

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

- Page 73—An act to empower the County Commissioners of Hancock County to construct a highway and raise money for the same (S. P. 35, L. D. 11)—Should be (S. P. 35, L. D. 9)
- Page 75—Ordered, that there be printed one thousand additional copies each of L. D. No. 28, H. P. No. 39, and L. D. No. 10, H. P. No. 37—should be L. D. 10, S. P. No. 37.
- Page 105—Resolve in favor of the town of Prescott. (H. P. No. 282)—Should be town of Trescott.
- Page 106—Second resolve in favor of the town of Dixmont (H. P. 401)
- Page 114—Resolve to reimburse the town of Solon for support of Mrs. Ernest Cousins having no known settlement in the state.—Should be Salem.
- Page 120—Resolve to reimburse Hamlin Plantation for support and burial expenses of Ephrem Picard, a State Pauper (H. P. No. 895)—Should be (H. P. No. 805)
- Page 128—Resolve in favor of the town of Atkinson (H. P. No. 876)—Should be (H. P. No. 976)
- Page 129—Second resolve in favor of the town of Cornish to be deleted.
- Page 152—Resolve in favor of E. G. Hodgkins of Carmel, H. P. 364, L. D. 197—should be H. P. 364, L. D. 203.
- Page 152—An act relating to health certificates for teachers and janitors S. P. 207, L. D. 295—Should be S. P. 207, L. D. 395.
- Page 153—An act relating to inland fish and game wardens; powers, duties and service of processes, S. P. 193, L. D. 597—Should be S. P. 193, L. D. 397.
- Page 163—Bill "An Act relating to Stamping of Registered Boilers" (H. P. No. 1132)—Should be (H. P. No. 1131)
- Page 163—Bill "An Act relating to Towns and Town Officers" (H. P. No. 1136)—Should be (H. P. No. 1135)
- Page 184—"An act relating to motor vehicles carrying passengers for hire over regular routes" (S. P. 92, L. D. 105)—Should be (S. P. 92, L. D. 104)
- Page 193—An act relating to motor vehicle lights S. P. 217, L. D. 598—Should be S. P. 217, L. D. 398.
- Page 202—(Presented by Mr. Stevens of Pownal)—Should be Mr. Stover.
- Page 246—An act relating to Board of Censors of Maine Pictures—should read Moving Pictures.
- Page 259—Resolve opening Jaquity Pond in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 260—Ordered, that there be printed 500 more copies of H. P. 1082, L. D. 571—Should be H. P. 1083, L. D. 571.
- Page 267—Resolve in favor of John E. Parker of Windsor, for State pension (H. P. 90, L. D. 672)—Should be (H. P. 99, L. D. 672)
- Page 273—Resolve opening Jacquith Pond, in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 315—(H. P. No. 552) (L. D. No. 231) Resolve relating to rabbit hunting in Vinalhaven—Should be (H. P. No. 552) (L. D. No. 221)
- Page 321—An Act relating to partition of real estate (S. P. 327, L. D. 833)—Should be (S. P. 327, L. D. 533)
- Page 341—An Act permitting Dennis Plourde to Dump Sawdust in Wallagrass Stream—Should be Dennis Plourde.
- Page 343—(H. P. No. 39) (L. D. No. 776)—Should be (H. P. No. 739 (L. D. No. 776)
- Page 343—(H. P. No. 1476) (L. D. No. 778)—Should be (H. P. No. 1486) (L. D. No. 778)
- Page 358—An act to grant a new charter to the city of Rockland, S. P. 486, L. D. 788—Should be S. P. 486, L. D. 798.
- Page 383—An act to amend the banking laws by amending Sec. 91, of Chap. 57 of the Revised Statutes—Should be marked S. P. 548, L. D. 805.
- Page 417—An Act to provide for School Expenses in Towns having a Valuation of Less than \$200,000.00—Should be marked (H. P. 588, L. D. 235)
- Page 437—"An Act to amend Sections 48 to 54 of Chapter 28 of the Revised Statutes" (S. P. 353)—Should read Sections 48 to 51.
- Page 440—Resolve in favor of Henry McCroty of Farmingdale (H. P. 1502, L. D. 810)—Should be Henry McGroty.
- Page 442—Resolve regulating ice fishing in Tacoma Lakes (H. P. 1465, L. D. 736)—Should be (H. P. 1465, L. D. 756)

HOUSE

Wednesday, February 8, 1933.

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

Prayer by the Rev. Mr. Brown of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill An Act relating to county commissioners, (S. P. 292).

Comes from the Senate referred to the committee on Salaries and Fees.

In the House, tabled by Mr. Rounds of Portland, pending reference in concurrence.

From the Senate: The following Order:

Ordered, The House concurring, that in order that the records of the Gift and Conveyance to the State of Mount Katahdin by Percival Proctor Baxter shall be complete, the communication dated February 7, 1933, addressed by said Baxter to the honorable Louis J. Brann, Governor, and to the Senate and House of Representatives be printed in the Laws of Maine, 1933; (S. P. No. 294).

Comes from the Senate read and passed.

In the House read and passed in concurrence.

From the Senate: The following Order:

Ordered, The House concurring, that the State Auditor be instructed to supply each member of this Legislature with a copy of the official list of the names of all professors, instructors and employees of the University of Maine, together with the salary which each are now receiving; (S. P. No. 295).

Comes from the Senate read and passed.

In the House, on motion by Mr. Carleton of Portland tabled, pending passage in concurrence.

From the Senate: Bill "An Act permitting the Louis Lipsitz Estate to Sue the State for Recovery of Succession Tax assessed and paid under law held by United States Supreme Court to be Unconstitutional." (H. P. No. 842) (L. D. No. 419) which was referred to the

Committee on Judiciary in the House on February 1st.

Comes from the Senate referred to the 87th Legislature in non-concurrence.

In the House, on motion by Mr. Farris of Augusta, tabled, pending further consideration.

From the Senate: Resolve providing for a State Pension for Will Howard of Union. (H. P. No. 1018).

Resolve providing for a State Pension for Emma Anderson of Augusta. (H. P. No. 1019) which were received by unanimous consent and referred to the Committee on Pensions in the House on February 2nd.

Come from the Senate referred to the 87th Legislature in non-concurrence.

In the House, on motion by Mr. Hussey of Augusta, that body voted to insist on its former action and ask for a committee of conference.

Thereupon the Chair appointed as such committee, Messrs. Hussey of Augusta, Walker of Rockport, and Tompkins of Bridgewater.

From the Senate: Bill "An Act relative to Sunday Hunting." (H. P. No. 865) (L. D. No. 287) which was referred to the Committee on Legal Affairs in the House February 1st.

Comes from the Senate referred to the Committee on Inland Fisheries and Game in non-concurrence.

In the House, on motion by Mr. Haskell of Lincoln, that body voted to recede and concur with the Senate in the reference of this bill to the committee on Inland Fisheries and Game.

Senate Bill In First Reading

S. P. 60, L. D. 57: An Act relating to costs recoverable in the Law Court.

The following bills, resolves, petitions and remonstrances were received and upon recommendation of the committee on reference of bills were referred to the following committees:

Aeronautics and Radio Control

Bill "An Act relating to Aviation." (H. P. No. 1081). (Presented by Mr. Flanders of Auburn).

(500 copies ordered printed).

Agriculture

Bill "An Act relating to Milk Containers." (H. P. No. 1082). (Presented by Mr. Fenlason of Anson by request).

Bill "An Act requiring the Licensing of Operators of Creameries or Milk Distributing Plants." (H. P. No. 1083). (Presented by Mr. Osgood of Fryeburg).

Bill "An Act relating to Damage to Poultry by Dogs, or Wild Animals." (H. P. No. 1084). (Presented by Mr. Lord of Lebanon).

Bill "An Act relating to Testing of Live Stock for Tuberculosis." (H. P. No. 1085). (Presented by same gentleman).

Bill "An Act regulating the Quality and Purity of Ice Cream." (H. P. No. 1086). (Presented by Mr. Boyle of Sumner by request).

(500 copies of each ordered printed).

Education

Bill "An Act relating to the Eastern State Normal School at Castine." (H. P. No. 1087). (Presented by Mr. Fenlason of Anson).

(Tabled by Mr. Cook of Pittsfield, pending reference to a committee).

Bill "An Act relating to Changes in Location of any School Legally Established." (H. P. No. 1088). (Presented by Mr. Flanders of Auburn).

Bill "An Act relating to Tuition for Pupils Attending Secondary Schools." (H. P. No. 1089). (Presented by Mr. Ward of Thorndike).

Bill "An Act relating to State Aid for Academies." (H. P. No. 1090). (Presented by Mr. Cook of Pittsfield).

Bill "An Act relating to Schools in Plantations and Unorganized Territory." (H. P. No. 1091). (Presented by Mr. Hall of Bar Harbor).

Bill "An Act relating to the Election of School Superintendents in Remote Towns and Plantations." (H. P. No. 1092). (Presented by Mr. Fenlason of Anson).

(500 copies of each ordered printed).

Indian Affairs

Bill "An Act to Define the Pauper Status of Indians." (H. P. No. 1093). (Presented by Mr. Russ of Woodstock).

(500 copies ordered printed).

Inland Fisheries and Game

Bill "An Act relating to Hunting of Moose." (H. P. No. 1094). (Presented by Mr. Bailey of Woolwich).

(Tabled by Mr. Bailey of Woolwich, pending reference to a committee).

Bill "An Act relating to Trapping of Muskrats." (H. P. No. 1095). (Presented by same gentleman).

Bill "An Act relating to Open Season on Partridge." (H. P. No. 1096). (Presented by same gentleman).

(500 copies of each ordered printed).

Bill "An Act to Prohibit the Baiting of Wild Ducks in Hancock County." (H. P. No. 1097). (Presented by Mr. Gray of Brooksville).

(Tabled by Mr. Gray of Brooksville pending reference to a committee).

Bill "An Act relating to Non-resident Hunting Licenses." (H. P. No. 1098). (Presented by Mr. Ellis of Rangeley).

(500 copies ordered printed).

