

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 854—New draft H. P. 1804, L. D. 1031—Should be H. P. 1704, L. D. 1031.
Page 882—Should be Tompkins of Houlton.
Page 885—Hamel of Wales should be Ham.
Page 888—An Act Relating to the Forty-eight Hour Law, (H. P. 1060) (L. D. 184)—Should be (H. P. 1060) (L. D. 450)
Page 897—An act for the regulation of the practice of hairdressing and beauty culture (H. P. 1513, L. D. 833)—Should be (H. P. 1513, L. D. 823)
Page 900—An act regulating the manufacture and sale of ice cream and other frozen desserts (S. P. 287, L. D. 544)—Should be (S. P. 297, L. D. 544)
Page 912—An Act to provide for a constitutional convention to pass on the proposed twenty-first amendment to the Constitution of the United States (S. P. 661, L. D. 1024)—Should be (S. P. 661, L. D. 1042)
Page 951—Mr. President in 1st paragraph should be Mr. Schnurle.
Page 951—Fernald of Penobscot should be Fernandez.
Page 963—(H. P. No. 1152) (L. D. No. 607) An act relating to state salaries for persons receiving pay from United States Government.—Should be (H. P. No. 1152) (L. D. No. 601)
Page 994—Resolve in favor of the chaplains of the Eighty-sixth Legislature—Should read Senate chaplains.
Page 1000—Act for protection of savings banks and depositors (S. P. 500)—Should be (S. P. 590)
Page 1004—Resolve in Favor of Harriet R. Cushman, (L. D. 1027)—Should be Lilian R. Cushman.
Page 1005—“On this twenty-second nay of—Should be day of.
Page 1011—Delete second (S. P. 639, L. D. 1026)
Page 1011—Delete (L. D. 360) in (S. P. 670) (L. D. 360)
Page 1016—“Resolve in favor of the town of Arrowsic”. (H. P. 244)—Should be (S. P. 244)
Page 1017—“Resolve in favor of the town of Garland.” (H. P. 294)—Should be (H. P. 295)
Page 1018—“Resolve in favor of Highland Plantation.” (H. P. 303)—Should be (H. P. 505)
Page 1018—“Resolve in favor of the town of Knox.” (H. P. 273)—Should be (H. P. 293)
Page 1018—“Resolve in favor of the town of Leeds.” (H. P. 353)—Should be (H. P. 253)
Page 1018—“Resolve in favor of the town of Marion.” (H. P. 678)—Should be (H. P. 679)
Page 1018—“Resolve in favor of the town of Morrill.” (H. P. 302)—Should be Merrill.
Page 1020—“Resolve in favor of the town of Warren.” (H. P. 222)—Should be (H. P. 522)
Page 1021—“An Act for the assessment of a state tax for the year nineteen hundred thirty-three.” (1751)—Should be (H. P. 1751)
Page 1023—An act to provide for a constitutional convention to pass on the proposed twenty-first amendment of the Constitution of the United States (S. P. 661, L. D. 1043)—Should be (S. P. 1023, L. D. 1042)
Page 1058—Town of Knox, H. P. 273—Should be 293.
Page 1058—Town of Leeds, H. P. 353—Should be 253.
Page 1059—Town of Warren, H. P. 222—Should be 522.

HOUSE

Friday, March 31, 1933.

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

Prayer by the Rev. H. W. Brown of Gardiner.

Journal of the previous session read and approved.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill "An Act regulating the Manufacture and Sale of Ice Cream and other Frozen Desserts" (S. P. No. 640) (L. D. No. 1024) reporting that they are unable to agree.

(Signed)

Messrs. Robie of Cumberland
Hathaway of Piscataquis
McDonald of Washington
—Committee on
part of Senate.

Farris of Augusta
Wallingford of Auburn
Gray of Brooksville
—Committee on

part of House.

Comes from the Senate read and accepted.

In the House: On motion by Mr. Carswell of Gorham, a viva voce vote being taken, voted to recede and concur with the Senate. Thereupon the bill had its two several readings.

On motion by Mr. Mack of Veazie temporarily tabled pending third reading.

From the Senate: Bill "An Act relating to the Making of Local Regulations for Fishing and Game Sanctuaries" (S. P. No. 643) (L. D. No. 1032)

which was passed to be engrossed in the House on March 30th as amended by House Amendment "A".

Comes from the Senate with House Amendment "A" indefinitely postponed and the bill passed to be engrossed in non-concurrence.

In the House:

Mr. STERLING of Caratunk: Mr. Speaker, this is a very vicious piece of legislation and compares with the legislation passed here yesterday giving the Governor and Council unlimited powers. I do not believe we should pass this particular piece of legislation. The amendment which was adopted here in the House yesterday morning gave the representatives of the people, the

Senators and the Representatives, a chance to sit in when these rules and regulations are made. The bill went over to the Senate where House Amendment A was indefinitely postponed. Why was it postponed? It was because it was feared the people would get some rights. They did not want it and they turned it down. Now, Mr. Speaker, I move that we insist on our former action and ask for a committee of conference.

Mr. FOGG of Rockland: Mr. Speaker, every man who votes for the adoption of this amendment is placing himself on the Board, and he will be busy next fall. I think every one knows what he should do.

Mr. CROWELL of Weston: Mr. Speaker, I want to go on record at this time as favoring House Amendment A. I believe it should be adopted and attached to this law thus giving people in rural Maine a chance to have some voice in the decision that will be rendered. I want to emphatically state that I am in favor of Amendment A for the rural people of Maine.

The SPEAKER: The pending question is the motion of the gentleman from Caratunk, Mr. Sterling, that the House insist on its former action and ask for a committee of conference.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Lebel of Brunswick, it was

ORDERED, that a survey be conducted under the supervision of the Secretary of State to determine the practicability of the State manufacturing its own motor registration plates and highway markers at the State Prison in Thomaston.

If the investigation shows that the necessary machinery can be installed at a cost not exceeding the amount paid out by the State for such plates in 1932, or if it shows that the setting up of the necessary equipment would result in such savings to the State that the machinery would pay for itself over a period of 3 years, the Secretary of State shall, with the approval of the Governor and Council, make arrangements for the installation of the required equipment as soon as it is expedient out of the funds that would otherwise be used for the purchase of the plates or markers.

If the information found by this

investigation does not justify the installation of the necessary equipment for the time being, the Secretary of State shall make to the House of Representatives of the next Legislature, not later than the second week in the session, a complete report of his findings together with any suggestions he might deem proper to bring about the result sought by this order.

Mr. Jones of Winthrop presented the following order and moved its passage.

Ordered, that the person who removed Miss Laughlin's waste basket from her seat be requested to return the same to the Speaker's desk immediately. (Laughter)

Miss LAUGHLIN: Mr. Speaker, I told the Sergeant-at-arms to please see that I had a waste basket until the end of the session; that I had no desire to take it home but I would like to have one to use here. Therefore, I will accept it as a loan from the person who took it until he is ready to take it home. (Laughter and applause)

The Chair appointed as Conference committee on L. D. 1032 Messrs. Sterling of Caratunk, Crowell of Weston and Smith of Masardis.

Mr. SMITH of Masardis: Mr. Speaker, I would like to withdraw my name because I am going to leave very soon.

Permission was granted for the gentleman to withdraw from the Conference Committee and Mr. Shaw of Milbridge was appointed in his place.

Mr. Tupper of Calais presented the following order and moved its passage:

Ordered, the Senate concurring, that open season is hereby declared in the House on the President of the Senate until the end of the session.

The order received passage and was sent up for concurrence.

