

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.**

Page 656—Bill an act relating to weights and measures, Senate Paper 568, Legislative Document 849—should be L. D. 859.

Page 656—Senate Paper 571 should be 578.

Page 661—An act closing Middle Range Pond to ice fishing, H. P. 693, L. D. 562—Should be H. P. 693, L. D. 362.

Page 662—New draft 1632, L. D. 948 should be L. D. 984.

Page 664—An act relating to school unions, H. P. 1624, L. D. 970—Should be H. P. 1634, L. D. 970.

Page 669—An act relating to publicity (H. P. 1639, L. D. 975)—Should be (H. P. 1639, L. D. 973)

Page 669—"An act extending the charter of the Fryeburg Village Fire Corporation" (H. P. 80, L. D. 380)—Should be (H. P. 870, L. D. 380)

Page 670—Reading misspelled.

Page 670—Resolve in favor of Frederick A. Burbish of Mt. Vernon (H. P. 747)—Should be Frederick A. Furbish.

Page 673—An act to revise the Charter of the City of South Portland (H. P. 597, L. D. 923)—Should be (H. P. 1597, L. D. 923)

Page 676—The President laid before the Senate, (S. P. 212, L. D. 278)—Should be (S. P. 212, L. D. 279)

Page 679—Resolve providing for a state pension for Mary A. Leighton of Gardiner, (H. P. 74, L. D. 670)—Should be (H. P. 74, L. D. 671)

Page 679—Resolve providing for an increase in State pension for Lester Pagen of Hermon, (H. P. 56) (L. D. 706)—Should be Lester Patten.

Page 680—An act to assure a Balanced Budget, (S. P. 827) (L. D. 998)—Should be (S. P. 627) (L. D. 998)

Page 684—Resolve in favor of a pension for Richard T. Kensall of Alna—Should be Richard T. Kensall.

Page 696—An Act relating to tax foreclosures (S. P. 636)—Should be (S. P. 317)

Page 696—Moe should be move.

Page 714—An act relating to Reports to Towns of Excise Tax Payments (H. P. No. 117) (L. D. No. 561)—Should be (H. P. No. 1170)

Page 716—"said sum to be used as an offset against any accounts due the State of Maine from the city of Maine."—Should be city of Eastport.

Page 727—Thereupon H. P. 1334, L. D. 970—should be H. P. 1634, L. D. 970.

Page 731—Resolve in favor of Lillian R. Cushman" (H. P. 900—Should be (H. P. 800)

Page 733—reported the same in a second new draft (S. P. 837)—Should be (S. P. 637)

Page 733—An Act concerning the improvement, protection or preservation of shade, forest or ornamental trees. (H. P. 164, L. D. 975)—Should be (H. P. 1641, L. D. 975)

Page 755—An Act relating to Disclosures of the Affairs of Corporations and the place within Counties in which Disclosures are to be made" (H. P. No. 110) (L. D. No. 584)—Should be (H. P. No. 1103) (L. D. No. 584)

Page 769—An act relative to closed time on deer, H. P. 1645, L. D. 921—Should be H. P. 1645, L. D. 991.

Page 796—(S. P. 34) (L. D. 696) An act relating to dealer's registration, fees for plates, etc.—Should be (S. P. 347) (L. D. 696)

Page 796—(H. P. No. 1694) (L. D. No. 1008) An act appointing a Commission on Taxation—Should be (H. P. No. 1694) (L. D. No. 1007)

Page 796—(H. P. No. 1694) (L. D. No. 1006) An act relating to pauper settlement.—Should be (H. P. No. 1694) (L. D. No. 1008)

Page 796—(S. P. No. 163) (L. D. No. 989) Resolve to repeal a resolve providing for a State pension for Carrie E. Fitch.—Should be (S. P. No. 165) (L. D. No. 989)

Page 807—An act relating to taxation of motor vehicles (H. P. 865, L. D. 299)—Should be (H. P. 665) (L. D. 299)

Page 812—S. P. 636, L. D. 1015: Resolve providing for a State pension for Elida F. Whitcomb of Montville.—Should be S. P. 633, L. D. 1015.

Page 839—An Act to repeal the act incorporating number XIV Plantation in Washington County (H. P. 623, L. D. 164)—Should be (H. P. 623, L. D. 184)

Page 840—"An act relating to the sale of real estate for taxes" (H. P. 112, L. D. 631)—Should be (H. P. 1122, L. D. 631)

Page 842—An act to Facilitate Reounting of Ballots (H. P. 1644) (L. D. 99)—Should be (H. P. 1644) (L. D. 992)

Page 846—Delete second paragraph.

HOUSE

Tuesday, March 21, 1933.

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

Prayer by the Rev. Mr. Dunn of Gardiner.

Journal of the previous session read and approved.

From the Senate: The following order:

Ordered, the House concurring, that there be recalled from the files of the Senate, H. P. 38, L. D. 22 "An act to permit the manufacture and sale of non-intoxicating malt beverages; to derive revenue therefrom; and to create a legal definition of the term 'saloon'" S. P. 612.

Comes from the Senate read and passed.

In the House:

Miss LAUGHLIN of Portland: Mr. Speaker, before I make a motion on this matter, I wish to say I have before me Rule 14 of the Joint Rules of the House and Senate which reads: "When any measure shall be finally rejected, it shall not be revived except by reconsideration." The rule then provides that if there is any desire to re-introduce a defeated bill, that it may be introduced under the following restrictions: "No measure containing the same subject matter shall be introduced during the session unless three days' notice is given to the House of which the mover is a member."

This bill was definitely and finally rejected in both House and Senate, and ceased, therefore to exist. There is no provision anywhere to recall a bill which has been defeated. The general rules adopted—and if the rules mean anything, then we should follow them—provides that when it is finally rejected it shall not be revived except by reconsideration; and the other rules provide, of course, that no measure can be considered except on the day on which the action was taken, or the succeeding day, so the time for reconsideration has gone.

There is a provision, if a mistake has been made, to introduce a bill by giving notice to re-introduce it, having the same subject matter and subject to the rule that it could not be introduced except by unanimous consent. Therefore, the recalling of this bill is absolutely contrary to the general rules here,

and therefore I wish to go on record as saying that this order is absolutely out of order, contrary to the joint rules that we have adopted, and an attempt to evade those rules, which make no exception, but say that it shall not be revived except by reconsideration and shall not be introduced except on three days' notice, and then, of course, under the Rules of the House. So that if we permit this order we are thereby violating the Joint Rules of the House and Senate in this Legislature, and I move that it be indefinitely postponed.

Mr. ELLIS of Rangeley: Mr. Speaker, I move this order lie on the table.

Mr. VALLELY of Sanford: Mr. Speaker,—

The SPEAKER: The gentleman will wait a minute. This motion is not debatable. The pending question is on the motion of the gentleman from Rangeley, Mr. Ellis, that this order lie on the table pending the motion of the member from Portland, Miss Laughlin, that the order be indefinitely postponed. All those in favor of the motion of the gentleman from Rangeley, Mr. Ellis, that the matter lie on the table will say aye; contrary minded no.

The motion prevailed and the order was tabled pending the motion of Miss Laughlin of Portland to indefinitely postpone.

Papers from the Senate disposed of in concurrence.

From the Senate: Final report of the committee on Education.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

Senate Bills in First Reading

S. P. 594, L. D. 928: Resolve in favor of Julia A. Bradman Estate.

S. P. 595, L. D. 929: An act relating to town meetings.

S. P. 577, L. D. 926: An act to revise the Health and Welfare laws.

S. P. 593, L. D. 927: An act relating to beautification of landscape and roadsides.

S. P. 559, L. D. 920: An act to authorize the Treasurer and County Commissioners of York County to procure a loan, and issue bonds of said county therefor, for the purpose of rebuilding the Court House.

S. P. 342, L. D. 547: An act re-

lating to measurement of lobsters. S. P. 340, L. D. 546: An act relating to lobster fishermen's licenses.

From the Senate:

Report "A" of the Committee on Judiciary on Bill "An Act providing for Sentences and the Imposition thereof" (S. P. No. 283) (L. D. No. 568) reporting same in a new draft (S. P. No. 596) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. Holman of Franklin
—of the Senate
Eldridge of Eastport
Fernald of Winterport
Tompkins of Houlton
Goudy of So. Portland
Miss Laughlin of Portland

—of the House
Report "B" of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. Weeks of Somerset
Holmes of Androscoggin
—of the Senate
Farris of Augusta

—of the House
Report "C" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. Hill of So. Portland
—of the House

Comes from the Senate Report "B" read and accepted and the Bill passed to be engrossed.

In the House:

Mr. FARRIS of Augusta: Mr. Speaker, I move the acceptance of report B.

Miss LAUGHLIN of Portland: Mr. Speaker, I move that this matter lie on the table until we have the bill and report printed.

The SPEAKER: The only thing that has not been printed in connection with this bill is the new draft under report A. Does the member desire that printed?

Miss LAUGHLIN: No, Mr. Speaker. I move that this matter lie on the table, pending the adoption of any of these reports.

The SPEAKER: The member from Portland, Miss Laughlin, moves that the bill and these various reports lie on the table, the pending question being the motion of the gentleman from Augusta, Mr. Farris, that report B be accepted.

The motion prevailed and the matter was so tabled.

From the Senate:

The following Order:

Ordered, The Senate concurring, that the State Librarian be, and hereby is, directed to issue to each member of the 86th Legislature 1 copy of "The Maine Book," written by H. E. Dunnack; (H. P. No. 1643) which was read and passed in the House March 17th.

Comes from the Senate with Senate Amendment "A" read and adopted as follows:

"Amend said order, by inserting after the word 'member' in the second line thereof, 'and officer of each branch,' and the Order passed as amended in non-concurrence.

In the House:

Senate Amendment A read.

Thereupon the House voted to recede and concur with the Senate in the adoption of Senate Amendment A., and the order as amended received passage in concurrence.

From the Senate:

Bill "An Act granting Preference to Maine Bidders" (H. P. No. 153) (L. D. No. 85)

on which the House voted to insist on its former action whereby the bill was passed to be engrossed, in the House on March 17th, and asked for a Committee of Conference.

Comes from the Senate that body voting to adhere to its former action whereby the Bill was indefinitely postponed in non-concurrence.

In the House on motion by Mr. Fernald of Winterport, it was voted to insist and to renew the request for a committee of conference in non-concurrence with the action of the Senate.

From the Senate:

Bill "An Act to provide for Further issuance of State Bonds" (H. P. No. 1591) (L. D. No. 914) which was passed to be engrossed in the House on March 16th.

Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, Senate Amendment A read. Thereupon that body voted to reconsider its action of March 16th whereby this bill was passed to be engrossed, Senate Amendment A was adopted in concurrence, and

the bill as amended was passed to be engrossed in concurrence.

From the Senate:

Bill "An Act relative to Reduction Sentence Convicts in State Prison" (H. P. No. 1578) (L. D. No. 880)

which was passed to be engrossed in the House on March 14th.

Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, Senate Amendment A read. Thereupon that body voted to reconsider its action whereby this bill was passed to be engrossed. Senate Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed in concurrence.

From the Senate:

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Size of Fish and Weight of Catch Limited" (H. P. No. 726) (L. D. No. 333) reporting same in a new draft (H. P. No. 1567) (L. D. No. 900) under same title and that it "Ought to pass" which was indefinitely postponed in the House on March 15th.

Comes from the Senate the Report accepted in non-concurrence and the Bill passed to be engrossed.

In the House, on motion by Mr. Sterling of Caratunk that body voted to reconsider its action of March 15 whereby this bill was indefinitely postponed; and on further motion by the same gentleman the House voted to concur with the Senate in the acceptance of the report of the committee.

On motion by Mr. Drisko of Jonesboro, tabled pending first reading.

From the Senate: Bill an act forbidding Interlocking Directorates of Savings Banks with other Banks. S. P. 615, L. D. 988.

Comes from the Senate received pursuant to Joint Order of March 15, referred to the committee on Banks and Banking and sent down for concurrence.

In the House so received and referred in concurrence.

From the Senate: Bill an act requiring Trust and Banking Companies to Invest their Savings Deposits only in securities legal for

Savings Banks deposits, S. P. 616, L. D. 987.

Comes from the Senate received pursuant to Joint Order of March 15, referred to the committee on Banks and Banking and sent down for concurrence.

In the House so received and referred in concurrence.

The gentleman from Augusta, Mr. Farris, presented the following order and moved its passage:

Ordered, that all tabled matters be taken from the table at this session and given a special assignment for consideration; that all matters tabled hereafter be specially assigned for consideration at the time of tabling, and that the House hold two sessions daily during the balance of the session.