Judiciary

Bill "An Act Creating Cause of Action for Loss of Use of Motor Vehicles." (H. P. No. 1099). (Presented by Mr. Lebel of Brunswick).

(Tabled by Mr. Lebel of Brunswick, pending reference to a committee).

Bill "An Act relating to Fingerprints." (H. P. No. 1100). (Presented by Mr. Hanson of Cumberland).

(Tabled by Mr. Hanson of Cumberland, pending reference to a committee).

Bill "An Act relating to Permits for Owning Firearms." (H. P. No. 1101). (Presented by same gentleman).

Bill "An Act relating to Disclosure of the Affairs of Corporations and the place within Counties in which Disclosures are to be made." (H. P. No. 1103). (Presented by Miss Laughlin of Portland).

Bill "An Act extending the Time of Operators' Licenses." (H. P. No. 1104). (Presented by Mr. Hill of South Portland).

Bill "An Act relating to the Foreclosure of Real Estate Mortgages." (H. P. No. 1105). (Presented by Mr. Tompkins of Houlton).

Bill "An Act Increasing the Jurisdiction of Constables in Cities of over 40,000 Population." (H. P. No. 1106). (Presented by Mr. Plummer of Portland by request).

Bill "An Act relating to the Enforcement of Liens for Taxes on Real Estate." (H. P. No. 1107). (Presented by Mr. Tompkins of Bridgewater).

Bill "An Act relating to the Enforcement of Liens for Taxes on Real Estate." (H. P. No. 1108). (Presented by same gentleman).

Bill "An Act relating to the Powers and Duties of Guardians." (H.

P. No. 1109). (Presented by Mr. Flanders of Auburn).

Bill "An Act relating to the Powers and Duties of Guardians." (H. P. No. 1110). (Presented by same gentleman).

Bill "An Act relating to Pauper Settlement." (H. P. No. 1111). (Presented by Mr. Rounds of Portland).

Bill "An Act relating to Pauper Settlements." (H. P. No. 1112). (Presented by Mr. White of Crystal).

Bill "An Act relating to Support of State Paupers." (H. P. No. 1113). (Presented by same gentleman).

Bill "An Act relating to the Interstate Transfer of Dependent Persons." (H. P. No. 1114). (Presented by same gentleman).

Bill "An Act relating to Commercial Use of State Owned Property." (H. P. No. 1115). (Presented by Mr. Mason of Raymond).

Bill "An Act imposing Penalty for False Representations made to the Overseers of the Poor, and requiring information by Treasurers of Deposit Companies." (H. P. No. 1116). (Presented by Mr. Rounds of Portland).

Bill "An Act to provide for the Appointment of a Commission to Simplify and Expedite Civil Procedure in the Courts of Maine." (H. P. No. 1118). (Presented by Mr. Tompkins of Houlton).

Bill "An Act concerning Collection Agencies." (H. P. No. 1119). (Presented by Miss Laughlin of Portland).

Bill "An Act to provide for the Furnishing Names of Directors, Clerk and Schedule of Property of Corporations and in regard to Disclosing the Affairs of Corporation." (H. P. No. 1120). (Presented by same member).

Bill "An Act concerning Property Exempt from Attachment and Execution." (H. P. No. 1211). (Presented by same member).

Bill "An Act relating to the Sale of Real Estate for Taxes." (H. P. No. 1122). (Presented by Mr. Hill of South Portland by request).

Bill "An Act relating to Offenses against Habitations and other buildings." (H. P. No. 1123). (Presented by same gentleman).

Bill "An Act relating to Certified Copies of Records of Murder Trials." (H. P. No. 1124). (Presented by Mr. Fenlason of Anson).

Bill "An Act providing for Consulting Medical Examiners." (H. P. No. 1125). (Presented by Mr. Farris of Augusta).

Bill "An Act relating to Tax Liens." (H. P. No. 1126). (Presented by Mr. Walker of Rockland).

Bill "An Act relating to Corrupt Agreements by Attorneys and others." (H. P. No. 1127). (Presented by Mr. Cook of Pittsfield by request).

Bill "An Act relating to Pauper Residence Disputes." (H. P. No. 1128). (Presented by Mr. Dow of Livermore).

(500 copies of each ordered printed).

Resolve proposing an amendment to the Constitution relating to Vacancies in the Legislature. (H. P. No. 1102). (Presented by Mr. Webber of Auburn).

(Tabled by Mr. Webber of Auburn, pending reference to a committee).

Resolve proposing an amendment to the Constitution to provide for a Bond Issue, the proceeds to be disbursed for the Relief of Destitution. (H. P. No. 1117). (Presented by Mr. Scates of Westbrook).

(500 copies ordered printed).

Labor

Bill "An Act relating to Minimum Wages for Laborers" (H. P. No. 1129). (Presented by Mr. Chase of Baring).

Bill "An Act relating to Operation of Steam Pressure Vessels" (H. P. No. 1130). (Presented by same gentleman).

Bill "An Act relating to Stamping of Registered Boilers" (H. P. No. 1132). (Presented by same gentleman).

Bill "An Act to Regulate Steam Engineering" (H. P. No. 1132). (Presented by Mr. Michaud of Van Buren).

Resolve Creating an Unemployment Insurance Committee (H. P. No. 1133). (Presented by Mr. Mayers of Hallowell).

(500 copies of each ordered printed).

Legal Affairs

Bill "An Act permitting Towns to Contract for Road Work" (H. P. No. 1134). (Presented by Mr. Haggett of Wiscasset).

(Tabled by Mr. Haggett of Wiscasset, pending reference to a committee).

Bill "An Act relating to Towns and Town Officers" (H. P. No. 1135). (Presented by Mr. Littlefield of Alfred).

(Tabled by Mr. Littlefield of Alfred, pending reference to a committee).

Bill "An Act concerning the

Licensing of Motor Vehicle Junk Yards" (H. P. No. 1136) (Presented by same gentleman).

(Tabled by Mr. Littlefield of Alfred, pending reference to a committee).

Bill "An Act relating to Polling Places in Sanford" (H. P. No. 1137) (Presented by Mr. Carignan of Sanford).

(Tabled by Mr. Carignan of Sanford, pending reference to a committee).

Bill "An Act relating to Board of Censors of Moving Pictures" (H. P. No. 1138) (Presented by Mr. Piper of Bangor by request).

Bill "An Act providing for the Transfer of certain persons Committed to Jail to the State Prison for Safe Keeping" (H. P. No. 1139) (Presented by Mr. Plummer of Portland).

Bill "An Act relating to Protection of Property" (H. P. No. 1140) (Presented by Mr. Hobbs of Hope).

Bill "An Act relating to Itinerant Vendors" (H. P. No. 1141) (Presented by Miss Martin of Bangor).

(Tabled by Miss Martin of Bangor, pending reference to a committee).

Library

Bill "An Act relating to the Adoption of a State Song" (H. P. No. 1142) (Presented by Miss Laughlin of Portland).

(500 copies ordered printed).

Maine Publicity

Bill "An Act relating to Publicity" (H. P. No. 1143) (Presented by Mr. Wentworth of Kennebunk).

(500 copies ordered printed).

Mercantile Affairs and Insurance

Bill "An Act in relation to the Investigation and Prevention of Fires and Dangerous Conditions in or near Buildings and other Structures" (H. P. No. 1144) (Presented by Mr. Hill of South Portland).

(500 copies ordered printed).

Public Health

Petition of Donald Kidder and 312 others of Gouldsboro in favor of a Resolve permitting C. L. Lindsey of Winter Harbor to act as Undertaker and Embalmer (H. P. No. 1145) (Presented by Mr. Graves of Mt. Desert).

Petition of W. B. Harrington and 180 others in favor of same (H. P. No. 1146) (Presented by same gentleman).

Remonstrance of Jeannine Beauty Shoppe and 5 others against change in the regulation of the practice of

Hairdressing and cosmetic Therapy (H. P. No. 1147) (Presented by Mr. Wright of Bath).

Bill "An Act to provide for the Regulation of the Practice of Podiatry and for the Examination and Licensing of Podiatrists" (H. P. No. 1148) (Presented by Miss Laughlin of Portland).

Bill "An Act relating to the Conduct and Licensing of Recreational Camps, Tourist Homes and similar places" (H. P. No. 1150) (Presented by Mr. Eastman of Farmingdale).

(500 copies of each ordered printed).

Public Utilities

Bill "An Act relating to protection at Grade Crossings" (H. P. No. 1149) (Presented by Mr. Breen of Lewiston).

(500 copies ordered printed).

Salaries and Fees

Bill "An Act relating to Clerical Assistance of the Justices of the Supreme Judicial Court" (H. P. No. 1151) (Presented by Mr. Ashby of Fort Fairfield by request).

Bill "An Act relating to State Salaries for Persons receiving pay from United States Government" (H. P. No. 1152) (Presented by Mr. Sterling of Caratunk).

Bill "An Act relating to Superintending School Committees" (H. P. No. 1153) (Presented by Mr. Fenlason of Anson).

(500 copies of each ordered printed).

Sea and Shore Fisheries

Bill "An Act relating to Lobsters" (H. P. No. 1154) (Presented by Mr. Graves of Mt. Desert).

Bill "An Act relating to the Purchase and Sale of Lobsters" (H. P. No. 1155) (Presented by Mr. Goudy of South Portland).

(500 copies of each ordered printed).