Conference Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve providing for a State Pension for Emma Anderson of Augusta (H. P. No. 1019) report-

ing that the same be referred to the next Legislature.

(Signed)

Messrs. Hussey of Augusta
Walker of Rockport

—Committee on part of House
Weeks of Somerset
Weatherbee of Penobscot
Kitchen of Aroostook

Committee on part of Senate
On motion by Mr. Hussey of Augusta, the report of the conference committee was accepted.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to the School Board of Lewiston" (H. P. No. 1616) (L. D. No. 967) reporting that they are unable to agree.

(Signed)

Messrs. Audet of Lewiston
G. Hamel of Lewiston
Flanders of Auburn

Committee on part of House
Blaisdell of Hancock
Holmes of Androscoggin
McDonald of Washington

—Committee on part of Senate

A viva voce vote being taken, the report of the conference committee was accepted.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve providing for a State Pension for Will Howard of Union (H. P. No. 1018) reporting that it be referred to the next Legislature.

(Signed)

Messrs. Hussey of Augusta
Walker of Rockport

—Committee on part of House
Weeks of Somerset
Weatherbee of Penobscot
Kitchen of Aroostook

—Committee on part of Senate
On motion by Mr. Walker of Rockport, it was voted to accept the report of the Conference committee.

REPORTS OF COMMITTEES

Mr. Rea from the Committee on Ways and Bridges on Remonstrance of Philip Israelson and 67 others of Rumford and vicinity against Resolve in favor of Wilson Mills-Oquossoc Road (H. P. No. 1495) (L. D. No. 270) reported that it be placed on file.

Mr. Ellis from same Committee reported same on Petition of Selectmen and Road Commissioner of

Madison for a Road (H. P. No. 1016)

Same gentleman from same Committee reported "Ought not to pass" on Bill "An Act to fix Minimum Prices for Trucks used in Highway Work" (H. P. No. 1077) (L. D. No. 496)

Same gentleman from same Committee reported same on Bill An Act relating to the Construction and Maintenance of Bridges on State Highways and State Aid Highways (H. P. No. 1073) (L. D. No. 457)

Same gentleman from same committee reported same on Resolve providing for the Completion of Route No. 139.

Same gentleman from same Committee reported same on Resolve in favor of the city of Portland (H. P. No. 979)

Mr. Rea from same committee reported same on resolve in favor of construction of Georges Valley Pike. H. P. 945, L. D. 282.

Reports read and accepted and sent up for concurrence.

Passed to be Engrossed

S. P. 659, L. D. 1051: An act to amend the law providing for continuous revision of Statutes.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first matter tabled and specially assigned.

Mr. MACK of Veazie: Mr. Speaker, is it in order at this time to take up the matter which I tabled a few moments ago.

The SPEAKER: Yes.

Mr. MACK: I would like to call your attention to Rule 13, Mr. Speaker, Page 52 of the Joint Rules in the Legislative Hand Book.

The SPEAKER: Would the gentleman be willing to let that matter stay on the table for a few moments?

The Chair understands that the gentleman from Veazie, Mr. Mack, withdraws his motion.

The Chair lays before the House the first matter tabled and today assigned, House Amendment A to resolve in favor of the Pownal State School, for additions and improvements, S. P. 638, L. D. 1025, tabled on March 30 by the gentleman from Portland, Mr. Carleton, pending adoption; and the Chair recognizes that gentleman.

On motion by Mr. Carleton House

Amendment A was adopted, and the resolve as amended by House Amendment A had its two several readings, and was passed to be engrossed in non-concurrence.

The Chair lays before the House the second matter tabled and today assigned, Resolve proposing an amendment to the Constitution raising the State debt limit, H. P. 851, L. D. 262, tabled on March 30 by the gentleman from Winterport, Mr. Fernald, pending final passage; and the Chair recognizes that gentleman.

Mr. FERNALD: Mr. Speaker, for reasons previously given in the session, Mr. Speaker, I move that that matter be tabled until later in the day.

Thereupon, the motion prevailed, and the resolve was retabled until later in the session.

The Chair lays before the House the third matter tabled and today assigned, House report ought not to pass of the committee on Ways and Bridges on resolve in favor of the City of Old Town, H. P. 946, tabled on March 30 by the gentleman from Old Town, Mr. Hickey, pending acceptance; and the Chair recognizes that gentleman.

Mr. HICKEY: Mr. Speaker, I wish to present a statement of facts concerning Mud Pond Inlet Bridge, Old Town, from Henry L. Doten, Construction Engineer, of the State Highway Bridge Department:

"Note:—The subject matter of this statement was given before the Committee on Ways and Bridges.

"A rather unusual condition is encountered here at the bridge site. A survey made in December, 1928, showed a very thin layer of roots, sod, etc. overlaying a layer of slimy, peaty, semi-liquid material. Soundings were made by the writer which in places went nearly fifty (50) feet below the ground level where firm blue clay was encountered. After the rod penetrated the top crust, which was of course frozen somewhat at the time of survey, it dropped easily through the peaty material. In fact, the rod dropped of its own weight and had to be held while additional lengths were added.

"This survey was made by petition of the City of Old Town due to the fact that about two hundred (200) feet of road had settled completely out of sight leaving fifteen

to twenty feet of clear water where the road had formerly been.

The Survey disclosed the fact that the top crust was very thin and that the ordinary method of log corduroy would not be feasible or safe. The cost of filling such a depth of swamp was found to be sufficiently safe for a few more scheme of building a pile trestle of native lumber with the pile bents and stringers under the normal swamp water level to prevent decay was decided upon. Fill was placed on top of this wood trestle to provide a roadway and to bring the grade of the road above the high water mark. About seven hundred (700) feet of this pile trestle was constructed in 1929 to bridge over the sunken area and the adjacent portions which were at that time considered dangerous. At this time the rest of the swamp with its brush and corduroy road appeared to be sufficiently safe for a few more years, or until such time as the top crust beneath the roadway began to settle badly.

The points where the deepest soundings occurred were close by the portion of the swamp which is now reported to be settling.

(Signed) HENRY L. DOTEN,
Construction Engineer."

I also have a statement from Mr. James W. Sewall.

Old Town, Maine,
March 30, 1933.

Mr. John H. Hickey,
State House,
Augusta, Maine.

Dear Sir:

I have seen the Mud Pond Inlet bridge locality here in Old Town continuously since the bridge was constructed. Westerly of the bridge is a strip of road across a deep bog. Soundings taken several years ago indicate that this bog is practically a floating one beneath which is perhaps forty-five or fifty feet of water. In any event when soundings were taken it was possible to run jointed pipe down that depth and two men could pull them back so that whatever supports the floating top of the bog is undoubtedly of a little consistency.

After the construction of the bridge in order to lighten the load on the road we removed all the larger rocks which had been put on in making a fill on a brush mattress and even after that was done various spots continued sinking.

We then used a certain amount of

timber corduroy but this too is not standing up and between the patches of corduroy are areas which are going down even more.

One area in particular seems to sink steadily. The Superintendent of Streets has put in coal ashes to keep traffic up out of water, considering that this was the lightest material he could use. After the road is filled with coal ashes that gradually sinks.

Apparently a big basket is developing all along this strip, which if it is not filled will become impassable and if it is filled will increase the load so that there is, in my opinion, imminent danger of a sudden sinkage.

If there happened to be an automobile on the road at the time this sinkage takes place it is extremely apt to result in the drowning of the occupants. When the road sank where the present pile bridge now exists the event was so sudden that if anybody had been caught by it they would probably have not gotten out.

It seems to me that this is distinctly an emergency and being left as it is endangers life.

