. P. 1045) (H. D. 336.)

Mr. Burkett from the Committee on Legal Affairs reported same on bill an act to provide better government for the town of Mount Desert. (H. P. 1565) (H. D. 573.)

Mr. Belleau from same Committee reported same on bill an act to establish a State Reservation at Fort William Henry, at Pennaquid, and for the appointment of commissioners and a custodian for said Reservation. (H. P. 421) (H. D. 134.)

Mr. Taylor from same Committee reported same on bill An act relating to validating certain acts and deeds. (H. P. 1561) (H. D. 570)

Mr. Blaisdell from same Committee reported same on bill an act relative to pledges. (H. P. 1251) (H. D. 423)

Reports read and accepted and the bills having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Report "A" of the Committee on Judiciary reporting ought not to pass on bill an act to regulate the occupation of hairdressers and cosmetologists, to register and license persons engaged in such occupation, and to create a Board of Hairdressers and Cosmetologists. (H. P. 1020) (H. D. 327)

Report was signed by the following members:

- Messrs. WEEKS of Somerset
- Of the Senate
- ALDRICH of Topsham
- HOLMAN of Farmington
- McCART of Eastport
- FARRIS of Augusta
- Of the House

Report "B" of same Committee on same bill reporting same in a new draft (H. P. 1679) under same title and that it ought to pass.

Report was signed by the following members:

- Messrs. OAKES of Cumberland
- MARTIN of Kennebec
- Of the Senate
- WING of Kingfield
- WILLIAMSON of Augusta
- Miss LAUGHLIN of Portland
- Of the House

On motion by Miss Laughlin of Portland, both reports tabled, pending acceptance of either; and 500 copies of the new draft ordered printed.

Majority report of same Commit-

tee on bill an act to consolidate the general superintendence, management and control of the State Prison, the Reformatory for Men and the Reformatory for Women under one Board of Trustees, and to provide for the temporary transfer of inmates (H. P. 1200) (H. D. 393) reporting same in a new draft (H. P. 1675) under same title and that it ought to pass.

Report was signed by the following members:

- Messrs. WEEKS of Somerset
- OAKES of Cumberland
- MARTIN of Kennebec
- Of the Senate
- WING of Kingfield
- FARRIS of Augusta
- McCART of Eastport
- HOLMAN of Farmington
- WILLIAMSON of Augusta
- Of the House

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

- Miss LAUGHLIN of Portland
- Mr. ALDRICH of Topsham
- Of the House

On motion by Mr. Robie of Westbrook the majority report, ought to pass, was accepted and the new draft ordered printed under the Joint Rules.

Majority report of same Committee on bill an act relating to declarations upon a contract in writing (H. P. 412) (H. D. 123) reporting same in a new draft (H. P. 1680) under same title and that it ought to pass.

Report was signed by the following members:

- Messrs. MARTIN of Kennebec
- Of the Senate
- WILLIAMSON of Augusta
- ALDRICH of Topsham
- HOLMAN of Farmington
- Miss LAUGHLIN of Portland
- Of the House

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

- Messrs. OAKES of Cumberland
- WEEKS of Somerset
- Of the Senate
- McCART of Eastport
- FARRIS of Augusta
- Of the House

On motion by Mr. Williamson of Augusta, majority report, ought to

pass, was accepted and the new draft ordered printed under the Joint Rules.

Majority report of same Committee reporting ought to pass on bill an act relating to voting by persons physically incapacitated (H. P. 1213) (H. D. 411)

Report was signed by the following members:

Messrs. MARTIN of Kennebec
—Of the Senate,
WING of Kingfield,
ALDRICH of Topsham,
FARRIS of Augusta,
HOLMAN
of Farmington,
WILLIAMSON
of Augusta,
Miss LAUGHLIN of Portland,
—Of the House

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. WEEKS of Somerset,
OAKES of Cumberland,
—Of the Senate
McCART of Eastport,—
—Of the House

On motion by Mr. Farris of Augusta the majority report, ought to pass, was accepted; and on further motion by the same gentleman the rules were suspended and the bill received its two readings and tomorrow assigned.