State Lands and Forest Preservation

Bill "An Act concerning the improvement, protection or preservation of Shade or Ornamental Trees" (H. P. No. 1156) (Presented by Miss Martin of Bangor)

(500 copies ordered printed)

State Prison

Bill "An Act relative to Reduction Sentence Convicts in State Prison" (H. P. No. 1157) (Presented by Mr. Fogg of Rockland)

Bill "An Act relative to Applications for Parole by Convicts in State Prison" (H. P. No. 1158) (Presented by same gentleman)

(500 copies of each ordered printed)

State Sanatoriums

Bill "An Act relating to the Cost of Treatment of Patients at State Sanatoriums" (H. P. No. 1159) (Presented by Mr. Young of York) (500 copies ordered printed)

Taxation

Petition of P. D. Starrett and 21 others of Knox County in favor of a special tax on the so-called "Chain Stores" (H. P. No. 1204) (Presented by Mr. Smith of Vinalhaven)

Petition of Buell and Rutherford and 34 others in favor of same (H. P. No. 1205) (Presented by Mr. Clarke of Cooper)

Petition of Belfast Farmers Union and 27 others in favor of same (H. P. No. 1206) (Presented by Mr. Hills of Northport)

Petition of P. L. Rideout and 154 others of Aroostook County in favor of same (H. P. No. 1207) (Presented by Mr. Tompkins of Houlton)

Petition of B. R. Staples and 15 others in favor of repeal of law for Tax on Gasoline used in Fishing Boats (H. P. No. 1160) (Presented by Mr. Wentworth of Kennebunk)

Petition of Oris Holbrook and 29 others in favor of same (H. P. No. 1161) (Presented by same gentleman)

Petition of R. B. Cooper and 19 others of Camden and Rockport in favor of same (H. P. No. 1162) (Presented by same gentleman)

Bill "An Act relating to a Tax on Malt" (H. P. No. 1163) (Presented by Mr. Crowell of Weston)

(Tabled by Mr. Crowell of Weston, pending reference to a committee)

Bill "An Act prescribing a Schedule of Fees for Registration of Motor Trucks" (H. P. No. 1165) (Presented by Mr. Littlefield of Alfred)

(Tabled by Mr. Littlefield of Alfred, pending reference to a committee)

Bill "An Act prescribing a Schedule of Fees for Registration of Motor Trucks" (H. P. No. 1166) (Presented by same gentleman)

(Tabled by Mr. Littlefield of Alfred, pending reference to a committee)

Bill "An Act relating to the Exemption of Property from Taxa-

tion" (H. P. No. 1167) (Presented by Mr. Hill of So. Portland)

Bill "An Act relating to a Poll Tax" (H. P. No. 1168) (Presented by Miss Martin of Bangor)

Bill "An Act relating to Personal Property" (H. P. No. 1169) (Presented by Mr. White of Crystal)

Bill "An Act relating to Reports of Towns of Excise Tax Payments" (H. P. No. 1170) (Presented by Mr. Dow of Livermore)

Bill "An Act to Impose an Excise Tax on Fuel Oil" (H. P. No. 1171) (Presented by Mr. Dow of Livermore)

(500 copies of each ordered printed)

Bill "An Act Imposing a Sales Tax" (H. P. No. 1172) (Presented by Miss Martin of Bangor)

(Tabled by Miss Martin of Bangor, pending reference to a committee)

Bill "An Act relating to the Sale of Tobacco and Tobacco Products and imposing an Excise on Dealers therein" (H. P. No. 1164) (Presented by Mr. Walker of Rockland)

Bill "An Act providing for the Levy of an Excise Tax on Sales of Manufactured Tobacco Products" (H. P. No. 1173) (Presented by Mr. Bennett of Presque Isle)

(1000 copies of each ordered printed)

On motion by Mr. Tompkins of Houlton, petitions and remonstrances Nos. 1174 to 1203 inclusive were presented, without reading, and referred to the committee on Temperance.

Temperance

Petition of Phil. Gray and 124 others in favor of submitting to the People of Maine a Referendum on the repeal or retention of the twenty-sixth amendment to the Constitution (H. P. No. 1174) (Presented by Mr. Piper of Bangor)

Petition of Arthur L. Cunningham and 30 others of Bluehill in favor of same (H. P. No. 1175) (Presented by Mr. Littlefield of Bluehill)

Petition of John Ware and 35 others of Waterville in favor of same (H. P. No. 1176) (Presented by Mr. Berry of Waterville)

Petition of Howard B. Welch and 127 others in favor of same (H. P. No. 1177) (Presented by same gentleman)

Petition of Bert M. Harding and 67 others of Waterville in favor of

same (H. P. No. 1178) (Presented by same gentleman)

Petition of Adelard J. Reny and 128 others in favor of same (H. P. No. 1179) (Presented by same gentleman)

Petition of William C. Dow and 127 others of Portland in favor of same (H. P. No. 1180) (Presented by Mr. Bucknam of Portland)

Petition of G. A. Stevens and 127 others of Portland in favor of same (H. P. No. 1181) (Presented by same gentleman)

Petition of Charles A. Maxwell and 126 others in favor of same (H. P. No. 1182) (Presented by same gentleman)

Petition of Patrick J. Gorham and 127 others in favor of same (H. P. No. 1183) (Presented by same gentleman)

Petition of Leon A. Carr and 127 others of Portland in favor of same (H. P. No. 1184) (Presented by Mr. Carleton of Portland)

Petition of Richard I. Peterson and 52 others in favor of same (H. P. No. 1185) (Presented by same gentleman)

Petition of Robt. F. Lee and 95 others of Portland in favor of same (H. P. No. 1186) (Presented by same gentleman)

Petition of E. M. Brown and 127 others of Portland in favor of same (H. P. No. 1187) (Presented by same gentleman)

Petition of Emery H. McAllister and 127 others in favor of same (H. P. No. 1188) (Presented by Mr. Mason of Mechanic Falls)

Petition of R. H. Joslin and 127 others in favor of same (H. P. No. 1189) (Presented by Mr. LeBel of Brunswick)

Petition of G. M. Wheeler and 126 others of Brunswick and vicinity in favor of same (H. P. No. 1190) (Presented by same gentleman)

Petition of S. A. Fickett and 29 others of Milbridge in favor of same (H. P. No. 1191) (Presented by Mr. Shaw of Milbridge)

Petition of A. H. Wallace and 20 others of Milbridge in favor of same (H. P. No. 1192) (Presented by same gentleman)

Petition of John F. Eldridge and 63 others of Kennebunk and Kennebunkport in favor of same (H. P. No. 1193) (Presented by Mr. Wentworth of Kennebunk)

Petition of Joseph A. Belanger and 23 others of Westbrook in favor

of same (H. P. No. 1194) (Presented by Mr. Scates of Westbrook).

Petition of Timothy Shehan and 127 others of Westbrook in favor of same (H. P. No. 1195) (Presented by same gentleman).

Petition of Mrs. R. K. Jordan of Westbrook and 127 others in favor of same (H. P. No. 1196) (Presented by same gentleman.)

Petition of E. L. Woodis and 48 others in favor of same (H. P. No. 1197) (Presented by Mr. Norris of Wayne).

Remonstrance of Frank N. Beckett against same (H. P. No. 1198) (Presented by Mr. Tupper of Calais).

Remonstrance of Charles F. Fredrick and 26 others of Rangeley against same (H. P. No. 199) (Presented by Mr. Ellis of Rangeley).

Remonstrance of Weston P. Holman and 75 others of Bath against same (H. P. No. 1200) (Presented by Mr. Oliver of Bath).

Remonstrance of J. E. Maguire and 65 others against same (H. P. No. 1201) (Presented by Mr. Tompkins of Bridgewater).

Remonstrance of Henry Giberson and 16 other residents of Maine against same (H. P. No. 1202) (Presented by same gentleman).

Remonstrance of Rev. S. E. Leach and 13 others against same (H. P. No. 1203) (Presented by Mr. Wentworth of Kennebunk).

Orders

On motion by Mr. Scates of Westbrook, it was

Ordered, that there be printed 500 additional copies of H. P. 102, an act relating to the regulation and control of outdoor advertising.

On motion by Mr. Hickey of Old Town, it was

Ordered, that there be printed 500 copies of each of the following bills and resolves:

H. P. 578, resolve in favor of the Penobscot Tribe of Indians.

H. P. 579, resolve for repairing homes of poor and needy Indians at Old Town Island.

H. P. 599, an act relating to appropriations dealing with Indian affairs.

H. P. 600, resolve relating to Penobscot Tribe of Indians.

H. P. 836, an act relating to the Penobscot Tribe of Indians

Reports of Committees

Mr. Wentworth from the committee on Sea and Shore Fisheries

on bill "An Act relating to regulation and buying, selling and transportation of clams." (H. P. No. 3) (L. D. No. 3) reported "ought not to pass" as the subject matter is covered in another bill.

Mr. Lewis from same committee reported same on bill "An Act to amend the law requiring a license for the sale of clams." (H. P. No. 651).

Mr. Mason from the committee on taxation reported "ought not to pass" on bill "An Act relating to excise tax on motor vehicles." (H. P. No. 130) (L. D. No. 76).

Reports read and accepted and sent up for concurrence.

Mr. Farris from the committee on Judiciary on bill "An Act incorporating the Wiscasset, Waterville, and Farmington R. R. Company." (H. P. No. 96) reported same in a new draft (H. P. No. 1208) under title of "An Act to Incorporate the Wiscasset, Waterville and Farmington Railway Company" and that it "ought to pass."

Mr. Dow from the committee on Pensions on resolve providing for a State Pension for Mary L. Haskell of Milford (H. P. No. 18) reported same in new draft (H. P. No. 1209) under same title and that it "ought to pass."

Mr. Hawkes from same committee on resolve providing for a State pension for Emma C. Weeks of Sidney (H. P. No. 36) reported same in a new draft (H. P. No. 1210) under same title and that it "ought to pass."

Mr. Leathers from same committee on resolve providing for a State pension for Charles A. Frohock of Lincolnville (H. P. No. 52) reported same in a new draft (H. P. No. 1211) under same title and that it "ought to pass."

Reports read and accepted and the new drafts ordered printed under the joint rules.

Mr. Thomas from the committee on salaries and fees on bill "An Act relating to fees for jurors" (H. P. No. 79) (L. D. No. 47) reported same in a new draft (H. P. No. 1212) under same title and that it "ought to pass."

(Tabled by Mr. Hobbs of Hope, pending acceptance of report and new draft ordered printed).

Mr. Wentworth from the committee on Sea and Shore Fisheries reported "ought to pass" on bill "An Act relating to the taking of lobsters in certain waters in Hancock county, adjacent to the town of Brooklin" (H. P. No. 163) (L. D. No. 91).

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned

First Reading of Printed Bills and

Resolves

H. P. No. 1078) (L. D. No. 435) An act relating to absentee voters. (Tabled by Mr. Rounds of Portland pending first reading.)