The SPEAKER: Is it the pleasure of the House that this order have passage?

Mr. FARRIS: Mr. Speaker, the purpose of this order is to conform with an order that was put into the Senate this morning, so that we can go on and finish up our work as soon as possible. Of course we do not know how long we will be here, but we can speed up our work by having these matters which are on the table specially assigned. We now have on the table forty-seven unassigned matters, and three more have gone on this morning, which makes fifty unassigned matters. I think we should start this morning to clear up the table, and those not taken up today should be assigned for some time in the future, so we can keep step with the Senate.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to inquire of the Floor Leader if the printers can keep up with the talk that has been made this last week.

The SPEAKER: The gentleman from Augusta, Mr. Farris, may answer the inquiry of the gentleman from Portland, Mr. Rounds, if he can.

Mr. FARRIS: Mr. Speaker, I will say that we do not know, for the reason that the committees have not all reported; some matters are in committees, and it depends a good deal on how the committees turn out the matters they now have, but what we have before us I think we ought to clean up as we go along and be prepared when anything comes out of the committees, I do not know that we will get through this week. I cannot tell.

Mr. ROUNDS: Mr. Speaker, it takes me back to the first session, when I tried to put in an order to help this Legislature along. Now you have got all-important matters, and you want to rush them through in the next week, as I told you the first of the session. Some are good and some are bad, but you want to rush them through and go home.

Mr. FARRIS: Mr. Speaker, I do not believe there is any intention on the part of this House or the other body to rush anything through. I feel, and I believe every member of this House feels, that we should give every matter due consideration, the same consideration we have given in the past, even if we do run into next week. Let us do the best we can, and with two sessions a day we can accomplish a good deal this week.

Mr. SCATES of Westbrook: Mr. Speaker, I have no objection to speeding up matters, but there are many of the most important matters that have been before this Legislature that are now ahead of us, and those matters should receive serious consideration, and I cannot see how we can, in justice to the matters that are coming before us, adjourn this week. We must go over to the next week. We are here to do our duties as members, and every matter of importance that comes before this House should receive serious consideration.

Mr. MacPHERSON of Easton: Mr. Speaker, I wish to endorse heartily the remarks of the gentleman from Westbrook (Mr. Scates). I believe we are here to pass legislation and pass it properly, and not wait until the very last few days of the session and have matters come in on "greased skids" so to speak, and you do not know what to do with them, and in order to get back home you pass legislation, under these circumstances, that you are almost ashamed to take back to your constituents. I am willing to stay until next week and pass these laws and pass them intelligently, if we can.

Mr. TOMPKINS of Houlton: Mr. Speaker, as I understand, the object of this order is to get the decks clear for action for these important measures when they come before us. I do not understand it is the purpose of this order to get this legislation through this week, but to get the deadwood, the less important matters, out of the way so

we can give more concentrated thought to these important matters that are coming before us later.

Mr. Farris was granted permission to address the House the third time.

Mr. FARRIS: Mr. Speaker, the gentleman from Houlton (Mr. Tompkins) is right. There is nothing in this order that says anything about adjourning this week, but it says that all matters shall be taken from the table at this session and given special assignment for consideration. We have fifty unassigned matters on the table, not all as important as the things that are coming along, and it is the purpose of this order to get those things assigned so we can take care of these more important things. It is no use to keep the table clogged with these matters when they can be specially assigned for some other day.

Mr. SCATES: Mr. Speaker, in that respect I am fully in accord with the gentleman from Augusta (Mr. Farris). There are a lot of matters on this calendar under Orders of the Day that can be cleaned up and should be, but don't rush.

Mr. CARIGNAN of Sanford: Mr. Speaker, I just want to inquire about the second clause, pertaining to the tabling of future bills. I did not quite understand.

Mr. Farris was given permission to answer the gentleman's inquiry.

Mr. FARRIS: The order states that all matters tabled hereafter be specially assigned for consideration at the time of tabling. That is, instead of putting them on the table without any date for assignment, assign them for some special day in the future to be debated, and the order further provides that the House hold two sessions each day during the balance of the session.

The SPEAKER: Is it the pleasure of the House that this order have a passage? All those in favor will say aye; contrary minded no.

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

Reports of Committees

Mr. Bailey from the Committee on Pensions on Petition of Fred H. Loring and 235 others of Bangor in favor of Old Age Pension Bill (H. P. No. 1593) reported that same should be accepted and placed on file.

Mr. Wentworth from the Committee on Sea and Shore Fisheries reported same on Petition relating to

Buying, Selling and Transporting of Clams H. P. 4 to 9, inclusive.

Same gentleman from same Committee reported same on Petition in favor of an Act relative to taking Lobsters during July and August (H. P. No. 927)

Mr. Farris from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Enforcement of Liens for Taxes on Real Estate" (H. P. No. 1107) (L. D. No. 587)

Mr. Goudy from same Committee reported same on Bill "An Act relating to Tax Liens" (H. P. No. 1126) (L. D. No. 589)

Reports read and accepted and sent up for concurrence.

Mr. Thompson from the Committee on Appropriations and Financial Affairs on Bill "An Act to provide for the Payment of Recount Expenses" (H. P. No. 575) reported same in a new draft (H. P. No. 1644) under title of "An Act to Facilitate Recounting of Ballots" and that the new draft "Ought to pass"

Mr. Smith from the Committee on Inland Fisheries and Game on Bill "An Act relative to Closed Time on Deer" (H. P. No. 717) (L. D. No. 327) reported same in a new draft (H. P. No. 1645) under same title and that it "Ought to pass"

Mr. Ellis from the Committee on Ways and Bridges on Resolve in favor of the city of Calais (H. P. No. 520) reported same in a new draft (H. P. No. 1646) under title of "An Act to Acquire the American Portion of the Union Bridge So-called at Calais in the county of Washington connecting Maine and New Brunswick and to provide for its Maintenance" and that it "Ought to pass"

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

Passed to be Engrossed

(S. P. No. 85) (L. D. No. 100)
An act relating to assessments by insurance companies.

(S. P. No. 86) (L. D. No. 101)
An act relating to insurance licenses.

(H. P. No. 1112) (L. D. No. 621)
An act relating to pauper settlements.

(H. P. No. 1616) (L. D. No. 967)
An act relating to the School Board of the city of Lewiston.

(H. P. No. 1618) (L. D. No. 953)
An act requiring the licensing of

operators of milk gathering stations.
(H. P. No. 1622) (L. D. No. 956)

An act relative to lumber camps not to serve salmon, trout and togue.
(H. P. No. 1623) (L. D. No. 957)

An act relative to the classification, registration, and fees of guides.
(H. P. No. 1624) (L. D. No. 958)

An act relative to fishing licenses for residents and non-residents; fees therefor; revocation thereof.
(Tabled by Miss Martin of Bangor pending third reading and specially assigned for tomorrow morning)

(H. P. No. 1626) (L. D. No. 959)
An act relative to definitions of hunting, resident, aliens, jacklight and trapping.

(H. P. No. 1629) (L. D. No. 960)
An act relating to open season on fur bearing animals.

(H. P. No. 1630) (L. D. No. 954)
An act relating to the interstate transfer of dependent persons.

(H. P. No. 1631) (L. D. No. 955)
An act relating to support of State paupers.

(H. P. No. 1635) (L. D. No. 971)
An act relating to certain non-resident operators and exempting from registration certain vehicles owned by non-residents.

(H. P. No. 1637) (L. D. No. 980)
An act relating to personal property.

(H. P. No. 1638) (L. D. No. 972)
An act relating to elections in the city of Biddeford.

(H. P. No. 1639) (L. D. No. 973)
An act relating to publicity.

(H. P. No. 1640) (L. D. No. 974)
An act relating to the buying, selling and transportation of clams.

(H. P. No. 1641) (L. D. No. 975)
An act concerning the improvement, protection, or preservation of shade, forest or ornamental trees.

(H. P. No. 387) (L. D. No. 976)
Resolve providing for a State pension for Fred E. Hil on of Pittston.

(H. P. No. 1621) (L. D. No. 963)
Resolve relating to closed season on muskrat on the West Branch of the Sebasticook River.

(H. P. No. 1627) (L. D. No. 955)
Resolve relating to fishing in Baker Pond.

(H. P. No. 1628) (L. D. No. 966)
Resolve regulating fishing in Day Mountain Pond, in the town of Avon.

(H. P. No. 1633) (L. D. No. 977)
Resolve in favor of the city of Eastport.

(Tabled by Mr. Carleton of Portland, pending passage to be engrossed and specially assigned for tomorrow morning)

(S. P. No. 571) (L. D. No. 853)
An act to regulate the distribution of public funds to hospitals.

Passed to be Enacted

(S. P. No. 125) (L. D. No. 864)
An act relating to a road in the town of Mariaville.

(S. P. No. 193) (L. D. No. 397)
An act relating to Inland Fish and Game wardens; powers, duties and service of processes.

(S. P. No. 298) (L. D. No. 513)
An act providing for the branding of commercial fertilizer.

(S. P. No. 328) (L. D. No. 534)
An act to amend the uniform criminal extradition act.

(S. P. No. 329) (L. D. No. 535)
Uniform act to secure the attendance of witnesses from without the State in criminal cases.

(S. P. No. 358) (L. D. No. 862)
An act to amend Sections 48 to 51 inclusive of Chapter 28 of the Revised Statutes.

(S. P. No. 553) (L. D. No. 813)
An act relating to transportation of poultry.

(S. P. No. 579) (L. D. No. 872)
An act relating to abandonment of property or discontinuance of service by public utilities.

(S. P. No. 580) (L. D. No. 870)
An act relating to parole of prisoners.

(S. P. No. 581) (L. D. No. 873)
An act relating to commitment to and length of sentence at the Reformatory for Women.

(H. P. No. 21) (L. D. No. 8)
An act providing for reciprocal relations in respect to death duties in the taxation of non-resident estates.

(H. P. No. 22) (L. D. No. 15)
An act relative to inheritance and estate tax laws.

(H. P. No. 67) (L. D. No. 29)
An act empowering William L. Milliken, of Presque Isle in the county of Aroostook, to erect and maintain piers, piles and booms in the Aroostook River.

(H. P. No. 167) (L. D. No. 84)
An act relating to the construction and maintenance of bridges on State highways.

(H. P. No. 628) (L. D. No. 294)
An act to change the time for holding the annual town meeting of the town of Sanford, York County, Maine, and for other purposes.

(H. P. No. 728) (L. D. No. 335)
An act relative to closed time on gray squirrels.

(H. P. No. 857) (L. D. No. 281)
An act to amend the charter of

the Ogunquit Village Corporation.

(H. P. No. 1486) (L. D. No. 778)
An act to provide for the surrender by town of Drew of its organization.

(H. P. No. 1512) (L. D. No. 821)
An act relating to polling places in town of Sanford.

(H. P. No. 1550) (L. D. No. 869)
An act relating to hunting of skunks and raccoons.

(H. P. No. 1551) (L. D. No. 868)
An act to establish a board of finance of the city of Waterville.

(H. P. No. 1554) (L. D. No. 875)
An act relating to Penobscot and Passamaquoddy Tribes of Indians.

(H. P. No. 1559) (L. D. No. 876)
An act reducing the bounty on bobcat, loupcevriev and Canada lynx.

(H. P. No. 1566) (L. D. No. 877)
An act relating to certain implements and devices prohibited; penalty.

(H. P. No. 1568) (L. D. No. 878)
An act providing for the transfer of certain persons committed to jail to the State Prison for safe-keeping.

(H. P. No. 1579) (L. D. No. 881)
An act relative to application for parole by convicts in State Prison.

Finally Passed

(S. P. No. 46) (L. D. 857) Resolve naming that portion of Township 3, Range 3, W. E. L. S., Piscataquis County, 5,960 acres, donated to the State by Percival Proctor Baxter, "Baxter State Park."

(H. P. No. 801) (L. D. No. 837)
Resolve in favor of General Contracting Company, Inc., of Bath, Maine.

(H. P. No. 1525) (L. D. No. 843)
Resolve closing Pleasant Pond Stream.

(H. P. No. 1549) (L. D. No. 867)
Resolve relating to closing of Attean Pond to ice fishing.

(H. P. No. 1555) (L. D. No. 882)
Resolve relating to ice fishing in Moosehead Lake in the counties of Piscataquis and Somerset.

(H. P. No. 1556) (L. D. No. 883)
Resolve relating to fishing in the Little Magalloway River.

(H. P. No. 1557) (L. D. No. 884)
Resolve regulating fishing in Snow Mountain Pond.

(H. P. No. 1558) (L. D. No. 885)
Resolve regulating fishing in Androscoggin County.