The road is heavily travelled particularly during the summer season and often by automobiles filled with women and children.

Yours very truly,

(Signed) JAMES W. SEWALL."

This resolve calls for \$8775 from the Bridge Loan Fund. It does not mean an increase in appropriation. There is at the present time, I understand, some \$400,000 available, plus \$1,000,000 of bonds which may be issued some time later. The passage of the resolve does not necessarily mean that expenditure will be made. No expenditure will be made until application is made by the city to the State Highway Commission, the County Commissioners, and upon approval by them, to the Governor and Council. If approval is not had all along the line this expenditure would not be made. It seems to me that there is a real emergency, and lives are at stake. I wish at this time to ask to substitute the resolve for the report.

The SPEAKER: The Chair understands that the gentleman from Old Town, Mr. Hickey, moves to substitute the resolve for the ought not to pass report of the committee.

Mr. ELLIS of Rangeley: Mr. Speaker, I just want to explain to

the members the stand the committee took on all these special bridge acts. Owing to the fact that the finances of the State then were more or less embarrassed—and today you know what they are compared to what they were when this hearing was held—we felt that on none of these bridges should we take care of the town's own part. Of course on all these bridges the State and the county pay their part anyway. Under this resolve the State would pay the part that should fall to the town of Old Town. We did not think it wise to pass any of them, so we turned this down with the rest. It is up to the Legislature to do what they see fit.

The SPEAKER: The pending question is the motion of the gentleman from Old Town, Mr. Hickey, that this resolve in favor of the City of Old Town for aid in construction of a bridge 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 doubted, a division was had. Forty-seven having voted in the affirmative and thirty-four in the negative, the motion prevailed, and on further motion by the same gentleman, under suspension of the rules, the resolve was given its two several readings and passed to be engrossed.

Order Out of Order

Mr. Sterling of Caratunk presented the following order out of order and moved its passage:

Ordered, the Senate concurring, that the following be appointed to act as the Commissioners for the enforcement of the provisions of the Hairdressers' Law, due to their personal interests and numerous contacts with the chief proponents thereof:

Hon. Ed. Ivory Littlefield, Hon. George Wentworth, Hon. Isaac Harold Angell.

Thereupon, the order had passage and was sent up for concurrence.

The Chair lays before the House the fourth matter tabled and today assigned, House report ought to pass in new draft of the committee on Appropriations and Financial Affairs, on bill an act relating to the maintenance of the Androscoggin Lake Dam, H. P. 66, L. D. 48, new draft H. P. 1738, L. D. 1050,

tabled on March 30 by the gentleman from Wayne, Mr. Norris, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Norris, the House voted to accept the report of the committee; and under suspension of the rules the bill had its three several readings and was passed to be engrossed.

The Chair lays before the House the fifth matter tabled and today assigned, House Amendment A to bill an act to provide for a Constitutional Convention to pass on the proposed twenty-first amendment to the Constitution of the United States, S. P. 661, L. D. 1042, tabled on March 30 by the gentleman from South Portland, Mr. Hill, pending adoption; and the Chair recognizes that gentleman.

Mr. HILL: Mr. Speaker, this matter is still under consideration. It is hoped that some differences may be adjusted during the recess of the House. For that reason, I move that it lie upon the table and be taken up later in the day.

Thereupon, the matter was retabled and specially assigned for later in the session.

The Chair lays before the House the sixth matter tabled and today assigned, House order relative to list of Ways and Bridges Resolves, tabled on March 30 by the gentleman from Augusta, Mr. Farris, pending passage; and the Chair recognizes that gentleman.

Mr. FARRIS: Mr. Speaker, I wish to say that this list is now in the hands of the printer and will be in today. I move the indefinite postponement of the order, as it is unnecessary.

Thereupon, a viva voce vote being taken, the order was indefinitely postponed.

The SPEAKER: The House may be at ease for a few moments. The Chair will remind the members that the House will be in session all day with frequent recesses and the members must be prepared to assemble at the sound of the gong.

AFTER RECESS

Passed to Be Enacted

(Out of Order)

S. P. 648, L. D. 1039: An act relating to expenditures in connection with the nomination of candidates for elective office.

H. P. 1027, L. D. 461: An act relating to bounty on bears.

Mr. RUSS of Woodstock: Mr. Speaker, I move that this bill relating to bounty on bears be tabled until later in the session.

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

Mr. CROWELL of Weston: Mr. Speaker, in view of the fact that a conference committee was appointed, and that committee has not yet acted, it seems to me that it would be only courtesy to grant the motion of the gentleman from Woodstock, Mr. Russ.

The SPEAKER: The Chair has no record of any conference committee having been appointed on this bill in either branch.

Mr. CROWELL: Mr. Speaker, perhaps I have made a mistake. Could it lie on the table just a few minutes?

Thereupon the bill was temporarily tabled, pending passage to be enacted.

Passed to Be Enacted—Continued

H. P. 1645, L. D. 991: An act relative to closed time on deer.

H. P. 1691, L. D. 1005: An act relating to hunting and trapping bear.

H. P. 1553, L. D. 1027: Resolve in favor of Lillian R. Cushman.

(Emergency Measures)

S. P. 590, L. D. 918: An act for the protection of savings banks and depositors therein.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire membership of this body. All those in favor of the passage of the bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division was had.

One hundred and twenty-five voting in the affirmative and none in the negative, the bill was passed to be enacted.

S. P. 641, L. D. 1033: An act relating to aid to libraries, expenses of State Historian, compensation and expenses of Geologist, topographic mapping, and abolishment of grade crossings.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their

places until counted, and the monitors will make and return the count.

A division was had.

One hundred and twenty-one voting in the affirmative and none in the negative, the bill was passed to be enacted.

Miss MARTIN of Bangor: Mr. Speaker and members of the House of Representatives: I wish to express the appreciation of the members of this House for the unflinching courtesy, kindness and fairness of our Speaker. It is due largely to his patience and unbiased judgment that we have functioned so smoothly and without personal rancor. As a slight token of our appreciation of all his fine qualities, I have the pleasure to present this gift to the Honorable Franz U. Burkett, Speaker of the House of the Eighty-sixth Legislature. (Applause, the members rising)

The SPEAKER:

This has gotten now beyond the joking stage, and of course I am very grateful. I do not think, as Miss Martin has said, that the smoothness with which this House has run this session can be in any large degree interpreted as due to my efforts. It has been entirely due to cooperation of everybody in the House, for which I am very grateful.

At the beginning of this session we faced what was a very unusual situation, something that had not happened in this State for years: A Governor of one political faith and a majority in the House and in the Senate of another. That in and of itself was very unusual, yet, even at that time, no one in the State, no one in the Legislature, had any idea of the extraordinary problems that were going to be presented to us here at this session.

It has been no difficulty at all to preside over this House. There has not been a moment of time I have been up here but what I have enjoyed it. I do not believe there has been a session for years when so few parliamentary situations have arisen that caused disturbance. There has never been a time when the House has been so orderly.

I was very much interested, the other day, in reading in the Lewiston Journal a statement by a man who has been here a good many sessions, that in his opinion this House of Representatives was the most sober, serious and business-

minded House he had ever seen in his long experience. That is true, I believe, and it is not due to my efforts at all.

I think we have met the problems that have come up here this session very well. Of course we are not done yet, and it may be too early to prophesy, but if we go along in the closing hours of this session as well as we have in the past, I do not believe we will have anything to apologize for when we go to our homes.

I want to take this opportunity to thank again every member for the decorum that has been observed, for the seriousness with which these problems, that we have absolutely no precedence for, have been discussed and settled.