(H. P. No. 47) (L. D. No. 433) Resolve for screening Pierce Pond, in the county of Hancock.

(H. P. No. 92) (L. D. No. 432) Resolve regulating fishing in Weld Pond.

Passed to Be Engrossed

H. P. 101, L. D. 430: An act relating to election of officers for the Van Buren Water District.

Mr. Michaud of Van Buren presented House Amendment 'A' and moved its adoption.

House Amendment "A" to H. P. 101, L. D. 430.

H. P. 101, L. D. 430, An act relating to election of officers for the Van Buren Water District is hereby amended as follows:

The 4th sentence of Section 5 of Chapter 316 of the Private and Special Laws of 1905 is amended to read as follows:

"As soon as convenient after the board of trustees has been chosen, the said trustees shall hold a meeting at the office of the Van Buren Water District in the town of Van Buren and organize by the election of a chairman and clerk, adopt a corporate seal, and when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said water district."

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

H. P. 1017, L. D. 431 An Act regulating Number of Voting Compartments.

H. P. 63, L. L. 33, Resolve relating to Fishing in Pleasant Lake, in Island Falls.

H. P. 119, L. D. 67, Resolve regulating Ice Fishing in Mt. Blue Pond.

H. P. 120, L. D. 68, Resolve opening Ware Pond to Ice Fishing.

Passed to be Enacted

S P. 274 An act accepting from Percival Proctor Baxter the conveyance and deed of gift of Mount Katahdin.

H. P. 77, L. D. 106, An Act to extend the charter of the Quebec Extension Railway Company.

Orders of the Day

The Chair lays before the House the majority and minority reports of the committee on Judiciary on resolve proposing an amendment to the Constitution changing the date of the biennial election, H. P. 16, L. D. 4, the minority report being that this bill ought to pass and the majority report being that it ought not to pass, both reports being tabled on February 2 by the gentleman from Winterport, Mr. Fernald, pending acceptance of either report; and the Chair now recognizes the gentleman from Winterport, Mr. Fernald.

Mr. FERNALD: Mr. Speaker, I move the acceptance of the minority report, ought to pass, and I ask that when the vote is taken it be by the yeas and nays.

Today we have before us for consideration the proposition as set forth in Legislative Document No. 4, a Resolve proposing an amendment to the Constitution changing the date of the biennial election from September to November and thereby in presidential years holding one election instead of two. This would result in a saving to the State of Maine and to the towns of Maine of nearly \$50,000.

In the platform adopted at the Maine State Republican Convention at Portland, March 31st, 1932, we find the following statement, "The Republican Party recognizes that present economic conditions prompt serious consideration of the burdens of taxation. In view of the fact that Federal, State and Municipal Taxation in the United States increased 225 per cent from 1913 to 1930, a drastic cut in expenditures seems to be of first importance. The Republican Party pledges itself to a programme of strict economy. The burden of taxation has been so heavy that every effort toward reduction of expenditures must be made. Instead of seeking additional revenue by imposition of additional tax, the efforts of the State should be directed to further elimination of waste and a determined opposition to all expenditure that may be avoided at this time." Now most of the older Republican members of this Legislature were present at that 1932 Republican State convention. You helped make this platform. You stood on it during the campaign of 1932, and now I ask

you Republicans to do something about it. Keep faith with the folks back home. I ask you as Republicans, are you keeping the Republican party's pledge of "a programme of strict economy" for 1933 if you refuse to save nearly \$50,000, as proposed by this measure? I ask you as Republicans, are you making an effort toward the "elimination of waste and a determined opposition to all expenditure that may be avoided at this time," if you refuse to save nearly \$50,000 as proposed by Legislative Document No. 4?

We are told by the "Republican High Command" that there is a political advantage to the Republican party if we have the state election in September rather than in November, as I propose in this resolve. Now let us look at the record. Since the Civil War Maine has elected five Democratic governors in September. Yet for the same period the Republican Party has never been the minority party in the November election. Let me repeat that for nearly three-quarters of a century the Republican party has never been the minority party in November. It would seem to me that the Republican "ring leaders" are more interested in the "slush fund" of the Republican National Committee than in keeping Maine Republican when they advance this argument of political advantage for the September election. The record in reality shows a disadvantage. It would appear that since the Democrats are so willing to legislate themselves out of office this year that it would be good Republican strategy to pass this resolve but there are still other considerations.

We are told by the theorists that we should continue the September election so as to keep our state matters and our national affairs separate. But let us look at the record. Today under our present law we elect in September our members of Congress and our United States Senators along with our state and county officials. Thus we see the flaw in that argument. Carrying the argument still further the record shows that in 1908 the Republican propagandists had for their slogan, "A vote for Fernald is a vote for Taft" and in 1916 the cry was "A vote for Milliken and a vote for Hughes." These are facts you are all familiar with. Let me also point out that this measure will put Maine in accord with the "lame

duck" amendment. Maine is now the only state out of step with that part of our United States Constitution. Maine cannot afford to be out of step with that progressive amendment. We are told that the September election advertises Maine. If such an advertising scheme is effective, why has not Florida or California adopted such methods? Can you name a single industry that has been established in Maine because of our September election? Do you know of any people coming to Maine with their families and taking up a settlement in our state because of the September election? The answers are self-evident. If we must advertise Maine, I ask you, why spend indirectly \$50,000 of the people's money in a needless and wasteful September election? I would suggest that we abolish the September election as proposed by this measure and spend our \$50,000 in direct and effective advertising.

We are told that it is more convenient for our people to vote in September than in November. We are told they prefer to vote in September rather than in November. Let us examine the record. In the first place I am willing to admit that before the days of good roads and good automobiles these arguments had some merit. But in September, 1932 there were 241,000 votes cast for governor, with both Democrats and Republicans spending a great deal of money and it is not uncommon in Maine for a state campaign to cost from \$100,000 to \$200,000. While in November, 1932, with practically no money spent by either side in Maine, nearly 300,000 votes were cast for president. 48,000 more Republicans and 8,000 more Democrats than voted in September of the same year. In 1928 the results were the same. In September for Governor received 213,000 votes while in November the total vote cast was 262,000, 31,000 more Republicans and 16,000 more Democrats than in September, 1928. This clearly and conclusively shows that the people of Maine have no aversion to voting in November.

Why did Vermont abolish its September election in 1913? In many ways Vermont resembles Maine. It also is a recreational state but it saw the need for real economy, an opportunity to save the people's money and no advantage in the September election.

The change as proposed by this resolve, Legislative Document No. 4, should appeal to the farmers and the people in the small towns, for under this bill it would mean that our state conventions would no longer be held in mud time or when the roads are in bad shape but the state conventions would be held late in July, after haying, when all the delegates from all parts of Maine could attend and therefore give us a greater degree of representative government. As it is now, the larger centers of population are more accessible and can be represented at our March state conventions 100 per cent while many rural communities are often without delegates or representation of any kind. Under my proposed change our primary would probably be held in September and the campaign proper would be shorter and at a better season of the year. This change would also be of great benefit to the fishermen of Maine because we are all aware of the fact that most Maine fishermen have less to do in November than in September.

Senator Murchie has been giving us figures on election costs and pointing out some of the evils of money in elections. In that same connection I believe it is a conservative statement to say that more money is spent unnecessarily in Maine in the September election than in any other rural state in the Union. Are the Republicans of this legislature going to turn down this bill and thereby admit that the only means of defeating their opponents is through the use of a political nursing bottle? Good Republicans like good Democrats will always stand ready to carry out their civic responsibilities and this bill before you today aims to maintain and encourage that fundamental principle.

How does the press feel about this measure? The Lewiston Evening Journal under date, January 13, 1933, says, "We are inclined to agree with Mr. Fernald about the union of the two elections every four years." On February 4, 1933, the Bangor Daily News says: "If it is undesirable, all we can say is that of the 48 states comprising this glorious Union, all are out of step but Maine."

How do the people of Maine feel about this measure? They favor it. In a questionnaire sent to 500 selectmen and mayors of 500 Maine

towns and cities, out of total returns of 264 only 8 opposed the measure, and 252 said "yes we favor having our state elections in November instead of September, thus doing away on Presidential years of the September election costs." They also said that the total cost to about one half the towns and cities of this state for this useless election in September, 1932, was over \$15,000. If we add to that amount the cost of the election to the State of Maine, which was in 1932, not including the recount expenses, about \$10,000, we can readily see that the cost of the September, 1932, election to both the state and local communities was about \$50,000. For your information I will state that the selectmen opposed to the change were from the following 8 towns:

Population (1930 census)

Bowdoin	568
Dyer Brook	262
Hanover	170
Hebron	791
Masardis	584
Montville	664
Thorndike	455
Whiting	327

Total 3821

Of the 20 cities in Maine ten were in favor of the change as follows: Auburn, Bath, Biddeford, Brewer, Calais, Hallowell, Lewiston, Portland, Rockland, South Portland. Bangor indicated no choice although the September, 1932, election cost the city \$500. The other cities did not answer the inquiry, yet it is striking to point out that no city in Maine disapproved of this measure. But it is still more striking that the selectmen and mayors of communities containing over half the population of Maine favored the measure.

This is a constitutional amendment. There are two questions to answer in this connection. First is the proposition sound? The answer is yes since 47 out of the 48 states in the Union have adopted it. Second is there a popular demand for it? The answer is yes. The Democratic platform of 1932, which received the endorsement of 121,000 voters, is definitely pledged to it, and furthermore the most popular phase of all is that it will save nearly \$50,000 of the state's and towns' money and since over half the population of Maine favors the measure, as indicated by my postal card poll.

There may be those among you who feel that this is a radical change. But let me point out again that no other state in the Union goes to this unnecessary expense. Furthermore, in 1880 Maine saw fit to discontinue the practice of electing its governor every year, and holding annual sessions of the Legislature. The changes of 1880 were changes in the right direction and saved us a great deal of money and gave us a better and more efficient government. History has shown these facts to be true.