(H. P. No. 1560) (L. D. No. 886)
Resolve opening West Branch of Dead Stream to fishing.

(H. P. No. 1562) (L. D. No. 888)
Resolve relating to catching of trout

in certain waters in Somerset County.

(H. P. No. 1563) (L. D. No. 889) Resolve relating to ice fishing in No Name Pond.

(H. P. No. 1564) (L. D. No. 890) Resolve relating to fishing in Androscoggin Lake.

(H. P. No. 1565) (L. D. No. 891) Resolve relating to fishing in Fish River.

(H. P. No. 1570) (L. D. No. 892) Resolve in favor of a pension for Richard T. Kensell of Alna.

(H. P. No. 1571) (L. D. No. 893) Resolve providing for a State pension for Fred Witham, of Washington.

(H. P. No. 1572) (L. D. No. 894) Resolve providing for a State pension for Lottie J. Jones, of Washington.

(H. P. No. 1573) (L. D. No. 895) Resolve providing for a State pension for Frank Cunningham, of Washington.

(H. P. No. 1574) (L. D. No. 896) Resolve providing for a State pension for William E. Dill, of Randolph.

(H. P. No. 1575) (L. D. No. 897) Resolve providing for a State pension for Jennie Briery, of Gardiner.

(H. P. No. 1576) (L. D. No. 898) Resolve providing for a State pension for Frank E. Wheeler, of Newport.

(H. P. No. 1577) (L. D. No. 899) Resolve providing for a State pension for Eunice N. Cunningham, of Gardiner.

(H. P. No. 1587) (L. D. No. 901) Resolve providing for a State pension for Wallace Taylor, of Whitefield.

(H. P. No. 1588) (L. D. No. 902) Resolve providing for a State pension for Arthur P. Sanborn, of West Baldwin.

Orders of the Day

The SPEAKER: By the order passed earlier in the session today, all these tabled and unassigned matters come off the table each day unless specially assigned.

The Chair lays before the House the first matter tabled and unassigned. House report ought not to pass of the committee on Claims on resolve in favor of Como Monumental Works, H. P. 191, tabled on March 14 by Mr. Flanders of Auburn, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. FLANDERS: I move that the

resolve and accompanying report be recommitted to the committee on Claims for further consideration.

Mr. FARRIS of Augusta: Mr. Speaker, I do not believe we should start recommitting matters to the committee on Claims or any other committee. It seems to me it should be taken care of on the floor by amendment or agreement because the committees are getting ready to report finally if they can.

Mr. FLANDERS: Mr. Speaker, I would like to say that the Chairman of the committee is willing to give further consideration.

The SPEAKER: All those in favor of the motion of the gentleman from Auburn, Mr. Flanders, that the resolve and accompanying report be recommitted to the committee on Claims will say aye contrary minded no.

A viva voce vote was doubted.

The SPEAKER: The pending question is the motion of the gentleman from Auburn, Mr. Flanders, that this resolve and accompanying report be recommitted to the committee on Claims. All in favor of that motion will rise and stand in their places until counted and the monitors will make and return the count.

Mr. SCATES of Westbrook: Mr. Speaker, I think some of the members do not understand the motion.

The SPEAKER: The members may be seated and the Chair will try and explain it again. This resolve came to the House and was tabled March 14 by the gentleman from Auburn, Mr. Flanders. That gentleman now moves that the resolve and report be recommitted to the committee on Claims. A vote yes is in favor of his motion to recommit. A vote no is against it. Is the situation now clear? If so, the members will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,

Thirty-three in favor of the motion and 50 against it, the motion failed of passage.

On motion by Mr. Flanders of Auburn, a viva voce vote being taken, the resolve and accompanying report were tabled and specially assigned for Friday morning, March 24.

Mr. FERNALD of Winterport: Mr. Speaker, if it makes no difference, I would like to take off the table the fortieth unassigned matter.

The SPEAKER: The gentleman is out of order, under the order passed earlier today.

Mr. FERNALD: May I make a statement, Mr. Speaker?

The SPEAKER: Certainly.

Mr. FERNALD: As I understood my remarks yesterday and I will not question them, I asked that the fortieth unassigned matter be specially assigned for today. There may have been some error on the calendar.

The SPEAKER: If that is the situation, the Chair would be willing to have the matter taken from the table at this time, and will. The Chair understands that the gentleman from Winterport, Mr. Fernald, moves to take up out of order the fortieth matter tabled and unassigned.

The motion prevailed.

The SPEAKER: The Chair now lays before the House the fortieth unassigned matter.

Mr. PLOUFF of Dexter: Mr. Speaker, I would ask that the rules be suspended and the members be permitted to smoke during the session.

The motion prevailed.

The SPEAKER: And the Chair now lays before the House the fortieth unassigned matter, majority report ought not to pass and minority report ought to pass of the committee on Judiciary on bill an act relating to the printing of public laws in newspapers, H. P. 69, L. D. 43, tabled by Mr. Fernald of Winterport, March 20, pending acceptance of majority report; and the Chair recognizes that gentleman.

Mr. FERNALD: Mr. Speaker, my motion will be the substitution of the bill for the report, and I will not take very much of the time of the House because we went into this matter quite fully last night.

First, I want to thank the member from Portland, Miss Laughlin, for calling my attention to an error in my bill, and since that time, in accordance with my statement last night, I have taken the bill up with the Secretary of State and with the Revisor of Statutes and I have an amendment in proper form, according to him, that will carry out the purposes of the bill.

My motion now is to substitute the bill for the report and the issue, as I see it, is that if you sustain me in my motion it will save the legislative expense of the State

of Maine \$8,200. At the proper time I will offer this amendment which carries out the suggestions of the other member, made last night. That is all I have to say about it and I trust that my motion to substitute the bill for the report will prevail and that we will be able to save the State of Maine \$8,200.

Mr. FARRIS of Augusta: Mr. Speaker, I rise to a point of order. As I understood last night this matter was tabled, pending the acceptance of the majority report, ought not to pass, so that the motion is out of order.

The SPEAKER: The Chair feels that the motion is entirely proper. The action yesterday was on the minority report which was ought to pass, and the motion made by the gentleman from Winterport to accept the minority report ought to pass was defeated. That gentleman now moves to substitute the bill for the majority report which was ought not to pass, and the Chair rules that his motion is proper.

Mr. GOUDY of So. Portland: Mr. Speaker, I would like to say, for the benefit of the House that I was one of the Judiciary committee that signed the majority report ought not to pass because I felt the same way about the bill as the member from Portland, Miss Laughlin—that we would not be accomplishing what we intended to accomplish under the bill as drawn at that time; but I would like to say at this time, with the amendment offered by the gentleman from Winterport, Mr. Fernald, that I think the bill should have passage. I think the saving is well worth considering in this time of distress.

Mr. HILLS of Northport: Mr. Speaker, I would like to second the motion of the gentleman from Winterport, Mr. Fernald. It seems to me that this bill effects a saving that we can make without much trouble. We have tried to save on our roads, and have saved, but it will throw men out of employment and it will lessen a great many dinner boxes. Just the same with the Department of Education and every other thing we have tried to save on. This is not going to do any injustice to anyone. Of course it would be nice to have these laws published in the newspapers and they really are a source of great information, but I cannot see how it will harm anyone if we do this for the next two years.

Perhaps at the next session this can be re-enacted. Therefore, I second the motion at this time.

The SPEAKER: The pending question is the motion of the gentleman from Winterport, Mr. Fernald, that the bill be substituted for the ought not to pass report of the committee. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion to substitute the bill for the report prevailed.

On motion by Mr. Fernald, under suspension of the rules, the bill had its first two readings.

Thereupon that gentleman presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 69, L. D. 43, entitled an act relating to the printing of Public Laws in newspapers.

Amend said bill by striking out in the fourth line of said bill the word "is" and inserting in place thereof the following words: "and paragraph number three of section two of chapter 210 of the Public Laws of 1931 are".

Thereupon a viva voce vote being taken, House Amendment A was adopted and tomorrow was assigned for the third reading of the bill as amended.

The SPEAKER: Returning again to the tabled and unassigned matters the Chair lays before the House the second unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act to revise the charter of the city of Eastport, H. P. 861, L. D. 401, tabled by Mr. Eldridge of Eastport, March 14, pending acceptance of the report, which gentleman the Chair now recognizes.

On motion by Mr. Eldridge the bill and report were retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the third unassigned matter, House report ought not to pass of the committee on Taxation on bill an act relating to Taxation of Auxiliary State Forests, H. P. 1068, L. D. 453, tabled on March 14 by Mr. Sanborn of Baldwin, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. SANBORN: Mr. Speaker, I place this bill on the unassigned list for a special purpose. That

purpose has not been accomplished and I would like to retable it and specially assign it for Friday morning, March 24.

The motion prevailed and the bill was so retabled.

The SPEAKER: The Chair lays before the House the fourth unassigned matter bill an act extending the powers and rights of the Fryeburg Village Fire Corporation, H. P. 1569, L. L. 879, tabled by Mr. Osgood of Fryeburg, March 14, pending third reading; and the Chair recognizes that gentleman.

Mr. OSGOOD: Mr. Speaker, I now offer House Amendment A and move its adoption.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to bill an act extending the powers and rights of the Fryeburg Village Fire Corporation, H. P. 1569, L. D. 879.

Amend said bill by striking out in the third line of the first paragraph the words "or otherwise" and by inserting in the first line of the second paragraph thereof the word "Fire" after the word "Village"; and further amend said bill by adding the following section thereto:

"This act shall not become effective unless it shall be accepted by an affirmative of two-thirds of the qualified voters of the Fryeburg Village Fire Corporation present and regularly taken at any annual meeting of said corporation held within five years from January 1, 1933."

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

The SPEAKER: The Chair lays before the House the first unassigned matter, bill an act to authorize the continuation of Rules and Regulations of the Commissioner of Inland Fisheries and Game, H. P. 730, L. D. 337, which was passed to be engrossed in the House on March 8th and which came from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence and which was tabled on March 15 by Mr. Sterling of Caratunk, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Sterling the House voted to reconsider its action of March 8 whereby this bill was passed to be engrossed; and on fur-

ther motion by the same gentleman the House voted to concur with the Senate in the adoption of Senate Amendment A; and on further motion by the same gentleman the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

The SPEAKER: The Chair lays before the House the sixth unassigned matter House report ought not to pass of the committee on Judiciary on bill an act relating to State salaries for persons receiving pay from United States government, H. P. 1152, L. D. 601, tabled by Mr. Sterling of Caratunk, March 15, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Sterling, the bill and accompanying report were retabled and specially assigned for Thursday, March 23.

The SPEAKER: The Chair lays before the House, the seventh unassigned matter, House report ought not to pass of the committee on Judiciary on bill an act to establish a municipal court in the town of Lisbon, H. P. 841, L. D. 418, tabled March 15 by Mr. Gross of Lisbon pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Gross the report ought not to pass was accepted.

The SPEAKER: The Chair lays before the House the eighth unassigned matter House report ought not to pass of the committee on Judiciary on bill an act relating to the advertising of cigarettes and tobacco, H. P. 622, L. D. 292, tabled March 15 by Mr. MacPherson of Easton, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. MacPHERSON: Mr. Speaker, I move to substitute the bill for the ought not to pass report.

A viva voce vote being taken, the motion failed of passage; and on motion by Mr. Tompkins of Houlton, the ought not to pass report of the committee was accepted.

The SPEAKER: The Chair lays before the House the ninth unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to amateur sports, H. P. 868, L. D. 288, tabled March 15 by Mr. Be-

langer of Winslow pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BELANGER: Mr. Speaker, I now yield to the gentleman from Baring, Mr. Chase.

On motion by Mr. Chase the bill and report were retabled and specially assigned for Thursday, March 23.

The SPEAKER: The Chair lays before the House the tenth unassigned matter majority report ought to pass in new draft and minority report, ought not to pass, of the committee on Claims on resolve in favor of the town of Turner, H. P. 84, new draft H. P. 1600, tabled March 15 by Mr. Mason of Mechanic Falls, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. MASON: Mr. Speaker, I move the acceptance of the majority report which was ought to pass in new draft.