I want to thank the Clerk. He, like myself, was new to his job, and he has handled his work, I believe, in a very, very efficient manner. We have an excellent assistant in the Clerk's office. The Clerk has some very loyal, hard-working, conscientious assistants, and unless you have been in his office a good deal of the time, as I have, you have no conception of the detail work, what you would call red tape, perhaps, that has to be done in his office to keep this or any other session working along smoothly and harmoniously. I want to express my thanks to him for his loyalty and unflinching courtesy, and also to his assistant and to the other employees of his office.

At the beginning of the session I was particularly saddened by the death of our Sergeant-at-Arms. Ralph Hayes and I had travelled over the southern and western part of the State together for weeks preceding the session of the Legislature. He was, of course, a candidate for Sergeant-at-Arms, and we had many pleasant trips together. His death saddened the first week of this Legislature, and I have missed him. Frank Treworky, however, has taken hold of his work with commendable zeal, and there has been no trouble on that score at all, or on the part of those who have been helping him, the assistants and pages, who have worked well and faithfully. And it is due to these things, and the spirit with which we have tackled these problems that we have finally arrived at a point where I think that we are practically ready to adjourn, and I think we have done a good job.

Now when we go home, our duties as members of the Legislature are not over; we remain as members of the Eighty-sixth Legislature until the next one convenes unless we resign for some reason, and during the next two years, or until January, 1935, we will be members of the Eighty-sixth Legislature. I think we have got quite a responsibility when we go home here. We have handled a lot of problems here that have absolutely no precedence, as I have said before. There are a lot of people in the State who do not have a very clear conception of many of the things that have been accomplished here this session. That is easily understood, because you cannot get an idea of the things that are going on here unless you are here, and they cannot be here, and we have got to go home and explain what we have done; we have got to be a rallying point in our communities in regard to the laws that we have enacted here and the sentiment we have tried to create. We can do a good deal, as we go home, by explaining the measures that we have passed, by attempting to radiate some of the confidence in our Government that we all feel as we get through here, bad as our problems have been and perhaps still are.

I have enjoyed particularly, during this session, the association of the Democratic members of the House. I think they are to be congratulated for the spirit they have shown here this session as well as last session, for that matter, and the session before that. It would have been possible, it is possible now, and it would have been possible a great many times during this session to have created a rather serious political situation, but we have worked together, Democrats and Republicans alike, in almost complete harmony, and, as I have said before, we have got no apologies to offer for it. We have all done a good job.

I want to thank you again for this watch, because the one my father gave me when I was twenty-one years old, and which I have carried constantly until the present time, went back on me a week ago, and I have not had one since, so this comes at a very opportune time. I want to again thank you for the many kind words you have said to me through your spokesman, Miss Martin, and in-

dividually during this session. Thank you all. (Applause).

Mr. HUSSEY of Augusta: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. HUSSEY: Acting under the Rules and Regulations of the Third and Fourth House of the Eighty-sixth Legislature, which have had the opportunity of setting these rules up so that any act or resolve which has not received passage has been taken to the ante-room and there run through the typewriter, and by changing some of the words so that when they were re-read by the Clerk and found to be a stumbling block, there to find that they were new in part,—I wish to present, under camouflage, a small gift to one of the members of the House force. We have, in the capacity of Clerk of this House, a man who has been untiring in his efforts to help every member of this House. His duties have been arduous and he has been very attentive to our needs. He has been at work early in the morning and late at night. He has got our Journals out in time and his assistance has been very helpful to us. I think that at the end of the last session, the Eighty-fifth Legislature, when we understood that our Clerk, at that time Clyde Chapman, was not coming back, we felt that we were going to be lost, those of us who came back, in not having such an efficient officer in the capacity of Clerk. We have, however, been very fortunate in finding one who has come up to the same degree of efficiency as our past Clerk, Clyde Chapman.

Now, as a token of appreciation of his efforts, the House members present, under camouflage, these small gifts to the Clerk,—Harvey Pease. (Applause).

The CLERK: Mr. Speaker—

The SPEAKER: The Chair recognizes the Clerk.

The CLERK continuing: Members and one hundred and fifty, I am sure, good friends of mine: (Applause) I am slightly at a loss to know how to act at this time. Standing before you for the past thirteen weeks and trying to make myself heard, I know that you have not been listening one-one hundredth of the time. I certainly am pleased at the flowing language of the gentleman from Augusta, Mr. Hussey, and the compliment

he has paid to me; but there is no one who knows better than I that there are three contributing causes to any success that I may have had as Clerk of this House. One of these causes dates back six years when I began my three terms under the tutelage of that past master of House Clerks, Clyde Chapman. (Applause) The second is to find cooperation of each and every member of this House. I know that you have had a good deal to forgive in me, but you have waited and have been patient, and in the rush of trying to do the House business, so far as I know, no one has ever grown impatient with me or my office. The third, and the thing that I shall take away with me in the fondest of recollection, is the fact that I have the most loyal and the best corps of associates in the Clerk's office that could be assembled in any office anywhere. To name those associates would not add a bit to the way I feel about them. They have worked long; they started their work early and they have worked late, and at no time do I believe that they have even felt a bit of dissatisfaction in having to put in long hours in order that I might do the work properly and get the credit for it. To them goes the credit as much as to me.

Boys and girls of the House! (Laughter) I do want to thank you for this token and I am sorry that the youngster who was here day before yesterday is not here today to help me with the horn. When I look at this watch I shall think of,—yes, thirteen weeks, regardless of the fact that there are but twelve numerals on its dial—of the most pleasurable period that I have spent; and when it is all said and done what more can I say than just, thank you. (Applause).

On motion by Mr. Cobb of Gardiner, the House recessed until two P. M.

AFTER RECESS

2 P. M.

Mr. CARLETON of Portland: Mr. Speaker, I now offer the payroll for the 86th Legislature, and move that it have its several readings under suspension of the rules and without reference to a committee.

Thereupon H. P. 1743, Resolve on the payroll for the House of Representatives of the 86th Legislature

had its first reading under suspension of the rules.

Mr. FERNALD of Winterport: Mr. Speaker, would the gentleman from Portland, Mr. Carleton, explain to me, what perhaps the other members know? I understand that some member of the House is going to re-introduce the measure cutting the pay of the members.

The SPEAKER: This resolve appropriated the sum of one hundred and four thousand and some odd dollars to pay the members and officers, the payroll being the same as it was last year with the usual mileage provision.

Mr. FERNALD: I thank you very much, Mr. Speaker.

Thereupon the resolve had its second reading, under suspension of the rules and was passed to be engrossed and sent up for concurrence.

Mr. Carleton of Portland presented the following resolve and moved its passage, namely: H. P. 1747, resolve in favor of the Chaplains of the House of the Eighty-sixth Legislature.

The rules were suspended and this resolve, without reference to a committee, had its two several readings and was passed to be engrossed and sent up for concurrence.

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate: Bill "An Act to provide for Old Age Pensions" (H. P. No. 1698) (L. D. No. 1020) which was passed to be engrossed in the House as amended by House Amendment "A" on March 29th.

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

In the House: Senate Amendment A read.

On motion by Miss Laughlin of Portland the House, under suspension of the rules, voted to reconsider its action of March 29 whereby this bill was passed to be engrossed as amended by House Amendment A. On further motion by the same member Senate Amendment A was adopted in concurrence. On further motion by the same member Senate Amendment A to Senate Amendment A was adopted in concurrence.

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

From the Senate: Bill "An Act Reducing the Compensation of State Officials and Employees" (S. P. No. 576) (L. D. No. 866) which was passed to be engrossed in the House as amended by House Amendments "A" and "B" in non-concurrence on March 29th.