As early as 1875 this change, proposed in Legislative Document No. 4 now before you, was advocated in the Maine Legislature. In 1876, 1883, 1887, 1889, and from 1909 to date, with four exceptions, this measure has been before every Maine Legislature. The usual procedure has been to kill the bill in committee or to send the proposal to the floor with an unfavorable report, which was speedily adopted by a straight party vote. But today is 1933. We are here as legislators to practice REAL ECONOMY and not five and ten cent economy. We have been here six weeks. We have been attempting to build up a smoke screen between ourselves and our constituents with the word "economy" indelibly printed on the side toward the people and the word "Moses" hanging celestially over our great selves. Yet we have not fooled the people. The average man or woman today has his or her eyes on you and is closely watching your every act. Today you will go on record, yes the printed record, when the roll call is taken. A vote "Yes" will save Maine nearly \$50,000 every four years. This is no time for shadow boxing economy. We want economy with a real punch and so do the people. As your record now stands when you go home you can say to your constituents, "This has been a very economical session. I saved for the State of Maine a few dollars in telephone calls, a couple of dollars on fountain pens, and a few cents for lead pencils (thanks to our brother member from Old Town). And if you vote against this economy measure you can say that you saved the "slush fund" that comes from the Republican National Committee every four years to Maine's Republican political ring racketeers. This I believe means more to the Republican ring leaders than to the aver-

age taxpayer or to men and women like ourselves. Again let me repeat that this question has been many times before the Republican organization leaders in Maine and they attack it in the same manner that they do most public questions like the Bourbons of old, never forgetting anything and never learning anything.

"As Maine goes, so goes the Union" is apple sauce and is peddled as such by the Republican leaders while the people of Maine are paying the freight at a cost of \$50,000. The September returns from Maine cannot be seriously regarded as an omen of the national election outcome. Actually, the Maine election returns although suggestive of a national trend, have proved false as a political barometer.

In the Portland Evening News Tuesday, May 6, 1930, as a Republican I advocated the change I now advocate from this floor. I was only attempting to carry out the political program of a great Republican governor of Maine, Bert M. Fernald, who said in his inaugural address of 1909, "It is a waste of time and money to hold two elections when one can serve as well," the Democrats of Maine in their platform of 1932 are pledged to this measure. It is a measure that is as sure of adoption as the sun is to rise tomorrow. Our new President has called for a "new deal". I am calling on you to give the people of Maine a "square deal", as Theodore Roosevelt would put it. And now in closing in the words of that great Republican governor of Maine, Governor Fernald, "I beg of you, however, to consider this phase of your duties seriously. If there be any man here who looks upon his oath of office taken before God and man, as of small account, let me beg him to revise his views. If any man there be who assumes his first duty to be to his political party and his second duty to his state, let me beg him to desist. This is not the proper field for exploitation of party prejudices or of personal and political ambitions. The gravity of the duties here imposed calls for a higher estimate of our service than this, and constitutes an appeal to the patriotism of every man, in such degree that he will ungrudgingly sink himself and his party, in a devotion to the service of the whole people."

After all in the final analysis regardless of how we vote on this question today, since it is a question on the amendment to our Constitution it must go to the people. There is a demand for this measure. My postal canvass indicates this. It is an economy measure and consequently popular. Therefore, I say let the people vote on it; let them decide. It will cost the State nothing since it can be voted on along with a number of other measures that will be submitted to them by this legislature. This legislature cannot go on record as opposing the submission to the people of Maine of a sound measure, of a popular measure, and of a measure saving nearly \$50,000. They pay the bills. Let them decide the question. They want to. I thank you. (Applause)

Mr. PLUMMER of Portland: Mr. Speaker, if I am correct, the question before the House is on the acceptance of the minority report?

The SPEAKER: That is correct.

Mr. PLUMMER: I will say that I rise to oppose the acceptance of the minority report. In the first place, as we all know, this act changes the Constitution so that it will require in its final enactment a two-thirds vote. It will also have to go to the people for their acceptance.

Now I ask the question, is there a general call for this change? They held a meeting before the Judiciary committee which had been previously advertised and which I attended. Not one single person except the gentleman from Winterport (Mr. Fernald) who was a member of the committee and who I suppose felt it his duty to be there,—not one single person voted in favor of the bill, and there was only one person who appeared in opposition, and that was myself (Laughter). I happened to be there by accident. (Laughter and applause) I was there on other matters that I was interested in, and I was just leaving the room when the gentleman from South Portland, Mr. Goudy, said to me that there was a matter to come up and so I stopped and listened to the discussion and added a little to it myself.

Now I oppose this change and I will not take but a little of your time. I oppose it, first, because September is the best month in the

year for a general election. It is one of the finest months in the year, and when the writers of the Constitution met they no doubt took that into consideration. In the early part of September the harvesting does not interfere and the roads are good. One can bank on good roads and fine weather at that time. What is November? It is the meanest, darkest, most dismal month in the whole year. (Laughter) And the roads all over northern Maine—I know because I have traveled them—are slippery and rough. That is one point why I say that September is the best month in the year to have the general election and get the people out.

Now in regard to the gentleman's statement—I don't know where he got those figures and I say right here that I do not believe they are correct. (Laughter) Where he got those figures I am sure I do not know. I think he must have dreamed them in his sleep. I called up the city clerk in Portland and asked him what the expense of every September election was and he told me that the payroll was \$1100.00; that the expenses of dinners, and so forth, and the general fitting up for the election, were about \$700. That gives us an expense in Portland of at least \$1800. Now Portland has one tenth of the whole population of the State of Maine and without doubt our expenses in Portland are more in proportion than in any other part of the State. We have a large number of voters who have to come and stay all night and we have to feed them while they are there. I also called up Scarboro and I asked the Representative from Scarboro, who is also one of the selectmen, to give me the expense out there. It was Saturday and he was at the town hall and he told me it was forty dollars. Now Scarboro has about 2,000 population, almost twice the population of the average towns in the State. I make the estimate, which I think is a fair one, that the expenses in the State of Maine for the general election are practically two thousand dollars.

There is another side to this! If this goes to the people next fall, we have got to have a general election, and no matter if this is not a State matter but a town matter, the State will have to print the ticket, and if this goes to the people next September we have got to have a gen-

eral election and that general election expense will wipe out all of the saving that could possibly be made at the next Presidential election and the towns could not possibly make any saving until eight years from this time. Think that over!

There is another question that occurs to me, and that is, if you carry the election along to November you will add to the expense of the November election because there would be a larger number of votes to come. In Portland, for instance, we have to have extra help and it takes longer to count them and I figure—I want to be perfectly fair—I figure that the average expense added to the November election will be twenty-five per cent of what you save on the September election. That will give you a saving of \$1500 to the towns in the State, according to my figures.

One argument against this is that the change would bring the Presidential election and the State election together. While this does not entirely divorce State from National matters in September, yet everybody knows, those who know anything, that the National election is when we become awakened as to National affairs. As I said before, I think that the saving we would make would be more than offset by the disadvantages of an election in Maine so late in the season as November.

Now there comes another question and then I am through, and that is the value of the September election an an advertising feature. We all know that the September election brings a lot of people to Maine from all over the country when they come here and see us at our best. Any one who drives through the State of Maine during the first part of September is impressed, as we all know. Every business man knows this. This September election does certainly put us before the public. We are in every newspaper of any consequence in the United States. There is no man of intelligence in the United States who is not reminded of the State of Maine at that time. They know it once every four years anyway.

I am going to say one thing and that is that this is not a partisan question in any way, shape or manner. The gentleman has quoted the old slogan which we have all heard so many times and if we hark back to the last election we cannot say that that old slogan is dis-

proved. Therefore I say that so far as politics are concerned, there is no question about it. It is simply a question of what the towns of the State will say. You know we have a motto "Dirigo," I lead. Why did we adopt that unless to lead? (Applause).

Mr. ASHBY of Fort Fairfield: Mr. Speaker and fellow members. You know it is said that a man cannot be wrong all the time and I am convinced for once in his life the gentleman from Winterport, Mr. Fernald, is right. (Laughter and applause).

I have been making a lot of inquiries to find out some reason why Maine should stand out among all the States as having a little election of its own. A few years back there were a few States having a separate State election but they all gave it up. So far as the political barometer goes, it has not always worked out. The Literary Digest poll is much more accurate and easier to get at. (Laughter).

In regard to the statement of the gentleman from Portland, Mr. Plummer, that September is a good month for election! Well, for the farmer, it is a very busy month when he is just about harvesting his crops and the election returns show that a larger vote gets out in November than in September. It would almost look to me as though it were a kind of lame excuse to hold another election in September, and I am sure that the figures of the gentleman from Portland, Mr. Plummer, like the report of Mark Twain's death, are greatly exaggerated when he says that one reason for prolonging the continuance of the September elections is that it costs more than that to print a separate ballot.

When somebody can advance some real reason why we, of all the forty-eight states of the Union, should hold a separate election, then I might be convinced of the need of it but at the present time I hope that the minority report will be accepted.

In conclusion may I say that I cannot see why anyone should want to keep the people of Maine from registering their wishes on any matter since this is a government by the people and of the people. I can see no reason why the people of Maine should not have the opportunity of registering their vote in

a referendum on any important question. I thank you.

Mr. GOUDY of So. Portland: Mr. Speaker and members of the House of Representatives: I was one member of the Judiciary who signed the minority report, and I do not feel that I am called upon to apologize to anybody for my attitude in the matter. I feel that Republicans and Democrats alike are here for one purpose and that purpose should be to lift the weight, the overburden, from the shoulders of the taxpayer. In this particular time of all times the taxpaying citizen of the State of Maine is seeking relief at your hands and we should understand that it is our solemn and sacred duty to see to it that he has relief. We are all here, both parties, to represent the constituents of our cities and towns to the best of our ability, and the crying need at this time is relief for the taxpayer, and such relief can only be brought about by a decrease in the expenditures of the State of Maine. Now we have an opportunity here to eliminate an expense that will in no way impair or impede the progress of any department of this State and which will in no way jeopardize the workings of any department and we can save the State of Maine close on to fifty thousand dollars.