Majority report of the Committee on Legal Affairs on bill an act to create the Department of Finance (H. P. 1155) (H. D. 369) reporting same in a new draft (H. P. 1666) under same title and that it ought to pass.

Report was signed by the following members:

Messrs. MURCHIE
of Washington,
DWINAL of Knox
CROSBY of Penobscot,
—Of the Senate
TAYLOR of Belfast,
PEACOCK of Readfield,
BURKETT of Portland,
SARGENT of Brewer,
BELLEAU of Lewiston,
BLAISDELL of Franklin
—Of the House

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following member:

JACK of Lisbon Falls.

On motion by Mr. Jack of Lisbon Falls both reports tabled pending acceptance of either; and on motion by Mr. Chase of Cape Elizabeth 500 copies of the new draft ordered printed.

First Reading of Printed Bills and Resolves

(H. P. 1663) (H. D. 698) an act relative to Sea and Shore Fisheries Commission.

(H. P. 1664) (H. D. 696) An act relating to the recovery of estates by writ of entry; mode of service.

(H. P. 1665) (H. D. 699) An act relative to recording certificate of decree barring husband or wife of rights in real property.

(H. P. 1662) (H. D. 697) Resolve in favor of additional room for State departments.

(H. P. 1667) (H. D. 700) Resolve in favor of the town of Enfield.

H. P. 1668) (H. D. 701) Resolve in favor of the town of Howland.

(H. P. 1669) (H. D. 702) Resolve in favor of the Jackman-Rockwood road.

Passed to be Engrossed

(H. P. 422) (H. D. 135) An act to incorporate the town of Rumford School District.

(H. P. 1523) (H. D. 546) An act to amend Chapter 162 of the Public Laws of 1927 as applied to the War Bond Sinking Fund.

(Tabled by Mr. Foster of Ellsworth pending third reading)

(H. P. 1587) (H. D. 590) An act relating to the sale of intoxicating liquors.

Mr. Sturgis presented House Amendment B and moved its adoption as follows:

House Amendment B to bill An act relating to the sale of intoxicating liquors.

Strike out all of said act subsequent to the enacting clause and insert in place thereof the following:

"Section I. No person shall sell any substance which when compressed produces a liquid containing more than one-half of one per cent of alcohol with a knowledge, or having reasonable cause to believe that the same is to be so compressed and the liquid so produced used as a beverage. Any person violating the provisions of this

act shall be punished by a fine not less than three hundred dollars nor more than five hundred dollars and by imprisonment not less than three months nor more than six months."

On motion by Mr. White of Dyer Brook, the amendment was tabled and specially assigned for Tuesday, March 26, and on further motion by the same gentleman 500 copies were ordered printed.

(H. P. 1588) (H. D. 591) An act to annex Cow Island to the town of Bremen.

(H. P. 1637) (H. D. 661) An act relating to fusible plugs in steam boilers.

Mr. Robie of Westbrook offered House Amendment A to House Amendment A to House Paper 1367, and moved its adoption, as follows:

House Amendment A to House Amendment A to House Paper 1637, entitled an act relating to fusible plugs in steam boilers.

Amend said amendment by adding at the end thereof, the words "per square inch gauge."

Thereupon House Amendment A to House Amendment A was adopted and the bill as so amended received its third reading and was passed to be engrossed.

(H. P. 1643) (H. D. 558) An act to incorporate Madawaska Water Co.

(H. P. 1644) (H. D. 673) An act granting the right of eminent domain to electric power companies doing a public utilities business.

On motion by Mr. Clifford of Garland, a viva voce vote being taken, tabled pending third reading and specially assigned for Wednesday, March 27.