Comes from the Senate with House Amendment "B" indefinitely postponed and the bill passed to be engrossed as amended by House Amendment "A" and Senate Amendment "C" in non-concurrence.

In the House Senate Amendment "C" read.

The House voted to reconsider its action of March 29 under suspension of the rules whereby this bill was passed to be engrossed by House Amendments "A" and "B".

Thereupon Senate Amendment "C" was adopted in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Veazie, Mr. Mack.

Mr. MACK of Veazie: Mr. Speaker, this is identically the same revision that was suggested on the same bill in the same way just the other day. This is nothing more or less than an emergency provision on this particular bill, and is the provision which you all voted down the other day, in the spirit of fair play to the employees of this State, allowing them sufficient time to adjust themselves to meet a condition which is changing the whole budget in every home of every man and woman who works in this State House.

Now if they want an emergency clause on this proposition, I wish they would trot it right in here and give us a chance to vote on it. I do not like this idea of continually trying to slip something over—and that is exactly what this particular revision does.

The SPEAKER: The Clerk made a slight error in reading. There is no printed calendar, and of course the members will have to be patient. Senate Amendment C was indefinitely postponed in the House in non-concurrence the 29th, and reconsideration of it moved and failed, and it is no longer before us. The Chair apologizes for the error.

Mr. MACK: I could not understand how it could be, under the circumstances.

The SPEAKER: The present situation of the bill is this: Senate Amendment C is no longer before us. House Amendment A was adopted and its adoption concurred in by the Senate, but House Amendment B, which was the one offered by the gentleman from Berwick, Mr. Clement, was indefinitely postponed in the Senate in non-concurrence. The pending question is on the non-concurring action of the two bodies on House Amendment B. The Clerk will read House Amendment B.

"House Amendment B to Senate Paper 576, Legislative Document 866, entitled an act reducing the compensation of state officials and employees.

"Amend said bill by adding at the end of the first sentence of Section 2 thereof the following words: 'Provided, however, that no person that would otherwise receive \$900 or less per year shall be affected by this reduction, and provided further that no person who would otherwise receive more than \$900 per year shall receive under the provisions of this act less than \$900 per year.'

The SPEAKER: Now that amendment was adopted in the House on the 29th, and this morning the Senate indefinitely postponed it in non-concurrence.

Mr. TOMPKINS of Houlton: Mr. Speaker, I move we recede and concur with the Senate. I understand that if that amendment is adopted in the House and passes, it will mean that several of the clerks will be discharged, and also that many of the employees of the institutions which this would affect are already provided with room and board in the institutions.

Miss LAUGHLIN: Mr. Speaker, it is with great reluctance that I second the motion of the gentleman from Houlton (Mr. Tompkins). I do so solely for the reason that I have been told by Senator Towle, in whose word I have complete confidence, that from conference with the heads of departments the result would be the discharge of a number of employees, and therefore it was a choice between a ten per cent cut for all or no job for some. And when I talked with him on the basis that it really was not a living wage, possible, for some,

he did call my attention to Section 3 of the bill, providing for the readjustment and equalization and classification of employees, and saying under that that those whose needs were such that this would work too much of an injustice, he thought they could be provided for under that, and he thought that perhaps they could adjust their plans to meet this situation. When that amendment was read, as if we had adopted the emergency clause again, I had a change of sentiment, but finding that was still not in existence, then it seemed to me, with his explanation, that probably the situation is such that we would be doing more justice by receding and concurring in this instance than we would in holding to it, as I know we would all like to do if we could.

Mr. THOMAS of Woodland: Mr. Speaker, perhaps it might be well to make a little explanation of the action of the committee in recommending this cut. As you know, the work of the committee was done under a Joint Order which included with the committee on Salaries and Fees members of the Governor's Council. We started to make a recommendation to cut the whole from one thousand dollars upward, making the cut twenty per cent at six thousand dollars. This would have amounted to an average of 9.4 and would have made a saving of \$207,855. Then, at a meeting with the members of the Council present and the Governor with them, they informed us that we would have to make more of a cut than that and if we did not it would make serious trouble. We were asked to make a cut of ten per cent to those below a thousand dollars and increasing the cut to thirty-five per cent at six thousand dollars. Our recommendation that we passed into the House was a cut of ten per cent up to a thousand dollars and increasing it to thirty per cent for those receiving six thousand dollars. The amount of saving on the salaries below a thousand dollars would be \$74,000, or a little over, and for those above a thousand dollars \$265,965. Therefore, we made our recommendation because we thought it necessary to make a larger saving on salaries and not because the committee wished to cut the salaries of those who were receiving small salaries.

The **SPEAKER**: The pending question is the motion of the gentleman from Houlton, Mr. Tompkins, that we recede and concur with the Senate in the indefinite postponement of House Amendment B. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion prevailed and House Amendment B was indefinitely postponed in concurrence.

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

From the Senate: Resolve on the payroll of the Senate of the Eighty-sixth Legislature, S. P. 672.

Comes from the Senate, given its several readings without reference to a committee and passed to be engrossed.

In the House, the resolve was given its two several readings and passed to be engrossed in concurrence.

Out of order the Chair recognized Mr. Scates of Westbrook.

Mr. **SCATES**: Mr. Speaker, I ask permission to introduce a bill which I understand comes under the order of March 30th. It is a revenue bill and I will read the title.

An act relating to malt beverages and to derive revenue from the manufacture and sale thereof.

I will say that I am not going to debate the bill but I am just going to hand it over to you members of the House. Unless something of this sort is done, along the latter part of this year a very serious condition will undoubtedly occur in this State. I just pass this bill over to you.

Miss **LAUGHLIN** of Portland: Mr. Speaker, believing that such a bill does not come within the order which had to do with the matter presented by the Governor and the question of giving over power to the Governor and Council, I wish to object to the introduction of this bill.

The **SPEAKER**: The Chair is waiting for a copy of the order under which we are operating. The gentleman from Westbrook, Mr. Scates, out of order and under suspension of the rules, introduces a bill. The member from Portland, Miss Laughlin, objects to the reception of it in that it does not come under the order passed on March

30th. That order reads as follows:

“Ordered, the House concurring, the Governor having delivered a special message to this Legislature, seeking to impress upon it the critical cash situation of the State at the present time and the necessity for emergency legislation to relieve the same that any measure which in the judgment of the committee on reference of bills is designed for that purpose be received.”

The committee on reference of bills met and considered this bill which was presented to it and understood that it was a bill which was prepared at the direct suggestion of His Excellency, the Governor, and was by him urged upon this Legislature. The committee felt, as is endorsed on this bill, that the order should be liberally interpreted, and I will read the recommendation which the committee on reference of bills, or the Clerk will read the recommendation made in regard to this bill.

“The committee on reference of bills believing that the Joint Order of March 30th should be interpreted liberally, so that any measure designed to furnish revenue to the State should be received and considered by this session of the Legislature, recommends the reception of this bill and that it be considered in the separate branches, without reference to a committee.” Therefore, in accordance with the recommendation of the committee on reference of bills, the Chair rules that this bill comes in under the order. The Clerk can have this bill printed, he feels, and in the hands of the members within an hour and the Chair understands that the gentleman from Westbrook, Mr. Scates, moves that, without reference to a committee, the bill lie on the table for printing.

The motion prevailed, and the bill was so tabled.

From the Senate: Resolve in favor of the town of Phippsburg, S. P. 197, which was recalled to the Senate from the committee on Ways and Bridges by Joint Order.