The gentleman from Portland, Mr. Plummer, speaks about the advertising. There may be some advertising benefit, but I doubt it, and, if there is, the citizens of South Portland, the city that I represent, and the citizens of every city and town in the State of Maine cannot stand the advertising expense. Representing South Portland, as I do, I was in favor of the minority report on this bill because it saved my city \$662.77, and \$662.77 is a whole lot of money to the city of South Portland. It is only by saving these small amounts that one can expect to make a saving that will total an amount large enough to help the overburdened taxpayer. I do not believe and neither do you that we can take any one large amount. We have got to build up such an amount by saving on small items, and I sincerely hope that the minority report will prevail. It is now, as never before in the history of this State, that the taxpayers of the State of Maine need help at your hands. Our constituents have sent us down here to represent them and look after

their interests. We should take away their burden of taxation and not increase it, I believe that every person should look at this in an unprejudiced, unbiased way, whether Republican or Democrat. I am a Republican. There are good Democrats here and good Republicans and we are all looking for one purpose and I feel that we should refer this measure to the people. If you have any doubt in the matter, vote to refer it to your constituents. Do not take it away from them and go over their heads. Let them have a chance to vote on it and you will have done your duty. We should look after the taxpayers in this Legislature and save them all unnecessary expense. (Applause)

Mr. HAGGETT of Wiscasset: Mr. Speaker, I have always believed that the September election was not necessary. I cannot see why we need two elections, and I would like very much to see carried out the idea of the gentleman from Winterport, Mr. Fernald.

Mr. MAYERS of Hallowell: Mr. Speaker, our population in Hallowell is 2600. The gentleman from Portland, Mr. Plummer, has given an estimate of the cost of the election in Scarborough as \$40, but I am assured in my city of 2600 the cost would be \$200 for our September election. Of course the Board of Registration is in session then and we probably have more polling places, but the size of the place compares very favorably with the one the gentleman has quoted. I feel like stating my position as favorable to the minority report. (Applause)

Miss LAUGHLIN of Portland: Mr. Speaker, the sole purpose of the election is to find out and act upon the will of the people, and because I believe that the holding of our State election in September, apart from the Presidential election, is the method best calculated to find out and act upon the will of the people, I am opposed to the adoption of the minority report. As a member of the Judiciary committee I signed the majority report, and in the absence of a widespread demand I am opposed to the submission of this question. The very fact, as pointed out by the gentleman from Portland (Mr. Plummer), that there was nobody there, to speak for it except the introducer of the measure, a member of the committee, is of itself sufficient evidence that if there had been a widespread

demand for it the hearing would have had to have been held in either the House or Senate chambers instead of in a committee room with nobody there to speak for it.

The gentleman from Winterport (Mr. Fernald) talks about Portland. I have not discovered any demand in Portland for this change. He has told us to remember that we will go back and answer to our constituents. I am perfectly willing to go back and answer to my constituents in the city of Portland in opposing this change in the Constitution of the State. If costs were the only thing to be considered, then we had better do away with our September election in non-Presidential years entirely and have the election only once in four years, or we might have it once in ten years and save more. We have heard a lot of talk about economy here, and I agree with the gentleman from Portland, Mr. Plummer, that I do not think the figures of the gentleman from Winterport (Mr. Fernald) are correct because he has not taken into consideration among other things the extra costs of printing. The printing bill would be just the same because we have to print for the Presidential election whether we elect in September or November. We have to pay, as the gentleman from Portland (Mr. Plummer) has pointed out, extra money for election officials which would practically amount to the same as they are paid for the two elections if we had only one.

Much has been said about present conditions by the gentleman from Winterport (Mr. Fernald). We want to remember that this is a matter that occurs only once in four years. The gentleman from South Portland (Mr. Goudy) talks about \$662. That would be only \$165 per year and I do not believe that would put South Portland in bankruptcy. I believe September is the month best calculated to obtain the expression of the will of the people and that in November, for the reason pointed out by the gentleman from Portland (Mr. Plummer) the people are going to be prevented from voting by storms and bad traveling. Another reason in favor of September election is that we can separate State and National issues so that the one will not becloud or influence the other. I think this was very well illustrated in our last election when in September the State gave the Democratic candidate for Gov-

ernor a majority of around 3,000 and in November it gave the Republican candidate for President a majority of 38,000 to 40,000 votes, more than ten times as many. Supposing we had both elections in November, I think on the face of the returns the State would have gone Republican both for Governor and President and I would not have objected to that. (Applause). We wonder why our Democratic friends would like to have this changed. In any event it is evidenced that we act the will of the people with more accuracy by having these elections separate—the State election in September and the Presidential election in November.

The gentleman from Winterport (Mr. Fernald) says "Why does not California, why does not Florida, why does not Vermont have this?" I am not at all interested in this point. I am not interested in the other states, I am interested in why Maine should change its State election from September to November.

One other thing has been mentioned and that is advertising. I am not especially interested in that, but I think the most of the members of this House will remember that some money has been spent for advertising the State of Maine. I think that our State election advertises our State as much and more than any money spent by the Maine Development Commission or any other agency. As the gentleman from Portland (Mr. Plummer) has said Maine is in the headlines of every newspaper in the country. I have been in California when the returns from Maine were coming in and Maine was on every lip and in every paper. Four years ago I went to Washington the night of our September election, arrived there the next day, and immediately thereafter I had an interview with the then candidate for President, Republican President. I met and talked with Senators from various states. I was interested in another matter but everywhere I heard about the returns from Maine, whether it was from the Senator from Arkansas, Mrs. Caraway or the Senator from some other State, it was all the Maine election, getting the different returns and asking me this and asking me that, and I will state that no dollar ever expended in advertising would give a hundredth part of the returns that the Maine election in September did. If, therefore, cost is

the main thing to be considered, we would better do away with the expenditure of every cent which we spend through the Maine Development Commission and keep the September election. We would get more advertising out of it. The question is the value received not the amount received and I think there is no question but that we can get more returns from the money thus spent for the September election than we do from any other form of advertising. But what is of far more importance to me is the fact that it enables those who want to come out and vote not to be deterred by the bad weather we get in November, and therefore is more expressive of the will of the people because it does separate the State issues from the National issues.

Therefore, because of these things and because having our State election in September contributes to what should be the sole aim of the government of the people, the expression of their will, I am opposed to this change because such a change would make our government a less representative government. (Applause).

The SPEAKER: The pending question is on the motion of the gentleman from Winterport, Mr. Fernald—

Mr. SCATES of Westbrook: Mr. Speaker, I would take but just a moment of your time. I have listened to the expressions here with a great deal of interest and I want to say that I must vote for the minority report, making our September election in Presidential years the same date as the National election.

Say what you will, we are in an era of economy. The people of this State are expecting that the members of this Legislature will vote for economy, no matter whether it is a large amount or a small amount. That is the sentiment of the people of the State of Maine and it is the sentiment of the people of this nation. We have got to economize. This nation will never get back to a reasonable degree of prosperity until we economize, and economize more than we have up to the present time. From 1919 to 1929, as individuals, as municipalities, as States and as a nation, we went on a financial drunk and today is the morning after. We have got to economize whether we think it advisable or not. It is inevitable as fate.

Let me call your attention to the

little city of 10,000 people that I represent, and by the way there are no better people on the face of the earth. We held our State election in September. That cost the city of Westbrook more than \$500. A little more than a month later we held our election in November, the national election, and that cost us another \$500. A month later we held our municipal election and that cost us another \$500. It cost the little city of Westbrook \$1500 for elections in three months and our people are without employment and many of them are going hungry. It is time that all unnecessary expenses should be eliminated.

I kind of hate to bring this matter up, and I should not were it not for what my friend from Winterport (Mr. Fernald) and the lady from Portland (Miss Laughlin) have said in regard to the political end of it that it is not a political matter. There are many of the people who belong to the same party that I do, and I am one of them, who believe it would be for the political advantage of the Democratic party to have the elections just as they are today—not change them a particle. They say and they believe, and I believe it is true too, that we stand a better chance, a better opportunity, to carry the State in September than we do in the Presidential election in November; but mind you there is something more than obtaining a golden stream from New York for campaign purposes. The old slogan of "so goes Maine, so goes the Union" has lost its potency. It has practically now no influence on the national election because, as someone has referred to here, we have the poll of the Literary Digest and that registers the political sentiment of the people not only in Maine but throughout the Union as a whole. In the last Presidential election and the Presidential election prior to that, the poll of the Literary Digest was more than ninety-nine per cent correct. Compare that with the election in the State of Maine. That has gone by; it is old and has passed away. As I have said this ought not to be a political question, and no matter what our party affiliations may be, we should act in a friendly way, eliminating all politics, eliminating all partisanship, and as a matter of economy vote to change our election from September to November in Presidential

years thus keeping in step with every other State in the Union. (Applause)

Mr. BENNETT of Presque Isle: Mr. Speaker and members of the House: I see that you have on your desks an apple and there is an old saying that "An apple a day keeps the doctor away." You know that if the apple is green it brings the doctor. I haven't tried mine but I guess it is all right anyway.

The question before the House is on Legislative Document No. 4, proposing to change the Constitution of Maine by putting the September election over to November. That bill is one of the brood of the Representative from Winterport (Mr. Fernald) and may be it has some merit. I am a friend of the gentleman from Winterport but I am not a Democrat as he is or purports to be. September, to my mind, is a splendid month, the best in the year as has been said here. It is famed in poetry and is famed in song. There is even a famous painting called "September Morn" which I have known about and which you have admired. (Laughter). I see no reason why one should change the time of election. Our forefathers knew what they were about and why should be of the Eighty-sixth Legislature oppose the work that they have done and change the time of election to the cold and drear month of November? Now this September election of ours is an index, as has been said to the nation and it has failed but three times as I remember it since 1840. This year it pointed to what occurred at the National election and it certainly was right. The Democrats won and when they won in the State, they said that "As Maine goes so goes the Union," and I will say it did. We have a motto in the State of Maine which says "Dirigo," I lead. What do we lead in? Can you name anything today that we lead in except this September election? (Laughter). And you want to take that away from us.