An act relating to a State Geologist. (H. P. 1659) (H. D. 690)

An act to extend the charter granted to the Sandy River and Rangeley Lakes Railroad Company. (H. P. 1661) (H. D. 691)

Resolve in favor of the towns of Sangerville and Gullford. (S. P. 256) (S. D. 355)

Resolve in favor of the Passamaquoddy Tribe of Indians for the general care, maintenance and education thereof. (S. P. 686) (S. D. 357)

Resolve in favor of the Central Maine Sanatorium for construction and equipment of an additional

building for patients. (S. P. 688) (S. D. 359)

Resolve in favor of the Western Maine Sanatorium for the construction of a Superintendent's Home. (S. P. 689) (S. D. 360)

Resolve to reimburse the Judge of the Caribou Municipal Court for clerk hire. (H. P. 770) (H. D. 237)

Resolve in favor of Lena F. Cummings, widow of Henry F. Cummings. (H. P. 772) (H. D. 239)

Resolve providing for the purchase of "Minstrelsy of Maine." (H. P. 867) (H. D. 689)

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair presents the unfinished business of yesterday, H. P. 822, H. D. 294, bill an act confirming the construction of the ferry wings at Peaks Island, which was passed to be engrossed in the House on March 5th, passed to be enacted in the House on March 13th, comes from the Senate, passed to be engrossed as amended by Senate Amendment A in non-concurrence, the bill having been tabled on March 21st by the gentleman from Topsham, Mr. Aldrich, the pending question being reconsideration of enactment, and the Chair recognizes the gentleman.

Mr. ALDRICH: Mr. Speaker, I now yield to Mr. Jackson.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, yields to the gentleman from Portland, Mr. Jackson.

On motion by Mr. Jackson, the House voted to reconsider its action whereby it passed to be enacted H. P. 882, H. D. 294, bill an act confirming the construction of the ferry wings at Peaks Island; on further motion by the same gentleman the House voted to reconsider its action whereby it passed this bill to be engrossed; and the same gentleman offered House Amendment A to Senate Amendment A, and moved its adoption.

House Amendment A to Senate Amendment A

Amend said Senate Amendment A by striking out the word "Peaks" in the eighth line of said amendment.

Thereupon, Senate Amendment A as amended by House Amendment A was adopted; and on further motion by the same gentleman,

the bill as amended by Senate Amendment A as amended was passed to be engrossed.

The SPEAKER: The Chair presents the first matter today assigned, an act relating to the appropriation for the abolishment of grade crossings, H. P. 1278, H. D. 435, tabled on March 19th by the gentleman from Cape Elizabeth, Mr. Chase, the pending question being passage to be enacted, and the Chair recognizes the gentleman.

On motion by Mr. Chase, the bill was passed to be enacted.

The SPEAKER: The Chair presents the second matter today assigned, bill an act relating to payment of damage by dogs and wild animals to domestic animals, H. P. 1656, H. D. 687 tabled on March 20th by the gentleman from Topsham, Mr. Aldrich, the pending question being second reading, and the Chair recognizes the gentleman.

On motion by Mr. Aldrich, the bill was given its second reading and tomorrow assigned.

The SPEAKER: The Chair presents the third matter today assigned, House report ought not to pass, committee on Claims on resolve in favor of Henry Soucie, of Township No. 14, Range 6, Aroostook County, Maine, H. P. 787, H. D. 253, tabled on March 21 by the gentleman from Eagle Lake, Mr. Burns, the pending question being acceptance of report, and the Chair recognizes the gentleman.

On motion by Mr. Burns, the resolve was recommitted to the committee on Claims.

The SPEAKER: The Chair presents the fourth matter today assigned, Senate report ought to pass in new draft, committee on State Sanatoriums on resolve in favor of the Northern Maine Sanatorium for the construction and equipment of a Nurses' Home, S. P. 687, S. D. 358, the pending question being acceptance of report in concurrence, the bill having been tabled on March 25th by the gentleman from Madawaska, Mr. Daigle, and the Chair recognizes the gentleman.

On motion by Mr. Daigle, the report was accepted in concurrence; and on further motion by the same

gentleman, this being a printed bill, the rules were suspended and the resolve received its first reading and tomorrow assigned.