Comes from the Senate indefinitely postponed.

In the House, it was voted to concur with the Senate in the indefinite postponement of the resolve.

Report of Committee

(Out of order, under suspension of the rules.)

Mr. Farris from the Committee on Judiciary reported "Ought not to pass" on Resolve proposing an Amendment to the Constitution increasing the Limit of Municipal Indebtedness (H. P. No. 49) (L. D. No. 44)

Report read and accepted and sent up for concurrence.

Passed to be Enacted

(Out of order, under suspension of the rules.)

(S. P. No. 611) (L. D. No. 985)
An act to extend the charter of Kennebec Reservoir Company.

(S. P. No. 629) (L. D. No. 1000)
An act providing for the regulation of the use of the highways by motor vehicles transporting property for hire in the State of Maine, and for the supervision and control of such motor vehicles.

(H. P. No. 1399) (L. D. No. 705)
An act to reduce certain fees of deputy sheriffs for the next two years.

(H. P. No. 1609) (L. D. No. 936)
An act relating to exemption of certain property from taxation.

(H. P. No. 1705) (L. D. No. 1030)
An act relating to licenses for retail stores.

Finally Passed

(S. P. No. 639) (L. D. No. 1026)
Resolve in favor of the Pownal State School, for additions and improvements.

(H. P. No. 1733) (L. D. No. 1045)
Resolve in favor of the city of Old Town.

(H. P. No. 1742) Resolve authorizing the State Highway Commission to convey certain property of the State.

(S. P. No. 277) (L. D. No. 1038)
An act relating to the licensing of aircraft.

(S. P. No. 649) (L. D. No. 1041)
An act to define and limit the jurisdiction of courts sitting in equity, and for other purposes.

(Emergency Measures)

S. P. 213, L. D. 280: An act enabling cities and towns to take advantage of Reconstruction Finance Corporation loans for construction of sewerage works.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership

of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,
One hundred and twenty-five voting in the affirmative and none in the negative, the bill was passed to be enacted.

H. P. 1706, L. D. 1021: An act providing for the temporary support and regulation of insurance companies.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,
One hundred and twenty-two voting in the affirmative and none in the negative, the bill was passed to be enacted.

H. P. 1734, L. D. 1046: Resolve proposing an amendment to the Constitution to provide for a bond issue, the proceeds to be disbursed for the relief of conditions threatening the peace, health and safety of the inhabitants of the State or political subdivisions thereof.

The SPEAKER: This being a constitutional amendment, it is necessary that it have the affirmative vote of two-thirds of the entire membership of this body. All those in favor of the final passage of this resolve will rise and stand in their places until counted and the monitors will make and return the count.

A division was had,
One hundred and thirty-two voting in the affirmative and none in the negative the resolve was finally passed.

The following paper from the Senate was taken up out of order under suspension of the rules:

From the Senate: Report of the Committee on Appropriations and Financial Affairs on Resolve in favor of Harold E. Armour for services to the 86th Legislature (H. P. No. 1732) reporting same in a new draft (S. P. No. 674) under title of "Resolve in favor of Clerks, Ste-

nographers, Messengers of the Several Committees of the Eighty-sixth Legislature" and that it "Ought to pass"

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

In the House report read and accepted in concurrence and the resolve was read twice under suspension of the rules and passed to be engrossed in concurrence.

On motion of Mr. Nevers of Patten the House recessed until later in afternoon.

AFTER RECESS

The Chair lays before the House L. D. 1042, which is an act to provide for a Constitutional Convention to pass on the proposed Twenty-first Amendment to the Constitution of the United States. It was tabled this morning by the gentleman from South Portland, Mr. Hill, it being understood at that time that a proposed amendment was to be offered to the bill. The Chair recognizes the gentleman from South Portland, Mr. Hill.

Mr. HILL: Mr. Speaker, I yield to the member from Portland, Miss Laughlin.

Miss LAUGHLIN: Mr. Speaker, the motion, I believe, is on the adoption of House Amendment A, is it not?

The SPEAKER: The record shows that it was tabled pending first reading of the bill.

Miss LAUGHLIN: There was offered House Amendment A yesterday.

The SPEAKER: That is right.

Mr. SCATES of Westbrook: Will the lady pardon me just a moment? I offered a verbal amendment. I don't know as I reduced it to writing.

Miss LAUGHLIN: Is there any other amendment there except House Amendment A?

The SPEAKER: House Amendment A amending Section five.

Miss LAUGHLIN: Mr. Speaker, so far as that amendment goes, I am going to speak against it and offer another amendment. I would like to explain to the members of the House why I offer the other amendment. Yesterday, when this was placed upon our desks, was the first time I had seen the bill, and the only thing that I thought of

was to change that absurd provision in regard to the number of names; but when I looked the bill over further I found a good many other objections to that same section. That section, which is section 5 of the bill is in regard to the nomination of candidates. In the first place, it makes no provision that they must be voters who sign. Under this provision anybody could sign. It makes no provision whatsoever that the signature must be in person. It makes no provision that the person signing can sign only petitions to the number of the persons to be nominated. So far as this bill goes, anybody could sign in any county in the State. There is no provision for the certification of those names by the signers or by the circulators. Therefore, the amendment I offered does not go far enough. I hope it will be defeated and I will then offer an amendment in its place which will amend this section and correct these various errors as well as change the percentage of names to be signed. So, first, I move that that amendment be indefinitely postponed.

The motion prevailed and House Amendment A offered by Miss Laughlin yesterday was indefinitely postponed.

Miss LAUGHLIN: Mr. Speaker, I wish to present House Amendment B and move its adoption. I will say about this amendment that what it does—perhaps it would be fairer to have it read by the Clerk—is to provide the same safeguards as are now provided in the law in regard to signing petitions for the nomination of candidates, namely, that it provides that the candidate or delegate must reside in the electoral district in which he becomes a candidate; that only qualified voters shall sign the petitions for nomination; that each signer must sign in person and that there must be added his place of residence; that each signer can sign only the number of petitions that there are delegates to be elected in the particular electoral district in which he signs, and, finally, that the signer or the circulator must certify that to the best of his knowledge and belief the signers are qualified voters. Those are simply the provisions.

As to the other part, as to the percentage in this amendment, after consultation with others yester-

day I made the provision in that amendment that it should be not less than one per cent. In the amendment which I now present it provides in the aggregate at least two per cent, and not more than four per cent, with a further proviso that no petition can have less than one hundred and fifty signatures. That is to take care of those smaller counties and that is the amendment which I offer and move its adoption.

The SPEAKER: The Clerk will read House Amendment B.

House Amendment "B" to S. P. 536, L. D. 803 as reported in New Draft S. P. 661, L. D. 1042.

Entitled:

An act to Provide for a Constitutional Convention to Pass on the Proposed Twenty-first Amendment to the Constitution of the United States.

Amend said Bill as follows:

Amend Sec. 4 of said act by adding at the end thereof the following: "Only persons qualified to vote for governor shall be entitled to vote for delegates to said convention."