When you begin to read, you begin over here in the West, over on the left, and you read toward the right or the East. When you read the map of the United States, you begin to say, "Maine, New Hampshire and Vermont." You begin the other way and you read Maine first and there is where she is now. Now I am going to tell you something and I want to get this into the Record where Maine is. If you will

stretch your imagination so far that you can liken the map of the United States to a quadruped, you will find that Florida and Texas are the legs and lower California the tail, the North Atlantic and New England States become the head, and of course Maine is at the very top, and if I should carry the simile a bit further I would say that Aroostook county is the location of the brain (Laughter and applause) and Presque Isle is the right eye of the animal. (Laughter). Now I have got that into the Record and you will find that this great animal headed east is the first State that you read when you name the States which justifies the motto, "I lead," or "I go ahead." Now do you want to change that motto to "I follow?" California may if it wants to; I don't want to.

Gentlemen, I hope and pray that the majority report, ought not to pass, prevails. I know that the bellwether here, the gentleman from Winterport (Mr. Fernald) wants the minority report to prevail, and he speaks about getting in step with the rest of the States. Now we want to be wise and famous and something different and if we will but keep our September election, we certainly will be different. "As Maine goes so goes the Union." I still believe it and hope the majority report, ought not to pass, will prevail. (Applause).

Mr. VALLELY of Sanford: Mr. Speaker, I represent the town of Sanford with a population of 14,000. We have the largest voting precinct in the State of Maine. We are sick and tired of elections. I am going to vote for the minority report. I differ a little with my friend from Portland, Miss Laughlin. She says that we want to keep separate the State and National elections. I think that State and National issues are very much mixed together. You vote for United States Senator or Representative to Congress, a sheriff and the Governor all at the same time. The lady also said that it is fine advertising for the State of Maine. We have had considerable advertising this fall, including Gene Tunney and Senator Moses.

Mr. WALKER of Rockland: Mr. Speaker, I have been waiting patiently for the name of the animal described by the gentleman from Presque Isle (Mr. Bennett) although with some apprehension

as to what it might prove to be. I wonder if Maine lacks all distinction save this one as compared with the other States of the Union.

When we simmer down this argument it seems that the whole matter rests upon whether or not we shall enjoy this distinction and the opportunities of financial help in conducting our campaign. Is it not a question of not only securing a better expression of the voters in September, but might it not also be resolved into this,—a question of the purity of their expression. There is such a thing as a mind. We have the opinion of one faction which wants the election in September and another faction which wants it in November. A few days ago the Legislature rose to a height of idealism and perfected the great act of renouncing the fountain pens that were standing before its very eyes. It said "No, I will not," and then when those who are sitting here for the first time were offered pens, with one accord we turned them down. Now the halo that has been lingering over the heads of the Legislature for the past week is growing somewhat dim. Is it not about time that we renewed this halo by turning our faces away from the expensive proposition of running our September campaign and let the people of Maine tell us whether they want this or not. (Applause)

Mr. THOMPSON of Belfast: Mr. Speaker, I move the previous question.

Mr. TOMPKINS of Houlton: Mr. Speaker I rise to a personal question.

The SPEAKER: You may state your question.

Mr. TOMPKINS: I desire to speak on this measure.

The SPEAKER: You are out of order until the matter of the previous question is determined. The gentleman from Belfast, Mr. Thompson, has moved the previous question, a motion which, if passed, stops debate on the question. Before it can be put it requires the consent of one-third of the members present. All those in favor of putting the motion of the previous question at this time will rise and stand in their places until counted, and the monitors have returned the count.

A sufficient number arose.

The SPEAKER: The question

now before the House is shall the main question be now put. An affirmative vote on that question affectively stops debate. If this motion is carried, debate is stopped. If defeated, the debate may continue.

Mr. SCATES of Westbrook: Mr. Speaker, would it be possible to allow the gentleman from Houlton (Mr. Tompkins) to speak? It seems that he ought to have that opportunity for a few minutes.

Miss LAUGHLIN of Portland: The notion is debatable and a majority carries it?

The SPEAKER: It does.

Miss LAUGHLIN: In view of the fact that some persons are interested in debating this question I hope that the motion for the previous question will not prevail, and that those who wish to speak on this question may be allowed to do so.

Mr. STERLING of Caratunk: Mr. Speaker, I move we adjourn.

The SPEAKER: Mr. Scates has the floor.

Mr. SCATES: If in order, I move that we allow the gentleman from Houlton, Mr. Tompkins, to speak for five minutes on this question.

The SPEAKER: The gentleman is out of order. The only way is to defeat the previous question. The gentleman from Caratunk, Mr. Sterling, moves that the House new adjourn. All in favor will say aye: contrary minded no.

A viva voce vote being taken, the motion to adjourn failed of passage.

The SPEAKER: The question now before the House is shall the main question be now put. Does everybody understand the situation? The question of whether the main question shall be now put means without further debate. All those in favor of that motion will say aye, contrary minded no.

A viva voce vote being taken, the motion failed of passage.

The SPEAKER: The Chair now recognizes the gentleman from Houlton, Mr. Tompkins.

Mr. TOMPKINS: Mr. Speaker and members of the House: I thank you for your courtesy in allowing me to speak and I do not propose to take very much of your time. I, as a member of the Judiciary committee, signed the majority report, and having signed that report I am willing to give you my reasons therefor. My reasons today are multiplied by some of the arguments that have been advanced by the proponents of

this bill why you should have one election every four years and set your State election along from September to November. The proponents of this bill have two principles on which they are operating. First, that this change will be progress and, second, it will be economy. I want to point out to you that not every change is progress. That is what this country and this State has been suffering from—change under the name of progress. Economy! The cost to the State of Maine of the election in 1932, to the State alone, was \$9,772.74, and of that some \$6,436.99 was for printing. So you will have the same printing bill in September as you will in November. Why not, if you want real economy, hold your city and town elections in November too? The answer will be that we must keep our town affairs separate from our State and National affairs, and my answer to that is that we must keep our State affairs separate from our National affairs. If we can save money on two elections, why not on three? It is all well enough to save money and to economize but there are times when economy is false. I hope that the report of the majority will be upheld. (Applause).

Mr. FERNALD: Mr. Speaker, as there have been several arguments presented here, I feel in justice to my measure that I should take time to answer them. I have before me Mr. Tompkin's objections. His figures are correct as to the State election costs but there is another point. There would not be two ballots in November. If we had the November election, we would undoubtedly follow the policy and procedure used in other States—for example Massachusetts—and have all our names of candidates on one ballot. Now somebody is going to say that will make a longer ballot, but do you realize that two years ago, under the Code bill, we struck off the name of one officer, the State Auditor, so that the ballot in November under my proposition would be no longer than it has been in September.

There has been a lot of talk here about the separation of State and national issues. If that were the situation, the real situation, they would have some argument, but we know all these slogans about a vote for Fernald is a vote for Taft and a vote for Milliken is a vote for Hughes, and we also know that

in September we elect Fred Hale or Wallace White or Carroll Beedy or Brewster or Utterback,—all those fellows' names are on the ballot in September, and when they come around and campaign to you they are talking on national issues and they tell you to keep the Ship of State steady so that somebody down in Washington will know that Maine is with you, and all that,—you know! (Laughter)

The gentleman from Portland, Mr. Plummer, says "Is there a demand for this measure?" Now that is a good question and if I cannot show to you that there is a demand for this measure I want you to vote with the gentleman from Portland. Now I come to the Legislature from bleeding Waldo. They know who I am down in Winterport but up in Presque Isle, or up in Houlton, or up in Masardis or up in Van Buren, they don't know who I am and they don't care.

You know what the result of questionnaires you send out are. If you are a business man and you put out a questionnaire to be filled in and you get a ten per cent return, you are doing well. If an advertising concern sends out a questionnaire and gets ten per cent of them back, it feels lucky. Now about two weeks ago I assumed the responsibility as an individual of sending out a postcard to the selectmen and mayors of the towns and cities in Maine without any propoganda in it. I asked them two questions: Are you in favor of doing away with this September election? Second, how much did it cost your community? No propoganda and no propoganda published in the newspapers; no argument for. Now they don't know up in these small towns who Roy Fernald is and they don't care, but they answered those questions because they were questions that were vital. I received back 264 replies out of 500 cards sent out and I have them right here. These came from a cross section of Maine and I think you will admit that the selectmen and the mayors of their towns and cities are a representative cross section of Maine. Likewise a majority of your selectmen and mayors are Republicans. There is no politics in this poll. They are Republicans and honest people and are representative people in their communities. Now I sent out these 500 cards and up to date 264 are back here. If you do not believe

it I have got them right here. If I could be as dramatic as the gentleman from Westbrook (Mr. Scates) was at the last session, I would throw them into the air and say "Look at them! Look at them! Yes. Yes! Yes!"

Now let's see about this business that the gentleman from Portland (Mr. Plummer) said. That September is the best month to hold the election in. I think we have gone into that and I have shown you from the election returns from the Secretary of State that in November, 1932 and in November, 1928 more people went to the polls, a great many more, than in September, 1928 or September, 1932. That answers that question. Of course if November was a dark month for the gentleman from Portland (Mr. Plummer), it was also a dark month for a lot of Republicans. (Laughter). I have a letter from the City Manager of Portland here which says: "Mr. Craig, Chairman of the Council, discussed this matter with the members of the Council. The Council felt that they could not voice the sentiment of the people of Portland in regard to this matter but as individuals they all felt that it would be advisable to make this change, with the exception of one member of the Council who is a member of the Legislature and hence felt that he should not voice his own sentiments."

I was here two years ago when they questioned my veracity and that is why I have to bring all this junk in here. I have the figures and tabulations from nearly half the towns throughout the State showing that the cost to those communities was something over \$15,000. If we double this amount for the whole State, it would give a cost of around \$35,000 for the entire State, plus nearly \$10,000 that it cost the State itself, which would make the total cost of the September election to the communities and the State itself something over \$40,000—nearly \$50,000.

My good friend here from Aroostook (Mr. Bennett) I would like to reply to. You know if I were a candidate for Senator from Aroostook county, I would pay attention to what the people in Aroostook county wrote me, and if they sent down word that they were interested in a certain proposition, I would be interested, because you know I might want to go to the Senate

myself. As a matter of fact I do and I am keeping my ear to the ground.