On motion by Mr. Bissett of Portland, it was voted to take from the table the sixth unassigned matter, resolve in favor of the Maine Institution for the Blind for repairs to building, H. P. 282, H. D. 626, tabled by that gentleman on March 18th, the pending question being passage to be engrossed; and on further motion by the same gentleman the resolve was recommitted to the committee on Appropriations and Financial Affairs.

On motion by Mr. Bissett of Portland, it was voted to take from the table the seventh unassigned matter, resolve in favor of the Maine Institution for the Blind for experimental work in home teaching, H. P. 281, H. D. 625, tabled by that gentleman on March 18th, the pending question being passage to be engrossed; and on further motion by the same gentleman the resolve was recommitted to the committee on Appropriations and Financial Affairs.

Conference Report

Report of the Committee on Conference on the Joint Order relative to the South Portland Park Commission.

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on Joint order relative to recalling from the files bill an act to establish a Park Commission for the city of South Portland, reporting that the Senate recede and concur with the House in the passage of the order.

The report was accepted.

Mr. RICHARDSON of South Portland: Mr. Speaker, I move that we substitute the bill for the report.

The SPEAKER: The gentleman is informed that the bill has not yet come from the Senate.

On motion by Mr. Chase of Cape Elizabeth it was voted to take from the table the eleventh unassigned matter, an act to incorporate the New England Public Finance Company, (S. P. 34) (S. D. 312) tabled by that gentleman on March

19th, the pending question being passage to be enacted.

Mr. CHASE: Mr. Speaker, in order to offer an amendment, I move that we reconsider the vote whereby this bill was passed to be engrossed.

The motion prevailed.

Mr. CHASE: Mr. Speaker, I offer House Amendment A, which is to change the name of the company. This has been agreed to by the proponents of the measure.

House Amendment A to Senate Paper 34, Senate Document 312.

Strike out the words "New England Public Finance Company" wherever they appear in the title and body of the bill and insert in place thereof the words 'New England Finance Corporation.'

House Amendment A was adopted, and the bill, as amended by House Amendment A, was passed to be engrossed.

On motion by Mr. Chase of Cape Elizabeth it was voted to take from the table the twenty-second unassigned matter, resolve in favor of the town of Peru, (H. P. 1510) (H. D. 540) tabled by that gentleman on March 20th the pending question being final passage; and on further motion by the same gentleman, he stating this resolve should go along with appropriations for grade crossings bill, the resolve was finally passed.

On motion by Mr. McKnight of Poland, it was voted to take from the table the tenth unassigned matter, majority report ought to pass, minority report ought not to pass, committee on Salaries and Fees, on bill an act relating to fees of Sheriffs and their Deputies, (S. P. 65) (S. D. 36) tabled by that gentleman on March 19th, the pending question being acceptance of either report.

Mr. McKNIGHT: Mr. Speaker and Ladies and Gentlemen of the Eighty-fourth Legislature: As you will notice, there is a minority report on this bill, signed by myself, and in support of my position I wish to explain to the House my version of this bill. I wish, however, that this bill could have been referred to either the Legal Affairs Committee or the Judiciary Committee. I want to say now, in

starting my debate on this bill, that I wish to move the indefinite postponement of this bill on the start, for fear I will forget it later.

Now, I wish the members of this House would take this bill here in regard to fees of sheriffs and their deputies. When this bill was put up before the Salaries and Fees Committee, I had seen the bill before, and having had some experience as a deputy sheriff, there were some things about this bill that I could not understand, and I have taken this bill up with the deputy sheriffs here in the House and talked it over with the sheriffs of the House, and there seems to be still a difference of opinion as to just who is going to receive this raise of from four to five dollars a day.

After I signed the minority report on this bill, it went to the Senate, and I see that it had some attention paid to it in there—enough so they put an amendment on. That was quite satisfying to me, having held it up on a minority report. After line six it says, "every deputy sheriff, while performing special duties under the order of the sheriff shall receive for such services five dollars a day, together with necessary, incidental expenses, to be paid from the county treasury." Then it goes on to say that this bill shall be audited as provided in section 1 chapter 138, that is, by the county commissioners.