Amend Sec. 5 by striking out all of said section and substituting in place thereof, the following:

"Sec. 5. Nomination of delegates; nomination petitions. Candidates for election as delegates shall be nominated by petition and shall be residents of the electoral district in which they are candidates. Nomination petitions shall be prepared and distributed by the secretary of state and shall specify as to each candidate, his name, his residence, the electoral district or division in which he is a candidate. The total number of signatures for the nomination of each candidate or delegate must amount in the aggregate to at least 2 per cent and not more than 4 per cent of the total vote cast for governor in the election held on the second Monday of September, 1932, in the electoral district or subdivision within which such candidate is to be voted for, provided, however that each petition must be signed by at least 150 qualified voters. There shall not be in any nomination petition the name of more than one candidate proposed for nomination. Only persons qualified to vote for delegates shall sign a nomination petition and each signer shall make his signature in person, to which shall be added his place of resi-

dence. Each signer shall subscribe his name to only such number of petitions as there are delegates to be elected in the electoral district or subdivision in which such nomination is proposed. One of the signers of each separate petition or the person circulating the petition shall make oath thereto that he believes the signatures are genuine and that the persons signing the same are qualified voters within the electoral district or division for which the nomination is proposed. Nomination petitions shall not be signed prior to the date of the taking effect of this act. All petitions shall be filed with the secretary of state on or before the 11th day of August, 1933".

Mr. VALLELY of Sanford: Mr. Speaker, I move that that amendment be indefinitely postponed.

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

The SPEAKER: The pending question is the adoption of House Amendment B. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, House Amendment B was adopted.

On motion by Miss Laughlin, the rules were suspended and the bill had its two several readings.

(Senate Amendment A read)

Thereupon Senate Amendment A was adopted in concurrence.

The SPEAKER: The member from Portland, Miss Laughlin, has discovered another error in the bill which must be corrected, and she now moves that the bill be tabled, pending its third reading.

The motion prevailed, and the bill was so tabled.

The following resolves were received out of order under suspension of the rules:

Resolve in favor of Elmer Attean, Representative of the Penobscot Tribe of Indians (H. P. No. 1749) (Presented by Mr. Hickey of Old Town)

Resolve in favor of Geo. L. Stevens, Representative of the Passamaquoddy Tribe of Indians (H. P. No. 1750) (Presented by Mr. Eldridge of Eastport)

Were given their two several readings under suspension of the rules, without reference to a Committee, passed to be engrossed and sent up for concurrence.

Conference Report

Report of the Committee of Conference on the disagreeing action

of the two branches of the Legislature Bill "An Act relating to Towns and Town Officers" (H. P. No. 1135) (L. D. No. 645) reporting that they are unable to agree.

(Signed) Messrs. Sargent of Brewer, Valley of Sanford, Tompkins of Houlton — Committee on part of House; Blaisdell of Hancock, Page of Somerset, Farnsworth of Aroostook—Committee on part of Senate.

Was read and accepted and sent up for concurrence.

Final Passage

(Out of order, under suspension of the rules.)

Resolve on the Pay Roll of the House of Representatives of the Eighty-sixth Legislature (H. P. No. 1743)

On motion by Mr. Mack of Veazie, it was voted to take from the table L. D. 1024, an act relating to the manufacture and sale of ice cream and other frozen desserts, tabled by that gentleman this morning.

Mr. MACK: Mr. Speaker, realizing that any motion tending to bring both branches of the Legislature in accord more quickly might be meritorious, in fact miraculous, and might be considered sound parliamentary procedure, yet you gentlemen understand that our procedure and rulings in this Legislature have to conform somewhat with the book of rules presented to us when we came here.

The matter which I tabled this morning I find, on looking up the stenographic report of the proceedings, that the report of the committee on conference as yet has not been acted upon. And I will ask the Speaker if I am correct in that?

The SPEAKER: The Chair understands that is correct, having examined the records of the Official Reporter.

Mr. MACK: This brings us to a parliamentary tangle which I am incapable of untangling and which I must now ask the Speaker to do.

The SPEAKER: The report of the committee of conference on this bill was that they were unable to agree. This report was not accepted this morning and the bill had its several readings. The Chair will now rule that the proper procedure at this time is to act on the report of the conference committee, and the Chair understands

that the gentleman from Veazie, Mr. Mack, moves to accept the report of the committee, which was that they were unable to agree; and that of course is debatable.

Mr. CARSWELL of Gorham: Mr. Speaker, do I understand that the report is accepted and this matter is killed?

The SPEAKER: The Chair would rule that, if the report is accepted, there is another step that might possibly be taken. It would be possible to ask for the appointment of another conference committee or it could proceed as you did this morning. The Chair rules that the step taken this morning, in the absence of accepting the conference report, is out of order. The pending question now is the motion of the gentleman from Veazie, Mr. Mack, that the report of the conference committee be accepted. Does the gentleman desire to debate the matter?

Mr. MACK: I just wanted to hold the floor.

The SPEAKER: You have already made your motion and I cannot guarantee that you can do that. If you can get the floor again, you can have it.

The pending question is the motion of the gentleman from Veazie, Mr. Mack, to accept the report of the conference committee.

A viva voce vote being taken, the report was accepted.

Mr. CARSWELL: Now, Mr. Speaker, as this is a very important measure and has undoubtedly been misunderstood, in order that it may be brought before the House again and explained to the members more fully, I move that a new committee of conference be appointed.

The SPEAKER: The Chair would say, for the benefit of the members, that if a new conference committee is appointed, it will be the same committee as before. The Chair would not care to cast any reflection on the former conference committee.

The gentleman from Gorham, Mr. Carswell, moves that the House insist on its action and that a conference committee be appointed on the disagreeing action of the two bodies. All in favor will say aye, contrary minded no.

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

The SPEAKER: The Chair rec-

ognizes the gentleman from Vinalhaven, Mr. Smith.

Mr. SMITH: Mr. Speaker and members of the House: I can well imagine when you see me stand in my place what you expect to hear, but at this time I will not mention the word at all. I will just say instead "Homarus Americanus". I do, however, rise, Mr. Speaker, to a point of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. SMITH: And it is a very pleasant task. We have been here three months, regardless of party and regardless of differences of opinion. We have worked together. I trust, for the good of the State. We feel that, as members of the minority party, we have had as leaders men who rank high in this House for ability,—I might say who rank equally high with the members of the majority party. We feel that these leaders have worked diligently, and that, regardless of party, they have worked together with the majority party and with the Governor. We feel that they have led us through this winter and distinguished themselves with great ability; and, Mr. Speaker, it gives me great pleasure to present these little tokens to our Floor Leader, the gentleman from Westbrook, Mr. Scates, and our Assistant Floor Leader, the gentleman from Belfast, Mr. Thompson. (Applause, the members rising as the gifts were presented).

Mr. SCATES of Westbrook: Mr. Speaker and members of the House: I wish to acknowledge with a great deal of gratitude this little token of respect. During the whole session of this Legislature I have worked for the interests of the State, and I want to say now, Mr. Speaker,—I want to pay a little tribute to the Speaker of this House. (Applause) I have been a member of this branch of this Legislature for many terms, and I want to say publicly what I have said privately so many times during the session, that there never has been in my experience a fairer or a better Speaker than our present Speaker. (Applause)

Mr. THOMPSON of Belfast: Mr. Speaker, I do not know just what I have done to deserve this fine token, but I certainly want to thank the members of the minority party for this kind gift. I

would like to say that if anything I have done has helped them in any way, I am very pleased to have done it, and I again thank them very, very much. (Applause)

Mr. HUSSEY of Augusta: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. HUSSEY: Mr. Speaker and members of the Eighty-sixth Legislature: In behalf of the Republican majority body of this House, I wish to present to one of the ablest floor leaders we have had for a number of years a token of the respect we have for him. I will not attempt to eulogize or go into the good things he has done for us; but in behalf of the Republican members of the House I present this gift to Mr. Farris. (Applause)

Mr. FARRIS: Mr. Speaker and members of the House: I appreciate very much this gift of the majority party in the House. I have endeavored to do the work fairly and for the best interests of the State of Maine, regardless of party and regardless of any personal feelings that I may have had at any time during the session; and I can say at the close of this session that I have no hard feelings against any member of this House, and I hope no member of this House has any hard feelings toward me in regard to anything I may have said in the heat of debate. I appreciate and thank the Republican members for this token.