Mr. ROUNDS of Portland: Mr. Speaker, this bill was considered by the committee on Claims and is a just bill. This town is a little town up in Androscoggin county with no manufacturing in the town except one. They had this fire and Mr. Violette came down. They ordered three pumpers of the Forest Commissioner and another one from Auburn. The fire burned over four hundred acres and according to the town report which I have in my hand they laid out, I think, \$2200 Mr. Violette paid a part of it and the committee voted to give them \$1,000 and they would stand the rest. They borrowed money at that time to pay another bill. They are \$9,000 above their debt limit and their money is tied up in the banks of Auburn that they borrowed this year—\$9,000. Six thousand dollars of it is tied up. They cannot pay their teachers and they cannot pay the road commissioner or any other bill. Therefore the committee thought in justice to that little town—the majority of the committee—I thought at first it was an unanimous report but somebody in another part of the State put in a couple of bills and two took their names off the unanimous report. I think it but justice to them that they should have that money, \$1,000, to help them out this year.

The SPEAKER: Is it the pleasure of the House to accept the majority report of the committee on Claims

ought to pass in new draft resolve in favor of the town of Turner?

The report was accepted and the new draft tabled for printing under the Joint Rules.

The SPEAKER: The Chair lays before the House the eleventh unassigned matter bill an act relating to payment for treatment of patients at State Sanatoriums, H. P. 1589, L. D. 912, tabled March 15 by Mr. MacPherson of Easton, pending second reading; and the Chair recognizes that gentleman.

Mr. MacPHERSON: Mr. Speaker, I wish to offer House Amendment A and move its adoption.

The SPEAKER: Would the gentleman be willing for the bill to have its second reading before offering his amendment in accordance with the procedure?

Mr. MacPHERSON: Yes, Mr. Speaker.

Thereupon the bill had its second reading.

Mr. MacPHERSON: Mr. Speaker, I now offer House Amendment A and move its adoption.

The SPEAKER: The Clerk will read House Amendment A.

House Amendment A to H. P. 1589, L. D. 912, entitled an act relating to payment for treatment of patients at State Sanatoriums.

Amend said bill by adding at the end thereof the following words:

"No pauper disabilities shall be created by reason of any aid or assistance given under the provisions of this act."

Thereupon House Amendment A was adopted by a viva voce vote and tomorrow assigned for the third reading of the bill.

The SPEAKER: The Chair lays before the House the twelfth unassigned matter, House report ought to pass of the committee on Agriculture on bill an act relating to bounty on bears, H. P. 1027, L. D. 461, tabled March 15 by Mr. Sterling of Caratunk, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. STERLING: Mr. Speaker, this bill is being held because other similar bills are coming along. I think they will be along by next Friday, and I wish to retable it until that time.

On motion by Mr. Sterling the bill and accompanying report, by a viva voce vote, were retabled and specially assigned for Friday, March 24.

The SPEAKER: The Chair lays before the House the thirteenth unassigned matter bill an act relating to prepayment of taxes, H. P. 662, L. D. 205, which was passed to be enacted in the House on March 9 and passed to be engrossed February 28th. It comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence. It was tabled March 15 by Mr. Sargent of Brewer, pending further consideration, and the Chair recognizes that gentleman.

Mr. SARGENT: Mr. Speaker, I wish to offer House Amendment A to Senate Amendment A and move its adoption. I will say in explanation that I have had a conference with the member of the Senate who held this up and amended it and the amendment I am offering is perfectly satisfactory to him.

Thereupon the House voted to reconsider its action of March 9 whereby this bill was passed to be enacted, and further voted to reconsider its action on February 28th whereby this bill was passed to be engrossed.

Mr. Sargent offered House Amendment A to Senate Amendment A.

The SPEAKER: The Clerk will read Senate Amendment A and House Amendment A to Senate Amendment A.

Senate Amendment A read.
House Amendment A to Senate Amendment A, H. P. 662, L. D. 205, an act relating to prepayment of taxes.

Amend said Senate Amendment A by striking out in the second line thereof "six per cent," and inserting in place thereof "eight per cent."

Thereupon House Amendment A to Senate Amendment A was adopted by a viva voce vote, and by further vote Senate Amendment A was adopted as amended by House Amendment A and the bill as so amended was passed to be engrossed.

The SPEAKER: The Chair lays before the House the fourteenth unassigned matter House report ought not to pass of the committee on Judiciary on bill an act relating to parking of vehicles on highways, H. P. 1045, L. D. 448, tabled March 15 by Mr. Scates of Westbrook, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. SCATES: Mr. Speaker, I move the substitution of the bill for the report, and I do this in order that I may present an amendment which I think will be agreeable to the members of the Judiciary committee. It is to those with whom I have been able to consult.

Thereupon, the bill was substituted for the ought not to pass report and under suspension of the rules had its first two readings.

Mr. Scates then offered House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 1045, L. D. 446, entitled an act relating to parking of vehicles on highways.

Amend said bill by inserting in the first line thereof between the words "any" and "way" the words "State high" and by inserting between the words "such" and "way" in the seventh line the words "State high" and by striking out in the ninth line the word "twenty" and inserting in place thereof the word "fifteen."

Mr. SCATES: Mr. Speaker, the original bill would prevent the parking of an automobile on any way except in the congested district of some town or city. This bill as originally drawn was drawn by the Maine Automobile Association and presented to the Chief of the State Police, General Hanson. I happened to be in the office on other matters with General Hanson when he had this bill before him. He approved of it and asked me to present it which I did. The objection, as I understand it, of the Judiciary committee was this, that they thought it ought not include State aid and Third Class roads. To meet that objection I have amended it as you will see, so that it applies only to State roads. The bill, was designated to make driving safer. I know that on the road between Auburn and Portland, a cement road, there have been many, many accidents, some of them fatal, due wholly to the parking of an automobile on that road. The object of this bill is to obviate that trouble, save accidents and save lives. I would ask the gentleman from Houlton (Mr. Tompkins) a member of the Judiciary committee, if it is agreeable to him as amended.

The SPEAKER: The gentleman

from Houlton may reply if he wishes.

Mr. TOMPKINS: Mr. Speaker, I will answer the gentleman from Westbrook by saying that the amendment is agreeable to me.

Mr. FARRIS of Augusta: Mr. Speaker, the gentleman from Westbrook Mr. Scates, conferred with me this morning about this bill, also the Chairman of the Judiciary committee and I think it is satisfactory to us.

Thereupon, House Amendment A was adopted and tomorrow was assigned for its third reading.

The SPEAKER: The Chair lays before the House the fifteenth unassigned matter, House report ought to pass in new draft of the committee on Claims on resolve in favor of Lillian R. Cushman, H. P. 800, new draft H. P. 1553, tabled on March 15 by the gentleman from Dixmont, Mr. Bussey, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BUSSEY: Mr. Speaker, I yield to the gentleman from Portland, Mr. Carleton.

Mr. CARLETON: Mr. Speaker and members of the House: This is a claim against the State for fifteen hundred dollars, for a man who was injured on the highway. The records in the State of Maine, Vital Statistics Office, show that Ralph S. Cushman died on February 26th, 1931. The cause is given as nephritis, chronic Brights disease, and the duration of illness was one year. Ralph Cushman was a deputy inland fish and game warden during the hunting season and his duties were inspecting game at the Union Station in Bangor. Mr. Cushman was run into by a truck of the Gulf Refining Company, on the highway, and Mrs. Cushman settled with the Gulf Refining Company—I will not say for what amount. At the time of the accident no claim was made to the State for compensation.

As I understand this case, this man's duties were at the Union Station in Bangor. Some time about six o'clock at night he took his dinner box and started for home. He was hit by this truck of the Gulf Refining Company. That has been taken up by the Industrial Accident Commission, and they state that he has no claim. I have taken the matter up with the Attorney General, and there is no claim against the State. He was not in

the line of duty at the time that he was hit by this truck. I now move that this resolve be indefinitely postponed.

Mr. SARGENT of Brewer: Mr. Speaker and members of the House of Representatives of the Eighty-sixth Legislature: I dislike very much to address the members of this House relative to a resolve, realizing, as I do, that our calendar is crowded with many matters of a more general and public interest, but I consider that it is a duty that I owe to one of my constituents, and a duty that I owe to the committee on Claims, to present the facts to the members of this House as near as I can, as they were presented to the committee on Claims.

This resolve, like many others of a similar nature, was not printed, but read when introduced in the Legislature substantially as follows:

"Resolved, that there be appropriated the sum of twenty-five hundred dollars to recompense Lillian R. Cushman for the death of her husband, caused by injuries he sustained while employed as a deputy warden, in the employ of the inland fisheries and game department of the State of Maine."

It was reported out of the committee on Claims by a unanimous and undivided report ought to pass in a new draft, reading practically as introduced, except, I suppose, because of the depression, cutting the amount forty per cent to fifteen hundred dollars, and directing that it be paid from the funds of the inland fisheries and game department.

As I understand, there are two facts that must be proved: First, was Ralph S. Cushman injured while in the performance of his duties as a deputy warden in the employ of the inland fisheries and game department of the State of Maine? Second, did this injury contribute to, or in other words, hasten his death? I think it will be readily conceded that if Mr. Cushman was injured in the performance of his duties as a deputy warden, he would have been entitled, under the provisions of the Workmen's Compensation Act, to have gone before the Industrial Accident Commission, and he would, in all probability, have been awarded compensation according to the nature and extent of his injury, and the same would have been paid from the treasury of the State of Maine.

I believe that it would be further conceded that if the injuries contributed to the cause or hastened his death, that in all probability there would have been awarded by the Industrial Accident Commission to his widow, Lillian R. Cushman, the sum of four thousand dollars, the usual sum in cases of a like kind, as compensation for his death.

Let me review now the facts as presented to the committee on Claims. It is an undisputed fact that during the hunting season, in the fall of 1930, Ralph S. Cushman was employed by the Department of Inland Fisheries and Game, at the rate of one hundred dollars per month, and that he had been so employed, in a similar capacity, for a period of more than ten years. His particular duties, as such deputy game warden, were to meet each incoming train in Union Station, at Bangor, for the inspection of game, and tagging of the same, and to do such other things as the chief game warden of the Bangor District, or the Commissioner at Augusta, might request.

During this long period of years in which he was employed as deputy game warden there had grown up a custom for hunters who arrived in Bangor or Brewer by automobile from the northern and eastern part of the State, and especially over the "air line route," from Washington and Hancock counties, to call at Mr. Cushman's home on Silk street, in the city of Bangor, to have their game inspected and tagged.

Mrs. Cushman, in her statement to me, and in her statement before the committee on Claims, said that some time between the fifteenth day of December, 1930, and the last day of December, that Mr. Cushman, in his capacity as deputy game warden, and in the performance of his duty, was at Union Station to meet the noon train, and while so engaged a hunter called at their home with game to be inspected and tagged; that she sent him to Union Station and that he returned; that she telephoned Mr. Cushman and located him, I believe, at a local restaurant, where he was accustomed to eat his meals; that Mr. Cushman directed her to tell the hunter to remain at his residence and he would drive over.

In his own car, in the regalia of a deputy warden, while travelling at a reasonable rate of speed over one of the principal thoroughfares of the city of Brewer, carefully watch-

ing traffic on his right, his car was struck by a tank wagon of the Gulf Refining Company, which was coming down an intersecting street on his left. The impact of the tank wagon threw the light car to one side, smashing one of the rear wheels, crumpling the fenders and running board, and smashing the door on the driver's side, throwing Mr. Cushman with great force to the opposite side of the car, and severely injuring his head and back.

It is fair to assume that the usual crowd quickly collected, and that in the excitement of the moment Mr. Cushman, finding that no bones were broken, did not fully realize the nature and extent of his injuries. From a neighboring house he telephoned his wife, informing her of the accident and requesting that the hunter meet him at his place of business. The local police were notified, and after inspection of the accident Mr. Cushman's car was towed to a local garage and he was driven to his place of business.

The evidence from this point on was that Mr. Cushman, for a period of about two weeks, with great difficulty, suffering much pain, performed the usual duties at his place of employment, and during the time completed his duties as a deputy game warden for the hunting season of 1930.

Mrs. Cushman states that during the two weeks Mr. Cushman complained of severe pains in his head and back, was extremely nervous, had dizzy spells, and required the attention of the family physician, but that in spite of her pleadings for him to give up, he continued to be about until the last of the month of December, when he was forced to give up and took to his bed. Two other local physicians were called in consultation with the family physician for an examination and diagnosis of the case. The conclusion of the examining physicians was that the automobile accident was a contributory factor to the death of Ralph S. Cushman, and affidavits of the examining physicians were filed with the Claims committee to that effect.

I hold in my hand the three affidavits of the doctors, one from Calvin M. Thomas, an old and respected practicing physician in the city of Brewer, one from C. W. Blaisdell, an eminent physician in the city of Brewer, and one from Henry C. Knowlton, of Bangor, a specialist.