There is on more question that I forgot to answer to the gentleman from Portland (Mr. Plummer) he told about the founding fathers of the Constitution. Now I have before me the only reference to the September election as made in Perley's Debates in 1819, taken from Perley's Debates at the Constitutional Convention of 1819, and there is no reference to the suggestion alluded to by my good friend from Portland, Mr. Plummer.

As to this extra cost of printing brought up by the lady member from Portland (Miss Laughlin) we have disposed of that. Now it makes me mad when they say that nobody appeared at the hearing in favor of the bill and therefore it is no good. If we had a bill come before us to put a poll tax on tom cats there would be 50,000 people clamoring to get into the State House about it, or if we wanted to close a mudhole down in Waldo county from ice fishing,—you people who are familiar with politics know what a crowd we would get at such a hearing.

I might make this personal allusion. Being a member of the Judiciary committee, I was rather rudely thrown out of the room—figuratively anyway—by a great mass of people coming from Cumberland county with their hair standing right on end, up here for economy, I think it was the Cumberland County Txpayers League and they were in there fighting—figuratively again—and praying for economy and a reduction of taxes. This is a story of what occurred. The next mayor of South Portland, a member of this Legislature, and if he wants to be a member of the Senate from Cumberland county in 1935, presented a motion in that delegation to stand for economy and reduction in taxation and my good friend on the Judiciary committee, the lady member of the Cumberland county delegation, as I understand him, tabled the economy measure of the gentleman from South Portland, Mr. Goudy; and when you consider that the people of Cumberland county are in favor of tax reduction, I do not comprehend her stand on this measure before us. She was defeated in 1931 and we have an election coming in 1935.

Members of the House, I thank you very much for your attention. (Applause)

Miss LAUGHLIN of Portland: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: You have permission to speak.

Miss LAUGHLIN: Mr. Speaker, the gentleman from Winterport (Mr. Fernald) attempts to give you what went on in the Cumberland county delegation and the acts of different members. I wish to state at this time that there was a delegation before us and a motion in general terms about economy. I think it was at quarter to one, when there was no time for discussion, and furthermore the author of it stated that it did not amount to anything anyway. Therefore, I wish to make the statement that when the gentleman from Winterport (Mr. Fernald) gives an account here of what goes on in the Cumberland county delegation, I will ask again for further time to answer anything that he assumes to know about the Cumberland county delegation.

Mr. LINDSEY of East Machias: Mr. Speaker and members of the Eighty-sixth Legislature of Maine: I appear for the electorate of our district. I submit to you, ladies and gentlemen, that the prime motive and object in this time of dire distress and depression is relief to the taxpayers of Maine. The question under discussion is not a strictly party measure, although advocated and incorporated in the democratic platform, adopted at Portland last April. Taking in consideration with the fact that Mr. Fernald, a Republican, introduced this measure, for that reason I say it is not strictly a party measure. Irrespective of our political affiliations, and carrying out the mandate of the electorate of Maine, I believe it is the duty of every member of this body to vote to substitute the minority for the majority report. I see no real reason or good in the September election and I see no reason why we cannot hold it in November just as well. I would feel that I had not done my duty by my constituents who sent me here if I did not register my protest and vote for this as an economy measure. (Applause.)

The SPEAKER: The pending question is on the motion of the gentleman from Winterport, Mr. Fernald, that the minority report of the Judiciary committee, ought to pass, on H. P. 216, L. D. 4, proposing an amendment to the Constitution changing the date of the

biennial election, be accepted. The committee reported by a divided report, the majority and minority reports, and the gentleman from Winterport, Mr. Fernald, moves the acceptance of the minority report. The gentleman from Winterport, Mr. Fernald, has asked for the yeas and nays and this is the first time that that motion has been made at this session. A yea and nay vote is commonly called the roll call and is taken by having the Clerk call alphabetically the name of every member in the House, and each member answers yes or no as his name is called, if present. You will find nothing about the yea and nay vote in your Rules, it being your right guaranteed by the Constitution of the State of Maine. In any matter pending in the Senate or House or Representatives a yea and nay vote may be asked for by one-fifth of the members present.

All those in favor of the motion of the gentleman from Winterport, Mr. Fernald, that when the vote is taken on his motion it be taken by the yeas and nays, will rise and stand in their places until counted and the monitors will make and return a count.

A sufficient number arose.

The SPEAKER: Is the question clear to everyone? A note "yes" on the motion of the gentleman from Winterport, Mr. Fernald, is in favor of the acceptance of the minority report that the resolve ought to pass. A vote "no" is against the passage of the resolve.

Under the rules of the House, when a yea and nay vote has been ordered no member is permitted to leave his seat until the roll has been completely called, tabulated and the result announced. Are there any questions? If not the Clerk will call the roll.

YEA—Allison, Ashby, Audet, Bailey, Whitefield; Bailey, Woolwich; Belanger, Berrv, Berwick, Boyle, Breen, Burgess, Burns, Bushey, Bussey, Carignan, Carswell, Carter, Chase, Sebec; Clarke, Collins, Devereux, Dow, Livermore; Drisko, Dunn, Duquette, Ellis, Fenlason, Fernald, Forgue, Lewiston; Friend, Gagnon, Gallagher, Goodwin, Goudy, Gray, Gross, Hagggett, Ham, Hamel, George; Hamel, Napoleon; Hancock, Hanson, Haskell, Hastings, Hawkes, Hickey, Hills, Hobbs, Knight, Labbee, Leathers, Lebel, Lindsey, Littlefield, Alfred; Littlefield, Bluehill; Luce, Mace, Mack, Mason, Raymond; Mayers, McKinney, Michaud, Morin, Nevers, O'Connor,

Oliver, Osgood, Peacock, Piper, Quine, Rand, Raymond, Rea, Rush, Russ, Sanborn, Baldwin, Sargent, Scates, Shaw, Smith, Masardis; Smith, Orono; Smith, Vinalhaven; Stern, Stover, Thomas, Thompson, Thurston, Valley, Viles, Walker, Rockland; Walker, Rockport; Ward, Harrison; Ward, Thorndike; Whitney, Whitten, Williams.

NAY—Bartlett, Bennett, Blanchard, Bucknam, Carleton, Chase, Limington; Clement, Cobb, Cook, Crowell, Deering, Dow, Portland; Eastman, Eldridge, Farris, Flanders, Fogg, Rockland; Fowles, Graves, Hall, Hescoco, Hill, Holden, Hussey, Jones, Lancaster, Laughlin, Lewis, Lord, Martin, Mason, Mechanic Falls; Newcomb, Norris, Plouff, Plummer, Rounds, Sanborn, Weld; Soper, Sprague, Sterling, Tills on, Tompkins, Bridgewater; Tompkins, Houlton; Tupper, Wallingford, Webber, Wentworth, White, Young.

ABSENT—Chase, Baring; MacPherson, Richardson, Ryder.

96 Yes.

50 No.

4 Absent.

Ninety-six voting in the affirmative and 50 in the negative, four being absent, the motion to accept the minority report prevailed.

On motion by Mr. Fernald, the rules were suspended and the resolve had its two several readings and was passed to be engrossed.

On motion by Mr. Hussey of Augusta, the House voted to reconsider its action whereby Senate Paper 253, a resolve in favor of State Military and Naval Children's Home, which in the House yesterday was referred to the committee on Appropriations and Financial Affairs in concurrence; and on further motion by the same gentleman the resolve was tabled pending reference in concurrence.

On motion by Mr. Hussey of Augusta, the House voted to reconsider its action whereby Senate Paper 239, resolve in favor of the town of Wells, was yesterday referred to the committee on Claims in concurrence; and on further motion by the same gentleman the resolve was tabled pending reference in concurrence.

On motion by Mr. Hussey of Augusta, the House voted to reconsider its action whereby Senate Paper 270, resolve in favor of the town of Kennebunk, was yesterday referred to the committee on Claims in con-

currence; and on further motion by the same gentleman the resolve was tabled, pending reference in concurrence.

On motion by Mr. Sanborn of Baldwin, the House voted to reconsider its action whereby S. P. 261, L. D. 382, resolve to appropriate money for the purpose of preventing damage to domestic animals by bears was yesterday referred to the committee on Inland Fisheries and Game in concurrence; and on further motion by the same gentleman the bill was tabled pending reference in concurrence.

On motion by Mr. Goudy of So. Portland, the House voted to reconsider its action earlier in the day on H. P. 1155, an act relating to the purchase and sale of lobsters whereby it was referred to the committee on Sea and Shore Fisheries; and on further motion by the same gentleman, the bill was tabled pending reference to a committee, and 500 copies ordered printed.

Mr. FARRIS of Augusta: Mr. Speaker, in view of the fact that we have so many committee hearings this afternoon I move that we suspend the calendar and take it up tomorrow morning and that when we adjourn we adjourn until tomorrow morning.

The SPEAKER: The Chair understands that these matters will come under unfinished business tomorrow and will be taken up in their order on the calendar.

Mr. HAWKES of Richmond: Mr. Speaker, I ask unanimous consent, out of order and under suspension

of the rules, to introduce a resolve. The SPEAKER: Is there objection?

Mr. FARRIS of Augusta: Mr. Speaker, a week ago yesterday the time limit was up for the introduction of private and special legislation. Yesterday at four o'clock the time was up for the introduction of public matters. During the past week several matters have been introduced, and as you know, the Senate has recently non-concurred in some of our action and referred them to the next Legislature. We do not want to have trouble with the other branch of the Legislature and we should now put the lid on and not be here all summer. You have got to go home some time and we must put a time limit on. I shall object to any bill coming in after today. I think we should take this matter up with the Senate and find out what that body is going to do about it on the matters that have already been presented. I understand that this morning the gentleman from Augusta, Mr. Hussey, asked for a committee of conference. It seems to me that at that conference we can straighten this matter out and allow all these matters put in here before to go through and then put the lid on.

The SPEAKER: The Chair understands that the gentleman from Augusta, Mr. Farris, objects to the introduction of any more resolves. There being objection, nothing further can be introduced.

On motion by Mr. Farris of Augusta,

Adjourned until 10 o'clock tomorrow morning.