There have been several interpretations of this bill. Just what do they mean by special duties? There are several different kinds of deputy sheriffs. There are liquor deputies, special deputy sheriffs, and these civil deputy sheriffs. Now, under this bill, as it was originally put in, the proponent of the bill thought wholly and fully along the lines that the liquor deputies were over-worked and that they should be paid more. The man who framed this bill, if he were talking about liquor deputies, should have left out "special duties" and put in "liquor duties".

Two years ago a bill came before the Salaries and Fees Committee, increasing the fees of deputy sheriffs in attendance on court. It seems that every deputy sheriff in the State under that expected to get his salary raised, but not one of

them got it raised except a few deputy sheriffs in attendance on court.

(At this point Miss Laughlin of Portland, assumed the Chair, amid the applause of the House, the members rising).

Mr. McKNIGHT continuing: Now I understand in one county all the sheriffs went in for a salary increase from four dollars to five dollars a day, which they were not entitled to under that heading. Now I know enough about the sheriff business to know there has been a lot of dissatisfaction among deputy sheriffs on account of court attendance. We all know these fellows who go into court, and attend court, have a soft snap, and the other fellows on liquor squads object to it, that is, they feel they ought to be increased.

One of the principal reasons why I object to this bill is that in my county there are forty-two deputy sheriffs. If the high sheriff desires to put them on special duties, which he could under this bill, if he was so minded—and that was the way he defined it—it would put my county in a bad position financially. On the other hand, if every deputy sheriff—and that means the liquor squad—is to get a raise of from four dollars to five dollars a day, that means in my county alone for the same amount of work we are doing now the county commissioners have got to pay out practically \$2,000 more. Now the county commissioners in my section are against this bill on that ground, and I am against the bill on this ground—that it doesn't say who is going to get this extra money—this four to five dollars a day, whether it means some special pet of the sheriff is going to get his, or deputy sheriffs serving as enforcement officers, liquor deputies.

As I said before, there is a matter of difference of opinion, and in order that this bill may come before the House and be thoroughly discussed, I move its indefinite postponement.

Mr. JACK of Lisbon Falls: Madam Speaker, the only interest I have in this affair is that when the other law went through I think it was generally understood that the increase to five dollars a day was to be for all deputies. Now the situation is this, if I am correctly informed by sheriffs: The liquor dep-

uties get four dollars a day and the court deputies get five dollars a day. The court deputy, as you all understand, has the benefit of reasonable hours and a good roof over his head, and not, as you might say, nauseating work; and, on the other hand, if there is any job that is undesirable, it probably is being a liquor deputy. To begin with, you have got to stick your nose in everybody's matters, a great part of your work is night work, and if anyone were to get five dollars a day for his work as a deputy, it would appear to me that it should be the liquor deputy rather than the court deputy.

I think that covers the situation. I think there are only five counties that have liquor deputies, and one or two men at that. If the gentleman from Poland (Mr. McKnight) prefers to put the words liquor deputy in there, I do not think the parties whom I speak for would have any objection to that.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Poland (Mr. McKnight), that this bill be indefinitely postponed. All those in favor of the motion that the bill be indefinitely postponed will please say aye; those opposed will say no.

A viva voce vote being taken, the motion was lost.

The SPEAKER pro tem: The pending motion before the House is the acceptance of either report, the majority report ought to pass or the minority report ought not to pass.

On motion by the gentleman from Augusta, Mr. Farris, a viva voce vote being taken, the majority report ought to pass was accepted; and on further motion by the same gentleman the bill received its two several readings.

Senate Amendment A read by the Clerk.

Thereupon, Senate Amendment A was adopted in concurrence, and the bill as amended was tomorrow assigned.

On motion by Mr. Rounds of Portland, the House voted to reconsider its action whereby it voted yesterday to accept the ought not to pass report on H. P. 657, H. D. 198, resolve to reimburse the town of Benton for expenses of a person in quarantine; and on

further motion by the same gentleman the resolve was tabled pending acceptance of report and specially assigned for Tuesday, March 26th.