These affidavits read substantially as follows: "—Calvin M. Thomas, M. D., of Brewer, Maine, a physician and surgeon, who being duly sworn according to law, declares that he was the attending physician in the case of Ralph Cushman, late a resident of 9 Silk street, Brewer, that said Ralph Cushman was in an automobile accident on the 29th day of December, A. D., 1930, and in his opinion said automobile accident was a contributory factor to his death which occurred subsequently, to wit, on the 23rd day of February, A. D., 1931."

The other affidavits read practically the same.

From the date of his taking his bed, Mr. Cushman continued to fail, and died on the 23rd day of February, 1931. Services were held on the first day of March, and local chief game warden and other game wardens officiated as bearers.

Shocked by the death of her husband, deprived of the support and advice of the one to whom she naturally turned for advice, Mrs. Cushman made no efforts to protect her rights. Time drifted on, but later, when the first shock was over and she mingled with her friends, she somehow learned that the State of Maine protected its employees, while injured in the performance of their duties, and we find that on the 29th day of August she wrote the commissioner of inland fisheries and game, making inquiry relative to some insurance she thought the State carried for its employees. I have here the letter of August 29th, 1931, which is as follows:

"Mr. George Stobie:
My dear Mr. Stobie:

I am writing in regards to Ralph S. Cushman, my husband. The last part of December he was returning home from the noon train while inspecting game at the station, when a Gulf truck struck his roadster, damaging it, and hurt Mr. Cushman's head and back. Although he was very poorly, he kept around about two weeks, when he was forced to take his bed, and died seven weeks later. Doctor Thomas, of Brewer, and Doctor Knowlton of Bangor, claim death due to the accident. He suffered awful pain in his head. I am suing the Gulf Co., the trial coming off this month. Mr. Stobie, I told Mr. Carney to notify the State at the time of his death. I did not know just how to get

about it, and at the time of the accident we did not realize it would cause his death, and I was in such a nervous state I did not think about it at the time. I do not want you to feel that I am asking for something that does not belong to me, but, if there is any insurance policy covering the accident, would like very much to have it, where it has gone so long, as I did not know just what to do.

I would accept half of the benefit if I could get anything. If you will please let me know about this as soon as possible, I will be very grateful to you. I am so sorry we have not got Mr. Cushman here; he was always so interested at this time of year.

Thanking you, I am

Sincerely yours,

MRS. R. S. CUSHMAN."

The evidence from that time is that Mrs. Cushman, learning that these matters usually came before the Industrial Accident Commission, that she proceeded to the Probate Court in Bangor, where the Industrial Accident Commission usually holds forth, and, on making inquiry was told that they expected her case would come up, but it never came.

In answer to the letter of August 29th, 1931, I have a letter here dated September 3rd, 1931, from Mr. Stobie:

"Dear Mrs. Cushman:

Your letter of August 29th is received in regard to insurance that might be carried by the State, and has been turned over to Mr. George Leadbetter who has charge of such matters. I am, however, of the opinion that there is no insurance covering a case of this kind. If there is I have no doubt you will hear from Mr. Leadbetter."

No reply was received, and later on in the year Mrs. Cushman wrote another letter to Mr. Stobie. This letter, although it is not dated, must have been written some time preceding November, because I have here a letter from Mr. Stobie dated November 10th, 1931.

"Dear Mrs. Cushman:

Your letter received in regard to Mr. Cushman, and the same is being turned over to Mr. Leadbetter who has charge of the State insurance."

On November 13th, 1931, the following letter from Mr. Stobie:

"Dear Mrs. Cushman:

Relative to your letter which I re-

ferred to Mr. Leadbetter, will say that I have talked this matter over with Mr. Leadbetter this morning and am now of the opinion that Mr. Cushman would not be covered going to and from his work. However, I am not an authority in this and would advise your taking the matter up direct with him."

Saturday or Sunday, before I came to Augusta, Mrs. Cushman telephoned me relative to this claim. Personally I was not acquainted with Mrs. Cushman, and I advised her to write me the facts in a letter directed to Augusta, and I would take it up with the Department.

This she did, and Wednesday or Thursday of the first week I interviewed the Commissioner, and later, Mr. Leadbetter. I think I went there two or three times, and the only reply that I got was the statement read by the gentleman from Portland (Mr. Carleton), a statement that they secured from the Bureau of Vital Statistics, that Mr. Cushman died of nephritis, chronic Brights disease.

Friday, before the time for shutting down on entering bills, I received a communication from Mr. Leadbetter, containing these letters, and stating that he was returning the same, thinking I might want to put in a resolve before the House.

Mrs. Cushman appeared before the committee on Claims. There were no persons there to dispute the claim, and the committee on Claims brought out an undivided and unanimous report directing the State to pay the sum of fifteen hundred dollars.

It is true, I believe, that no notification was given of this claim except that the chief game warden knew the facts, we may presume, of Mr. Cushman's death. It is quite true that no petition was filed within six months, or that the claim was prosecuted. It is also true that permission has to be secured to sue the State of Maine. If the members will recall, there are several bills or resolves asking for the right to sue the State of Maine, some granted and some not granted.

Now this Legislature acts as a court in equity, not as a court of law, and if the circumstances are so mitigating that this Legislature believes an injustice would be done, they have the right, and I believe it is their duty to correct that injustice, and to make an award of a

sum sufficient to recompense the widow for this accident. I hope that the motion by the gentleman from Portland (Mr. Carleton) will not prevail.

Mr. CARLETON: Mr. Speaker, the State claims that this man was not employed, at the time he was struck by this truck, in the performance of his duties. His duties were at the Union Station in Bangor. There was no claim made on the State for this accident. He died several months later of chronic Brights disease. This party has no claim against the State of Maine for her husband's death, which occurred months later.

Mr. PLOUFF of Dexter: Mr. Speaker, I do not think this is a matter for us to decide here. It is apparent that this was purely an accident, and we have an Industrial Accident Commission that attends to these matters, and we should leave it to them to decide. I am in favor of the motion of the gentleman from Portland, Mr. Carleton.

Mr. ROUNDS of Portland: Mr. Speaker, I want to endorse all that the gentleman from Brewer (Mr. Sargent) has said. The gentleman from Portland (Mr. Carleton) is very anxious to keep the tax rate down. Now this is not coming from any appropriation that will be made. It is to come from a general appropriation for the inland fisheries and game, as I understand it. Am I right?

The SPEAKER: Yes, that is what the resolve provides.

Mr. ROUNDS (continuing): And so it will not make your taxes any different. This woman is not getting as much as she would have gotten if she had hired a lawyer in the first place and had the Industrial Accident Commission handle her case. The State has gotten out of it for one thousand dollars less than they would have gotten out of it if she had gone at it that way. She is paying no lawyers, but she will have the amount of fifteen hundred dollars from the State at her disposal, instead of twenty-five hundred dollars. We cut it down one thousand dollars.

Mr. Carleton was granted permission to speak the third time.

Mr. CARLETON: Mr. Speaker, I am well aware of where this money is coming from, but why should I sit here and let a claim go by which I believe the State of Maine is not

entitled to pay? If settlement was made with the Gulf Refining Company for all damages, they have no claim on the State of Maine. Therefore I move that my motion to indefinitely postpone prevails. If it is sympathy here, that is all right, but if you are talking about whether a thing is right or not, that is another question.

Mr. SARGENT: Mr. Speaker, in answer to the remarks of the gentleman from Portland (Mr. Carleton) I wish to say that Mr. Cushman's duties were other than to merely attend and inspect game at the Union Station in Bangor, because I believe that you will find on the records of this House that back in the year 1927 Mr. Cushman was requested by the commissioner to proceed to a farm in the city of Brewer for the purpose of inspecting a cow that was killed by a hunter, and it was known that on several other occasions Mr. Cushman had been requested to investigate certain violations of law relative to game, and that he was considered a valuable employee of the State of Maine, in the department of inland fisheries and game.

Now, relative to the fact that Mrs. Cushman sued the Gulf Refining Company and collected from them the sum of fifteen hundred dollars, I will say that in this letter of August 29th, 1931, the State was notified that she was bringing suit against the Gulf Refining Company, and they might have appeared in the case and prosecuted the Gulf Refining Company and what they had collected would have been subrogated to the State.

I hold also in my hand a letter that was received by me this week, as follows:

"Mr. Walter J. Sargent:

I was called to Ralph S. Cushman's accident on the corner of Washington and Holyoke streets. He at that time was in full uniform. He was on his way as fall inspector for game for the season, on the middle of December, 1930, when hurt.

Formerly City Marshal,
CHARLES EDWARD LUNT."

Mr. Lunt had been city marshal up to his retirement, in the city of Brewer, for a period of more than twenty years, and he is known locally throughout the eastern part of the State as a man who would not put his signature to anything that he did not believe. Mr. Lunt

was the man who was called there at the time of the accident and inspected and made a report relative to the accident.

I hope that the motion of the gentleman from Portland (Mr. Carleton) will not prevail, and that justice will be done to the widow of this deputy game warden.

Mr. CARLETON: Mr. Speaker, may I ask the gentleman a question?

The SPEAKER: The gentleman from Portland, Mr. Carleton, has permission to speak the fourth time. The Chair assumes there is no objection, and permission is granted. The gentleman from Portland, Mr. Carleton, wishes to ask the gentleman from Brewer, Mr. Sargent, a question. He may ask the question, and the gentleman may answer if he chooses.

Mr. CARLETON: At the time of the accident, was there any claim made on the State?

The SPEAKER: The gentleman from Portland, Mr. Carleton, inquires of the gentleman from Brewer, Mr. Sargent, if, at the time of the accident, any claim was made on the State. The gentleman may answer.

Mr. SARGENT: I think I explained that Mrs. Cushman did not know what her rights were and that no claim was made.

In reference to that, I might say about this notifying a person within thirty days, I think the members of this House all know that usually in any industrial business, in any factory, there are notices posted, and that the employers of labor urge anyone who has been hurt to make a report, but in this case Mrs. Cushman did not know what the law was, and she made no report. Mr. Cushman, if he had been looking for something out of the State, I believe, would have gone to bed the day of the accident, but instead of that he tried to keep about, and tried really to save the State of Maine money.

Mr. CARLETON: Mr. Speaker, may I ask another question?

The SPEAKER: The gentleman may do so.

Mr. CARLETON: He made this claim about a year later, didn't he?

Mr. SARGENT: He never made any claim. He is dead and gone.

Mr. CARLETON: She did, didn't she?

Mr. SARGENT: The 29th day of August, 1931, she wrote to the com-

missioner the first time, but I think if you will read that letter, you may imply safely that this was known by the chief game warden and probably other wardens of that district.

Mr. HOBBS of Hope: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Hope, Mr. Hobbs, moves the previous question. All those in favor of the Chair entertaining the previous question will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: More than a sufficient number obviously having arisen, the question now is shall the main question be now put? All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Carleton, that this resolve in favor of Lillian R. Cushman, House Paper 800, be indefinitely postponed. All those in favor will say aye; contrary minded no.

A viva voce vote being doubted,

A division was had.

Forty-four having voted in the affirmative and 71 in the negative, the motion failed of passage; and on motion by Mr. Sargent the ought to pass report of the committee was accepted; and on further motion by the same gentleman, under suspension of the rules, the resolve had its first reading and tomorrow assigned.

The House voted to take up out of order an order presented by the gentleman from Newport, Mr. Soper, as follows:

Ordered, that there be printed 500 copies of L. D. 919, bill an act for the protection of trust companies and depositors therein as amended.

The order received passage.

On motion by Mr. Walker of Rockland,

The House recessed until four o'clock this afternoon.

AFTER RECESS

The Speaker in the Chair.

The SPEAKER: The House will be in order. The House is proceeding as it was under Orders of the Day.

The Chair lays before the House the sixteenth unassigned matter, House Amendment A, Legislative Document 874 and House Amendment A to House Amendment A, Legislative Document 874 to bill an act relating to the trial terms of the superior court, House Paper 32, Legislative Document 95, tabled on March 15 by the gentleman from South Portland, Mr. Hill, pending adoption of House Amendment A to House Amendment A; and the Chair recognizes that gentleman.

Mr. HILL: Mr. Speaker, I believe there are some errors in this bill. For that reason I move this matter lie on the table and be specially assigned for next Friday morning.

Thereupon the matter was retabled and specially assigned for Friday morning, March 24.

The SPEAKER: The Chair lays before the House the seventeenth unassigned matter, bill an act relating to weights and measures, Senate Paper 568, Legislative Document 849, tabled on March 15 by the gentleman from Augusta, Mr. Farris, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. Farris offered House Amendment A and moved its adoption.

House Amendment A to S. P. 568, L. D. 859, entitled: "An Act relating to weights and measures."

Amend said bill by striking out section 5 thereof and substituting the following in place thereof:

'Sec. 5, R. S. c. 53, Sec. 23, amended. Section 23 of chapter 53 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 23. Scales to be sealed before use. No person, firm or corporation shall use any weights, measures, scales, steelyards, beams, or other weighing or measuring device or balances, except meters for measuring water, gas or electricity supplied by companies subject to regulation by the public utilities commission, until they are sealed by a public sealer of weights and measures. Whoever violates any of the provisions of this section shall be punished by the penalties provided for in section 25 of chapter 53.'

Further amend said bill by striking out section 8 thereof.

And further amend said bill by striking out the amending clause of section 9 thereof and the section

number of the following section and substituting in place thereof the following amending clause and section number:

'Sec. 8. R. S. c. 126, Sec. 22, amended. Section 22 of chapter 126 of the revised statutes is hereby amended to read as follows:

'Sec. 22.'

And further amend said bill by striking out in the last 4 lines of section 9 the words: "for sealing gas, electric and water meters, not to exceed 50 cents each;"

Thereupon, House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed in non-concurrence.

The SPEAKER: The Chair lays before the House the eighteenth unassigned matter, report of the Judiciary Committee, on bill an act relating to corporations and for the protection and development of forests, Senate Paper 221, new draft Senate Paper 571, Legislative Document 871, tabled on March 16 by the gentleman from Weld, Mr. Sanborn, pending acceptance in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Sanborn, the bill and accompanying report was retabled and specially assigned for Friday, March 24.

The SPEAKER: The Chair lays before the House the nineteenth unassigned matter, House report ought not to pass of the committee on Mercantile Affairs and Insurance on bill an act in relation to the investigation and prevention of fires and dangerous conditions in or near buildings or other structures, House Paper 1144, Legislative Document 597, tabled on March 16 by the gentleman from Waterville, Mr. Berry, pending acceptance; and the Chair recognizes that gentleman.

Mr. BERRY of Waterville: Mr. Speaker, I did not put this bill in; it was introduced by request of Mr. Hill of Portland. It was introduced for the Fire Chiefs' Association of Maine. It is a worthy bill. Of course the committee could not see their way clear to bring in the report ought to pass, due to the clause that sets up and takes thirty-five hundred dollars, I believe, for salary. However, this State is paying, and does not realize it, a concealed tax on every premium insurance on account of

not having a fire marshal. We are one of the last states in the Union without that office filled by someone.

I appreciate thoroughly the conditions prevailing with the chiefs of the State of Maine, due to the fact that they have a good many fires that they would like to have properly investigated, and at this time there is no fund for that purpose. The State Insurance Commissioner holds the double portfolio of State Insurance Commissioner and Fire Marshal.

I was not present at the hearing, but I do know that this was backed by some sixty odd chiefs who belonged to the Association of Maine Chiefs. Had I been back of this bill personally, I would have been prepared to go along with it, but coming up this morning, I have not stopped to prepare to go into the matter any deeper. I have no doubt that a similar bill will come along with more support at the next Legislature, and I trust whatever committee has it will weigh it thoroughly because the set-up here is only thirty-five hundred dollars and the citizens of Maine are paying it a good many times over and do not realize it, in a concealed tax in their premiums.

Fire insurance is based on what the New England Fire Insurance Exchange sees fit to give us, and your classification in a lot of the cities is dragging way down in D and E, and if this was set up, your base rates in those places would recede and the sections would receive the benefit. At this time I will yield to the gentleman from South Portland, Mr. Hill, if he has anything to say on the bill.

Mr. HILL: Mr. Speaker, I was not prepared to speak upon this bill at this time. I think the gentleman from Waterville, (Mr. Berry) has covered the ground as fully as I could. I should like to go on record as favoring the passage of the bill.

Mr. BERRY: Mr. Speaker, I now commit this bill to the waste basket by moving the acceptance of the report ought not to pass.

Mr. PLUMMER of Portland: Mr. Speaker, I should like to just explain this bill so that all will understand it. This bill is to set up a new department, a fire marshal, with a salary of thirty-five hundred dollars, with an office at the State House, in Augusta, and with deputies, to be the chiefs in

the several cities. It does not affect the towns in any way; it simply affects the cities. But whoever drew the bill had no idea of what the income was at the commissioner's office, because they made this to set aside ten per cent of the gross receipts of the commissioner's office. The commissioner's office receives, in round figures, practically half a million dollars, so that would set up a fund of fifty thousand dollars, which is quite a fund at this time.

I think we all agree that this has not been a year of establishing new departments. I took the matter up with the commissioner, and he said this bill would assist but very little in the investigation of fires.

Thereupon, the House voted to accept the ought not to pass report.

The SPEAKER: The Chair lays before the House the twentieth unassigned matter, House report ought not to pass of the committee on Sea and Shore Fisheries on bill an act relating to taking of lobsters during July and August, House Paper 926, Legislative Document 268, tabled on March 16 by the gentleman from East Machias, Mr. Lindsey, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Lindsey, the matter was retabled and specially assigned for Thursday morning, March 23.

The SPEAKER: The Chair lays before the House the twenty-first unassigned matter, majority report ought not to pass and minority report ought to pass in new draft of the committee on Judiciary on bill an act relating to absentee voters, House Paper 93, Legislative Document 50, new draft House Paper 1610, Legislative Document 939, tabled on March 16 by the member from Portland, Miss Laughlin, pending acceptance of either report; and the Chair recognizes that member.

Miss LAUGHLIN: I move the acceptance of the minority report, and in explanation of that motion I will state, if you will turn to your document—this new draft is number 939. There is just one thing which this bill does, and that is to provide that a person who is unable to go to the polling places—that is in addition to the present

law—a person unable to go to the polling place on election day because of sickness, injury, or other physical infirmities, shall have the benefit of the absent voters' provision, and may cast an absent voter's ballot.

The law as it is now of course makes the only person who has a right to vote as an absentee voter the one who is not in the town of residence where he is entitled to vote on election day, including those who are absent because they are confined to jail or prison—they can vote if they are in the town where they happen to live. That provision, however, saying that those who are in jails or prisons in other states is taken care of, or would be even if you defeated this bill, taken care of in the bill which is tabled, another bill, under Orders of the Day, which makes the one provision that persons who are not in the town may vote on election day, except prisoners confined in jail or other penal institutions after having been convicted of a crime. But this bill embodies that provision in it also, and goes further to provide that a person unable to go to the polling place on account of sickness shall also have a right to vote as an absentee voter.

I am not going to talk particularly on the merits of this, because I imagine every member of this House has made up his own mind whether he believes a person who cannot vote because of sickness or infirmity or injury should be permitted to vote, whether he should have the same privilege as in years past we have been giving to persons in jail in some other town than that in which they live.

Now there was introduced in this Legislature several bills dealing with the absentee voters law, three of them, which were designed to make it possible for persons prevented from coming to the polling place by reason of sickness to vote. This new document, number 939, is simply embodying in one bill the provisions which each of these three bills try to bring about, so is provides that a person may vote through an absentee ballot when he is absent from the city or town in which he is entitled to vote, except when he is serving a sentence in any penal institution after conviction in this or any foreign country. This bill goes further than number 435, which forgot to put in "foreign

country," so if a person happened to be in jail in Canada, he could, under the present bill, or number 435, vote. So it makes it impossible for a person confined after conviction, not simply a person who has been arrested, but after conviction, who is imprisoned in any penal institution in any other state or country, any state outside of his residence,—it makes it impossible for him to vote.

It then goes further and states that a person who "because of illness, injury or other physical infirmity is unable to cast his ballot at the polling place"—Then it provides that there must be a doctor's certificate. At the time he applies for a ballot to vote as an absentee voter, he must file a certificate, when he makes his application, from a doctor in good standing, and the form of that certificate is set forth in Section 1 of this bill and is as follows:

"I,.....a duly licensed and practicing physician (or practitioner of osteopathy) in the State of Maine, do hereby certify that..... whom I have examined, will, in my judgment, be unable to go in person to the polling place at which he (or she) is entitled to vote at the election to be held on the..... day of..... because of illness (or physical infirmity). (Here state the nature of the illness or physical infirmity.)"

Section 2 amends the law by saying that when he makes that oath he cannot put in whether it is because he is absent from town or whether it is because he is sick that he cannot vote. And then Section 13 of the law is amended just the same way by saying that it is a misdemeanor if he votes an absentee ballot when he is in town unless because he is sick.

I am only trying to explain the bill, because when we get all though with it, the one thing it does is to make it possible for a person who cannot attend the polling place on election day because of sickness, on giving sufficient proof through a doctor's certificate of his sickness, to be allowed to vote, with the further provision that when he is in jail in a foreign country, he shall not be permitted to vote.

I am not going to discuss the merits of whether a person who is sick should be allowed to vote or not, because I know every one in this House has his own opinion on it, whether or not he should be allow-

ed to vote. The bill, if passed, would simply make it so that a person who could not vote because of sickness, as certified to by a doctor's certificate, should be permitted then to cast an absentee voter's ballot. If there are any questions by any members of the House, I would be glad to answer them.

The **SPEAKER**: The pending question is on the motion of the member from Portland, Miss Laughlin, to accept the minority report of the committee, which was ought to pass. All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the motion prevailed; and on further motion by the same member, under suspension of the rules, the bill was given its two several readings and tomorrow assigned.

The **SPEAKER**: The Chair lays before the House the twenty-second unassigned matter, majority report ought to pass in new draft, minority report ought not to pass of the committee on Legal Affairs on bill an act legalizing amateur sports and games under certain conditions on Sunday, House Paper 633, Legislative Document 186, new draft House Paper 1611, Legislative Document 940, tabled on March 16 by the gentleman from Eastport, Mr. Eldridge, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion by Mr. Eldridge the bill and accompanying reports were retabled and specially assigned for tomorrow morning.

The **SPEAKER**: The Chair lays before the House the twenty-third unassigned matter, bill an act relating to tolls of Maine Kennebec Bridge, House Paper 667, Legislative Document 199, tabled on March 16 by the gentleman from Portland, Mr. Carleton, pending third reading; and the Chair recognizes that gentleman.

Mr. **CARLETON**: Mr. Speaker and members of the House: This matter covers the matter of the suspension of tolls on the Maine Kennebec Bridge for a certain time, you might say while the ice is in the river. The majority report of the committee on Ways and Bridges is against this bill.

Now in one section it provides that the tolls may be suspended temporarily. I am informed, and I think I am right, that the Public

Utilities will not remit those tolls, so that takes care of that. But, referring to the laws of Navigation and Navigable Waters, you will find that there is an act, chapter 11, which provides that that bridge must always be kept open, draw-tenders must be there all the time, and that bridge must be lighted. Now there is your law. This bridge was built after 1906 when that law was enacted, so I do not see any sense of passing this bill, because under the laws of the United States you must have your draw-tenders. It doesn't make any difference if there is six feet of ice in that river. That is the law.

There is a majority report, ought not to pass. What did you build the bridge for? You built the bridge for people to go across, and now, when the time comes when they can use the ice, they turn around and say they want it free while the ice is in. It is the most nonsensical idea I ever heard. I move that this bill be indefinitely postponed. I yield to the gentleman from Rangeley, Mr. Ellis, and he will tell you something about what the Ways and Bridges Committee had to say on it.

Mr. **ELLIS**: Mr. Speaker, the only thing I would correct Mr. Carleton on is that he said "majority report." It was a unanimous report. I took pains to consult with the Public Utilities Commission, and they have informed me that they believe it would be a dangerous thing, for more reasons than one. If you start opening up these toll bridges which are built as toll bridges for the public to go over free, you do not know what difficulties you are going to get into with your other bridges at Bath and Bucksport.

Mr. **HAWKES** of Richmond: Mr. Speaker, the gentleman from Portland (Mr. Carleton) has informed us that these men on the toll bridges must be kept there the year around. Now there are toll bridges in this State where, as soon as the ice forms above those bridges, they discharge the toll-keepers, and they become a free bridge. I will say that one of these bridges is at East Machias and Machias. It is not a toll bridge, but it is a bridge where, when the ice forms, they let the man who tends the draw go, and it is not used as a draw bridge during that period.

Now if there is one place in the State of Maine where they can do that thing, why should it not apply to the Richmond Kennebec Bridge?

The gentleman has called attention to the Public Utilities Commission. I went over this thing thoroughly with that Commission. I first took it up with the Bridge Engineer of the Highway Commission, and he informed me that it was the Public Utilities Commission that had charge of this. I then went to the Public Utilities Commission and asked them if it were possible to do away with the help while the bridge was losing money, and they told me they did not have the authority to do it, that there must be a special act of the Legislature before that could be in effect. I had the bill drafted and took it to them, and had it examined, and they said it was satisfactory in every way.