On motion by Mr. Foster of Ellsworth, it was voted to take from the table S. P. 593, S. D. 260, bill an act to amend Chapter 52 of the Public Laws of 1927 relative to enforcement of motor vehicle laws, tabled by that gentleman earlier in the session; on further motion by the same gentleman the report of the committee ought to pass was accepted in concurrence; and on further motion by the same gentleman the bill received its two several readings and tomorrow assigned.

On motion by Mr. Kitchen of Presque Isle, it was voted to take from the table the fourteenth unassigned matter, bill an act relating to the capturing of bees, H. P. 1518, H. D. 599, tabled by that gentleman on March 20th, pending question being passage to be engrossed; and the same gentleman offered House Amendment A and moved its adoption.

House Amendment A to H. P. 1518, entitled an act relating to the capturing of bees.

Amend by inserting after the enacting clause the following: "Section 1." and by adding to said House paper the following:

"Section 2, Whoever violates the provisions of this act shall be subject to a penalty of not less than ten dollars nor more than fifty dollars for each offense."

Thereupon, House Amendment A was adopted; and on further motion by the same gentleman the bill, as amended by House Amendment A, was passed to be engrossed.

On motion by Mr. Hawkes of Standish, it was voted to take from the table H. P. 1597, H. D. 595, bill an act to provide for the inspection of motor lubricating oil, tabled by that gentleman earlier in the session; and on further motion by the same gentleman, he stating the bill had been taken care of by another bill in redraft, the report of the committee ought not to pass was accepted.

The SPEAKER pro tem: Is

there any further business to come before the House?

On motion by Mr. Crawford of Houlton, it was voted to take from the table the ninth unassigned matter, H. P. 1520, H. D. 545, bill an act relating to weights and measures, tabled on March 19th by that gentleman, the pending question being assignment for third reading, and the same gentleman offered House Amendment A and moved its adoption.

House Amendment A to House Paper 1520, an act relating to weights and measures.

Amend said bill by inserting the word 'chapter' before the word "forty-eight."

Thereupon, House Amendment A was adopted, and the bill, as amended, was tomorrow assigned.

Mrs. FOLSOM of Norridgewock: Madam Speaker, the gentlemen in my vicinity would like to smoke, and I move the rules be suspended and the gentlemen be allowed to smoke. (Applause.)
The motion prevailed.

Mr. KITCHEN of Presque Isle: Madam Speaker, I move that the House adjourn at this time.

(At this point Speaker Hale resumed the Chair, Miss Laughlin retiring, amid the applause of the House, the members rising.)

The SPEAKER: Will the gentleman defer his motion for a moment? The Chair desires to make a statement with reference to the status of legislative business at the close of this, the twelfth legislative week.

There was pending in committee on Tuesday last, March 19th, 783 bills. Of this number 709 had been heard and not reported, 67 had been advertised but not heard, and only seven awaited advertising; 137 reports have been received since Tuesday. Of the balance of bills not reported, some 400 will not require separate reports so that there are approximately 226 bills and resolves still to be reported.

On the evening of Tuesday, March 19th, 94 public laws, 56 private laws and 44 resolves had been signed by the Governor. This is a total of 194 bills and resolves as against a total of 656 bills and resolves found in the 1927 statute book. It appears fairly certain

that this total of 194 is not less than one-fourth of all the bills and resolves to be passed by both branches and receive executive approval. It might easily prove to be as much as one-third.

This is indicative of fair progress. The committee hearings are now practically concluded and the committees should now be in a position to give all their time to executive sessions. On Tuesday, Wednesday and Thursday of next

week there will probably be afternoon sessions at four o'clock. It would seem reasonable to expect the executive sessions of the joint standing committees to be concluded next week, leaving the first week of April practically free for action on pending reports.

On motion by Mr. Kitchen of Presque Isle,
Adjourned until Monday, March 25, at 2 P. M.