Now if the gentleman from Portland (Mr. Carleton) wants to cut down the salaries of our people who are earning anywhere from ten and twelve and fifteen dollars a week, and then go to work where we can save from six to seven hundred dollars and keep that on, under the excuse that certain men have got to stay there to tend a draw-bridge, when there is a foot of ice for ten miles either side of that bridge, that is all right, but I say the thing is not practical.

Now in regard to this bill, it came in here and was put up to this House, and the members of this Legislature voted more than three to one that this was a practical proposition. Now, under those conditions, why should we attempt to turn this down?

Mr. CARLETON: Mr. Speaker, if Mr. Hawkes wishes to read the law, he can find it in this book, page 491. He will see that this is covered by that act; this bridge must be kept open no matter under what conditions. Here is the book. You can look at it if you want to.

Mr. HAWKES: Mr. Speaker, I did not hear what the gentleman was citing from.

Mr. CARLETON: I said I am going by the laws to that effect, the laws of the United States, page 491 of the laws of 1932.

The SPEAKER: Would the gentleman give the name of the book from which he is quoting?

Mr. CARLETON: "Navigation and

Navigable Waters of the United States."

Mr. HAWKES: Mr. Speaker, the bridge that I have cited, where they let the draw-tenders go, is on navigable waters. Now, if that is the case, how can this law apply in one case and not in another case?

The SPEAKER: The gentleman from Portland, Mr. Carleton, may answer, if he cares to, the gentleman from Richmond, Mr. Hawkes.

Mr. CARLETON: Isn't the river navigable waters, where this bridge is?

The SPEAKER: The gentleman inquires if the river is navigable at the point where the bridge is located.

Mr. HAWKES: They are navigable waters. The ice forms above the bridge so boats cannot go up there, and at that time they let the draw-tenders go.

The SPEAKERS: The pending question is on the motion of the gentleman from Portland, Mr. Carleton, that this bill be indefinitely postponed. All those in favor will say aye; contrary minded no.

A viva voce vote being doubted, A division was had,

Forty-one having voted in the affirmative and 72 in the negative, the motion failed of passage, and the bill was given its third reading.

Mr. Graves of Mount Desert offered House Amendment A and moved its adoption.

The SPEAKER: The Chair will have to rule that the amendment is not germane to the matter under discussion in this bill. The amendment may be read if desired. The Clerk will read the amendment.

House Amendment A.

Amend said bill by adding the following section:

"All the provisions of this act shall apply to the Waldo-Hancock Bridge during legislative sessions." (Laughter).

The SPEAKER: The Chair will have to rule that the amendment is not in order.

Thereupon, the bill was passed to be engrossed.

The SPEAKER: The Chair now lays before the House the twenty-fourth unassigned matter, bill an act relating to absentee voters, H. F. 1078, L. D. 435, tabled March 16 by Mr. Sanborn of Weld, pending passage to be enacted; and the Chair now recognizes that gentleman.

On motion by Mr. Sanborn, retabled and specially assigned for Thursday, March 23.

The SPEAKER: The Chair lays before the House the twenty-fifth unassigned matter bill an act relating to the counting and sealing of ballots, H. P. 1305, L. D. 669, which was passed to be engrossed as amended by Senate Amendment A in concurrence on March 1 and recalled from the Engrossing Department by Joint Order. This bill was tabled March 16 by Miss Martin of Bangor, pending further consideration; and the Chair recognizes that member.

On motion by Miss Martin, the bill was returned to the Engrossing Department.

The SPEAKER: The Chair lays before the House the twenty-sixth unassigned matter bill an act closing Middle Range Pond to ice fishing, H. P. 693, L. D. 562. This is recalled by Joint Order from the committee on Inland Fisheries and Game and tabled on March 16 by Mr. Flanders of Auburn, pending consideration; and the Chair recognizes that gentleman.

By unanimous consent of the House Mr. Flanders of Auburn was given permission to withdraw the bill, and the bill was withdrawn.

The SPEAKER: The Chair lays before the House the twenty-seventh unassigned matter Joint Order relative to appointment of a committee to study pauper laws, S. P. 605, tabled on March 17 by Mr. Hills of Northport, pending passage in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Hills, the order was passed in concurrence.

The SPEAKER: The Chair lays before the House the twenty-eighth unassigned matter, resolve in favor of Frederick A. Furbish of Mt. Vernon, H. P. 1520, L. D. 842. This resolve was recommitted to the committee on Claims in the House on March 15 and comes from the Senate indefinitely postponed in non-concurrence, having been tabled on March 17 by Mr. Rounds of Portland, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Rounds, the House voted to insist on its former

action and ask for a committee of Conference.

The Chair appointed as conferees on the part of the House: Messrs. Rounds of Portland, Norris of Wayne, and Mayers of Hallowell.

The SPEAKER: The Chair lays before the House the twenty-ninth unassigned matter House report ought not to pass of the committee on Claims on resolve in favor of Vito Mininni, Inc., of Biddeford, H. P. 799, tabled March 17 by Mr. Stern of Biddeford, pending acceptance of the report.

In the absence of Mr. Stern, on motion by Mr. Duquette of Biddeford, the resolve and accompanying report were retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the House the thirtieth unassigned matter, House report ought not to pass of the committee on Claims on resolve in favor of Vito Mininni, Inc. of Biddeford, H. P. 798, tabled March 17 by Mr. Stern of Biddeford, pending acceptance of the report.

In the absence of Mr. Stern, on motion by Mr. Duquette of Biddeford, the resolve and accompanying report were retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the House the thirty-first unassigned matter, majority report, ought to pass and minority report, ought to pass in new draft of the committee on Judiciary on bill an act to repeal the act incorporating Number XIV Plantation in Washington County, H. P. 623, L. D. 184, new draft, H. P. 1614, L. D. 968, tabled March 17 by Mr. Lindsey of East Machias, pending the acceptance of either; and the Chair recognizes that gentleman.

Mr. LINDSEY: Mr. Speaker and members of the House: I represent the majority of the voters of this township and I was prepared to defend them in this case; but inasmuch as the second section of the minority report says "This act shall become effective when approved by the legal voters of Plantation Number XIV at any legally called annual or special meeting of the legal votes of said plantation under an article placed in the warrants of said plantation for that purpose." Inasmuch as this is left to these people in Plantation XIV, I now move that the minority re-

port be accepted, which was ought to pass in new draft.

The motion prevailed and under suspension of the rules, the new draft having been printed, the bill had its two readings and tomorrow assigned.

The SPEAKER: The Chair lays before the House the thirty-second unassigned matter, majority report ought not to pass and minority report ought to pass in new draft of the committee on Legal Affairs on bill an act providing for a new charter for the city of Portland, H. P. 859, L. D. 402, new draft, 1617, L. D. 969, tabled March 17th by Mr. Plummer of Portland, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. PLUMMER: Mr. Speaker, I am very sorry to delay this matter but I find it will be impossible for me to go ahead tonight, and I move that it be tabled and be specially assigned for tomorrow morning.

The motion prevailed.

The SPEAKER: The Chair lays before the House the thirty-third unassigned matter, bill an act relating to exemption of certain property from taxation, H. P. 1609, L. D. 936, tabled March 17 by Mr. Littlefield of Alfred, pending second reading; and the Chair recognizes that gentleman.

On motion by Mr. Littlefield retabled and specially assigned for Friday morning, March 24.

The SPEAKER: The Chair lays before the House the thirty-fourth unassigned matter, bill an act to provide for the appointment of a Board of Commissioners of Police for the city of Augusta, H. P. 862, L. D. 304, tabled by Mr. Hussey of Augusta, March 17, pending third reading; and the Chair recognizes that gentleman.

Mr. HUSSEY: Mr. Speaker, I offer House Amendment A and move its adoption.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to H. P. 862, L. D. 304, entitled an act to provide for the appointment of a Board of Commissioners of Police for the city of Augusta.

Amend said bill by striking out wherever it appears, the word "Marshal" and substituting in place thereof "Chief of Police"; and by

striking out wherever it appears the words "Deputy Marshal" and substituting therefor the words "Deputy Chief of Police." Further amend said bill by striking out in section fourteen thereof the words "except Commissioners."

Mr. HUSSEY: Mr. Speaker, at the time that this bill was before the committee it was found that a new draft was necessary in order to correct these few mistakes. At that time the draft was made and put before the committee, but, due to an error the original draft was signed by the entire committee. Therefore at this time I offer this amendment to take care of the errors in the first bill.

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

The SPEAKER: The Chair lays before the House the thirty-fifth unassigned matter, bill an act for the protection of savings banks and depositors therein, S. P. 590, L. D. 918, tabled March 17 by Mr. Tompkins of Houlton, pending its passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Tompkins, the bill was retabled and specially assigned for Friday, March 24.

The SPEAKER: The Chair lays before the House the thirty-sixth unassigned matter, House report ought to pass of the committee on Library on resolve in favor of the purchase of one hundred copies of "The History of Oxford County", H. P. 643, tabled March 17 by Mr. Mason of Mechanic Falls, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Mason, the report ought to pass was accepted and the resolve was tabled for printing under the Joint Rules.

The SPEAKER: The Chair lays before the House the thirty-seventh unassigned matter, majority report ought not to pass and minority report ought to pass in new draft of the committee on Legal Affairs on bill an act relating to eligibility of members of city governments to certain offices, H. P. 1061, L. D. 490, new draft 1632, L. D. 948, tabled March 17 by Mr. Hill of So. Portland, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. HILL: Mr. Speaker, I yield to the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS: Mr. Speaker, what number is the bill?

The SPEAKER: L. D. 948, the thirty-seventh unassigned matter on Page 13 of the Calendar.

On motion by Mr. Rounds the majority report, ought not to pass, was accepted.

The SPEAKER: The Chair lays before the House the thirty-eighth unassigned matter, majority report ought to pass and minority report ought not to pass of the committee on Judiciary on bill an act relating to the sale of real estate for taxes, H. P. 1122, L. D. 631, tabled March 20 by Mr. Farris of Augusta, pending the motion of Mr. Hill of South Portland to accept the majority report. The Chair recognizes the gentleman from Augusta, Mr. Farris.

On motion by Mr. Farris, the bill and reports were retabled and specially assigned for Thursday morning, March 23.

The SPEAKER: The Chair lays before the House the thirty-ninth unassigned matter, majority report ought not to pass and minority report ought to pass of the committee on Judiciary on bill an act relating to the enforcement of liens for taxes on real estate H. P. 1108, L. D. 617, tabled March 20 by Mr. Tompkins of Bridgewater, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. TOMPKINS of Bridgewater: Mr. Speaker, in connection with L. D. 617, I wish to move the acceptance of the minority report, which was ought to pass, and I would like to say what I believe in fact. I know that every real estate taxpayer in the State is interested in this bill. As you all know, when the tax assessment is committed to the collector the taxes then and there become a first lien or a first mortgage. If they are paid within from eight to twelve months, very fine. If not, during the last two or three years it seems just too bad for the taxpayer, and especially for the farmer in the farming districts of our State.

Now I have several letters here and I will just take a moment of your time. Here is one from a town which I represent, a case where the tax is \$96.20, and the cost of collection under the present form is

\$36.73. Another case, the tax is \$54, and the cost of collection \$44. Another case the tax is \$42, and cost of collection \$24.35. I could go on with these indefinitely. These costs are for attachments, for printing in the newspapers, for officer's fees and are outrageous. A farmer cannot keep on paying these. Just look for a moment at L. D. 617. This bill was drawn by good legal talent well versed in tax law. You will notice on the first side that instead of saying twelve months, it made it sixteen months. This will give a breathing spell, so to speak. For instance, if you commit a tax case, as this law now is, you have one year. That would be from August first of the coming year to August 1st, 1934, but under this bill you get four months more which would get another farm crop or another breathing spell if you had a bad year the coming summer.

Now in regard to the latter part of this law, the legal part, I wish to yield at this time to the gentleman from Houlton (Mr. Tompkins) who can explain this better than I can.

Mr. TOMPKINS of Houlton: Mr. Speaker, the only change that this makes in the lien tax law is to extend the time of bringing the lien from one year to sixteen months, and then it provides that only term's costs shall be allowed in these lien suits. It also provides, where the amount of the judgment is less than \$20.00, only quarter costs shall be allowed. In other words, if there is a tax of ten dollars, instead of paying \$8.00 or \$9.00 costs, the costs will be only computed at \$2.50. It is specially designed to protect the smaller taxpayer who has a tax on real estate of from ten to fifteen dollars, and instead of making him pay fifteen or twenty dollars court costs, it will cut it down to \$3.75.

Mr. TOMPKINS of Bridgewater: Mr. Speaker, I move the adoption of the minority report, ought to pass.

A viva voce vote being taken, the minority report, ought to pass, was accepted, and the bill being a printed bill had its first two readings under suspension of the rules and tomorrow assigned.

The SPEAKER: The Chair lays before the House the forty-first unassigned matter, resolve in favor of Kineowatha Camps, Inc. of Wilton

to reimburse it for removal of floating log on Wilson Lake, H. P. 1619, L. D. 961, tabled March 20, by Mr. Carleton of Portland, pending assignment for second reading; and the Chair recognizes that gentleman.

On motion by Mr. Carleton, the resolve was assigned for its second reading tomorrow morning.

The SPEAKER: The Chair lays before the House the forty-second matter, resolve in favor of Daniel Mahar of Bangor, H. P. 1620, L. D. 962, tabled March 20 by Mr. Carleton of Portland, pending assignment for second reading; and the Chair recognizes that gentleman.

Mr. CARLETON: Mr. Speaker, this resolve calls for three hundred dollars for taking moving pictures of former Governor Parkhurst. This resolve has come before us every session for some time and we can find no authority given to take these pictures. Other Legislatures have turned it down. My batting average this afternoon has been rather bad, but I move that it be indefinitely postponed.

A viva voce vote being taken, it was voted to indefinitely postpone this resolve.

The SPEAKER: The Chair lays before the House the forty-third unassigned matter, resolve regulating ice fishing in York County, H. P. 1625, L. D. 964, tabled March 20 by Mr. Carignan of Sanford, pending assignment for second reading; and the Chair recognizes that gentleman.

On motion by Mr. Carignan the resolve was retabled and especially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the House the forty-fourth unassigned matter, bill an act relating to school unions, H. P. 1624, L. D. 970, tabled March 20 by Mr. Mayers of Hallowell, pending second reading; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair lays before the House the forty-fifth unassigned matter bill an act relating to the forty-eight hour law, H. P. 1636, L. D. 979, tabled March 20 by Mr. Carswell of Gorham, pending second reading; and the Chair recognizes that gentleman.

Mr. CARSWELL: Mr. Speaker, in view of the fact that the gentleman from Biddeford, Mr. Stern, has been assured that this bill shall be tabled until he has had opportunity to make investigation, I move the matter be retabled and specially assigned for Thursday morning, March 23.

The motion prevailed, and the bill was so assigned.

The SPEAKER: The Chair lays before the House the forty-sixth unassigned matter, resolve in favor of the road leading from Greenville to Rockwood, H. P. 1642, L. D. 978, tabled March 20 by Mr. Bailey of Woolwich, pending assignment for second reading; and the Chair recognizes that gentleman.

On motion by Mr. Bailey, tomorrow was assigned for the second reading of this resolve.

The SPEAKER: The Chair lays before the House the forty-seventh unassigned matter, bill an act providing for a Purchasing Agent for the town of Sanford, H. P. 1598, L. D. 924, tabled March 20 by Mr. Carignan of Sanford, pending third reading; and the Chair recognizes that gentleman.

Mr. CARIGNAN: Mr. Speaker, I offer House Amendment A and move its adoption.

The SPEAKER: The Clerk will read House Amendment A.

House Amendment A to H. P. 1598, L. D. 924 bill an act providing for a purchasing agent for the town of Sanford.

Amend said bill by adding thereto the following section:

Sec. 9 Referendum. This act shall be submitted for approval or rejection to the qualified voters of the town of Sanford at the next annual town meeting of said town. The vote shall be taken by ballot at said meeting in answer to the question, "Shall an act passed by the Legislature in the year 1933 entitled "An Act to provide for a Purchasing Agent for the Town of Sanford" be accepted?" which shall be printed on the official ballots, and at said meeting the voters of said town in favor of accepting this act shall vote "Yes" and those opposed shall vote "No". If a majority of the ballots deposited as aforesaid shall favor accepting the same this act shall immediately become effective.

Thereupon House Amendment A

was adopted and the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

Mr. FERNALD of Winterport: Under the Joint Order of March 15, I ask permission at this time to introduce an act affecting Legislative Document 919, that has already been signed by the Governor. Now if I may have a few moments of your time, I will ask you to turn to document 919 and I will show you the loophole, if there is one, that I am trying to plug up.

If you will turn to Legislative Document 919, Section 3, you will notice under Section 3 it says: "The trust company shall issue to each depositor a certificate showing the amount of the deficit charged to his account, which said certificate shall be negotiable and shall bear no interest." That is the first statement. Now I want to read that again, if you do not object:

"The trust company shall issue to each depositor a certificate showing the amount of the deficit charged to his account, which said certificate shall be negotiable and shall bear no interest."

Now the second statement, following right after that: "No dividend or profit shall thereafter be made in liquidation of common stock until said certificate shall have been paid in full with interest compounded at the rate of three per cent per annum." Now I will read that again: "No dividend or profit shall thereafter be made in liquidation of common stock until said certificate shall have been paid in full with interest compounded at the rate of three per cent per annum."

Now what I propose is—if you will take your pencil—to strike out in the fifth line of this bill the words "with interest compounded at the rate of three per cent per annum"—strike out the words "with interest compounded at the rate of three per cent per annum." I will tell you why. Those two statements are inconsistent, in the first place. In the second place, I see an evil there, and this is the evil, as I see it: It would seem to me that with these conservators' certificates, negotiable and bearing no interest, in the hands of the depositors, there is apt to be speculation. No one will know when they are going to be paid unless they are on the inside of the

proposition, and you and I always know that on any proposition where there is money involved, there is always somebody on the inside. Take yourself, for example. You are a depositor. You have got two thousand dollars in one of these banks. They will give you one thousand dollars on your account and give you one thousand dollars in one of these certificates, with a gold ribbon around it, the conservators' certificates.

After you have held it two or three years, you probably will take eight hundred dollars for it. You might take five hundred dollars, and if you were up against it, you might take anything they would give you for it. Well, I am on the inside, for the purposes of this illustration. I say to Mr. Hills, from Northport, who is a friend of mine: "Irvin, if I were you, I would buy up a few of these certificates, because next week we are going to pay them up." So Mr. Hills comes to one of you who owns one of these one-thousand dollar certificates and says: "Mr. George Thompson, I will give you eight hundred dollars for your certificate." George says: "Business is kind of poor; I do not know but what I will take it." Irvin has a certificate he paid eight hundred dollars for and he holds it two weeks, and, having this advance information, he gets twelve hundred dollars out of the bank and makes four hundred dollars. I believe that is an evil that should be corrected.

I would like to have this bill introduced, and I would like to have it referred to the committee on Banks and Banking. That is the proposition. It is simple. I do not want anybody to make any money out of this proposition. I want the depositor to get every nickel that is coming to him. There have been too many people on the inside making money in the banking game in Maine. That is all.

The SPEAKER: Have you a bill there that you want to offer?

Mr. FERNALD: Yes, sir.

The SPEAKER: The gentleman from Winterport, Mr. Fernald, offers out of order and in accordance with the terms of the order passed here a few days ago, a bill. The Clerk will read the title.

Bill an act relating to interest paid on certificates of deposit. (Presented by the gentleman from Winterport, Mr. Fernald).

The SPEAKER: The bill being

properly before the House, under the order which has been passed, the Chair recognizes the gentleman from Westbrook, Mr. Scates.

Mr. SCATES: I would ask that that bill be laid on the table for I want to find out whether I am going to be on the inside or the outside, first. (Laughter)

The SPEAKER: Under the order passed this morning any matter tabled should be specially assigned.

Mr. SCATES: I would like to assign it for next Thursday.

On motion by Mr. Scates the bill was tabled and specially assigned for Thursday, March 23, pending reference to a committee.

The SPEAKER: The Chair has in its possession L. D. 836, an act relating to apothecaries and the sale of poisons, which was passed to be engrossed in the House as amended by Senate Amendment A on March 17; and the Chair recognizes the gentleman from Monson, Mr. Hescocock.

Mr. HESCOCK: Mr. Speaker, I wish to offer House Amendment A to L. D. 836, and move its adoption.

The SPEAKER: The Chair understands that the gentleman from Monson, Mr. Hescocock, now moves that the action taken in this House whereby this bill was passed to be engrossed be reconsidered.

he motion prevailed.

The SPEAKER: The Clerk will now read House Amendment A.

House Amendment "A" to H. P. 1527, L. D. 836, An Act Relating to Apothecaries and the Sale of Poisons.

Amend said Bill by striking out beginning in the fourth line the following words: "It shall be unlawful for any person, firm or corporation to sell, furnish or give away, or offer to sell, furnish or give away and veronal, barbital (acid diethylbarbituric) or any of its salts, derivatives or compounds," and inserting in place thereof the following:

"It shall be unlawful for any person, firm or corporation to sell, furnish or give away, or offer to sell, furnish or give away any veronal or barbital or any other salts, derivatives or compounds of barbituric acid"

Thereupon House Amendment A was adopted and the bill as amended by House Amendment A and Senate Amendment A was passed to be engrossed in non-concurrence.

The SPEAKER: The Chair has in its possession, L. D. 881, an act relative to application for parole of convicts in State Prison which was passed to be enacted in the House this morning; and the Chair recognizes the gentleman from Portland, Mr. Carleton.

On motion by Mr. Carleton, the House voted to reconsider its action whereby this bill was passed to be enacted; and on further motion by the same gentleman, the bill was indefinitely postponed for the reason that this covered by another bill, H. P. 580, L. D. 870

The SPEAKER: The Chair has in its possession some matters which were tabled this morning, which, under the Rule should perhaps be taken up this afternoon and disposed of either by action or retabling to some assigned date. The first one is L. D. 900, an act relating to size and weight of catch limited which was tabled this morning by the gentleman from Jonesboro, Mr. Drisko, pending first reading; and the Chair recognizes that gentleman.

On motion by Mr. Drisko, the bill was retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair has in its possession Senate order, S. P. 612, joint order, relating to H. P. 38, L. D. 22, an act to permit the manufacturer and sale of non-intoxicating malt beverages; to derive revenue therefrom; and to create a legal definition of the term "saloon." The order was tabled this morning by the gentleman from Rangeley, Mr. Ellis, pending the motion of the member from Portland, Miss Laughlin, that the order be indefinitely postponed.

Mr. ELLIS: Mr. Speaker and members of the House: I tabled this to find out if we were going along in a regular, orderly way as a Legislature. After consulting with some of the members who know, or should know rules and regulations, I am informed that we are, and I hope that the motion of the member from Portland, Miss Laughlin, will not prevail.

Miss LAUGHLIN: Mr. Speaker, I rise to a point of order as to whether this order is properly before the House and I would ask information from the Speaker as to the situation if whether this simply means that the papers be recalled from the files and does not mean

that the bill is before the House, or before the Legislature, and if it is recalled that the bill if presented must come under the Rule as established in Rule 14, or if the result of this order would be to bring the bill before the Legislature.

The SPEAKER: The Chair would rule that this order if passed, would simply result, in bringing back from the files the paper L. D. 22, that then it would be subject to such action as either branch might take, it having once been indefinitely postponed by the concurring action of both branches.

Miss LAUGHLIN: Then after having been brought back, in order to get the bill before the Legislature, it would be necessary to introduce it in accordance with the Joint Rule. Is that correct?

The SPEAKER: The Chair would say that when and if the paper is in possession of the Legislature again, it would be subject to reconsideration by a two-thirds vote of both branches under the Rule.

Miss LAUGHLIN: I move, then, Mr. Speaker, that this order be indefinitely postponed.

The SPEAKER: The pending question is on the motion of the member from Portland, Miss Laughlin, made this morning, that this order be indefinitely postponed in non-concurrence. All those in favor will say aye; contrary minded no.

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

The SPEAKER: The Chair understands that the gentleman from Rangeley, Mr. Ellis, now moves that this order be adopted in concurrence.

Thereupon, the order was adopted in concurrence.

The SPEAKER: The Chair has also in its possession a matter tabled this morning, Legislative Document 568, three reports of the committee on Judiciary on bill an act providing for sentences and the imposition thereof, the famous split-sentence bill. This matter was tabled this morning by the member from Portland, Miss Laughlin, the pending motion being the one made by the gentleman from Augusta, Mr. Farris, to accept Report B, which was ought to pass.

On motion by Miss Laughlin, the matter was retabled and specially assigned for Thursday, March 23.

The SPEAKER: Are there any other matters to come before the House at this time?

If not, the Clerk will read the notices.

On motion by Mr. White of Crystal,

Adjourned until ten o'clock tomorrow morning.