From the Senate: (Out of order under suspension of the rules) Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill "An act relating to the Purchase and Sale of Lobsters" (H. P. No. 1155) (L. D. No. 616) reporting that both branches recede from their former positions and that they receive and enact the accompanying bill entitled "An Act Creating a Commission to Investigate the Need of Legislation relating to the Lobster Industry" (S. P. No. 675)

(Signed) Messrs. McLoon of Knox, Littlefield of York, Bartlett of Oxford—Committee on part of Senate; Graves of Mt. Desert, Smith of Vinalhaven, Peacock of Lubec—Committee on part of House.

Comes from the Senate the report read and accepted and the bill

given its several readings under suspension of the rules, and passed to be engrossed as amended by Senate Amendment "A".

An act creating a commission to investigate the need of legislation relating to the lobster industry.

Commission to study and investigate laws relating to lobster industry. The governor and council are hereby authorized and directed to appoint a commission consisting of 5 suitable and competent men to make a study of the lobster industry and prepare a report making such recommendations to the 87th legislature as they deem advisable, with special consideration of the conservation of the industry, the sizes of lobsters in commercial demand and the desirability of uniform laws in the various states producing lobsters.

Of the 5 members of this commission, 1 shall be a biologist from the faculty of the University of Maine; 1 a lobster fisherman who is in favor of the present law as to the legal length of lobsters; 1 a lobster fisherman who is in favor of a change in the present legal length of lobsters; 1 a wholesale lobster dealer; and 1 other competent person. The commission shall make a study of the breeding and reproduction of lobsters, shall confer with the fishermen and dealers in this and other states regarding production and sale of lobsters and the problems arising therefrom; shall confer with the United States Department of Commerce and Labor and with similar commissions from other states or with legislative committees of other states or with department heads of other states that have the lobster industry under their charge, for the purpose of accomplishing the object for which this committee is appointed. The Department of Sea and Shore Fisheries shall furnish any desired information that is available to the commission and shall assist the commission in every possible way. This commission shall serve without pay but shall receive such actual expenses as are reasonably incurred in the performance of its duties, to be paid from the general funds of the state.

In the House Senate Amendment A read.

On motion by Mr. Graves of Mt. Desert the foregoing bill under suspension of the rules and without reference to a committee had its

three several readings. Thereupon Senate Amendment A was adopted in concurrence and the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

Final Passage

(Out of order, under suspension of the rules.)

Resolve in favor of the Chaplains of the Senate of the Eighty-sixth Legislature (S. P. No. 673)

Resolve in favor of the Chaplains of the House of the Eighty-sixth Legislature (H. P. No. 1747)

On motion by Mr. Russ of Woodstock, it was voted to take from the table, L. D. 461, an act relating to bounty on bears, tabled by that gentleman, pending its passage to be enacted; and the Chair recognizes that gentleman.

Mr. RUSS: Mr. Speaker, I move that, under suspension of the rules, we reconsider our action whereby this bill was passed to be engrossed.

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

Thereupon, a viva voce vote being taken, the bill was passed to be enacted.

Passed to be Enacted

S. P. 670: An act providing flexibility in the handling of State revenues and expenditures during the period of the present State cash stringency.

Miss LAUGHLIN of Portland: Mr. Speaker, there has not been a motion as yet for it to be enacted. I suppose there should properly be a motion for enactment.

The SPEAKER: That would be a proper motion, I think, if the member wishes to so move.

Miss LAUGHLIN: I wish to oppose it, but I think possibly I should wait until that motion is made.

The SPEAKER: The Chair will then rule that passage of this bill to be enacted is automatically before the House.

Miss LAUGHLIN: Mr. Speaker, then I wish to oppose the passage of that bill. I think we are all familiar with it. It is to turn over all the financial affairs of this State to the Governor and Council. Am I mistaken in the outside insinuation that there was an amendment in the Senate extending that time another year?

The SPEAKER: There was no

amendment in the Senate. Section 3 of the bill provides: "In view of the emergency set forth in the preamble, this act shall take effect when approved, and shall remain in effect until December 31, 1934."

Miss LAUGHLIN: In reading the bill, Mr. Speaker, as I remember it, it was until "January 1, 1934." In any case, it does not matter, so far as my present position is concerned because I want to oppose the enactment. It makes no difference in what I have to say, but it probably will so far as the action of this House goes, because that extends the time for two years, a year from next December, which to my mind makes the bill even more objectionable, because such an emergency certainly cannot exist until any such time as that, and if it does exist, then, above everything else, the legislative body of this State should be called in special session.

I looked up the cost of the special session of the Legislature last year, and it was \$6,280. It does seem to me that is not too great a price to pay to maintain representative government in this State. It seems to me that this Legislature should look ahead enough and do everything, as far as possible, to meet the situation as far as any immediate emergency is concerned, and if anything further arises, it should go into special session.

I have been amending a bill this afternoon which is going to cost the State for a special election from thirty to thirty-five thousand dollars plus the cost of that convention. It is a matter that does not need to be acted upon, but it adds that cost to the cities and towns of the State. It seems to me a very extraordinary thing to sit here and vote complete powers and allocate the powers of the Legislature to the Governor and Council. It seems to me that voting this expense is unnecessary, because the Eighteenth Amendment has seven years to be acted on, and we are rushing it through this Legislature because it was said there would be a special session of the Legislature provided for if we did not. We are doing it to avoid that.

And here we are voting for all these unnecessary expenses, and then we say that such an emergency in finances exists that we are

going to turn over all power to a group to run this State.

Now as I understand it, Mr. Speaker, to pass this, it being an emergency measure, it requires a two-thirds vote?

The SPEAKER: That is correct.

Miss LAUGHLIN (continuing): So that it would require a two-thirds vote to pass it. I trust it will not receive that vote in this House.

As I say, if there is an emergency now, this Legislature should stay here until it meets it, and if there is no emergency, then it should be prepared to come back and meet that emergency when it arises, in order that we may preserve the fundamental principles of our government. (Applause)

The SPEAKER: The pending question is the passage of this bill to be enacted.

Mr. WRIGHT of Bath: Mr. Speaker, it has been customary heretofore to transfer funds to carry on work and replace those funds when taxes have been received. This act, if passed, will simply legalize that practice. It is apparent this year that the taxes from the cities and towns are not coming in sufficiently early, and the act is drawn to enable the Governor, through the Council, to allocate those funds without further comment. I think it is the best scheme that can be devised for meeting this emergency. In fact, I have not heard any other plan which apparently will meet the situation at the present time.

Of course our money is all in the Treasury in one lump sum. The Bureau of Accounts keeps track of the expenditures of these various institutions, and money heretofore has been allocated to one department, and in the case of the Highway Department, to continue work, and then has been replaced, and in that way the situation has been taken care of. I think this is simply a temporary transfer of funds, and it simply legalizes the practice which has been in effect for a good many years in this State, and I hope it will have final passage.

Mr. SCATES of Westbrook: Mr. Speaker, if it would satisfy the objection of any members of this House, I am prepared to offer an amendment, but if the House is going to vote against this bill, no matter how it is amended, then it

is no use offering the amendment. My amendment would be this: That the provisions of this act shall expire on January 1st, 1934. But if you are going to object to the whole bill under any conditions, there is no use to offer it.

Now I am not going to urge any member of this House to vote for that bill. As you know, the Budget Committee met six weeks or so before the Legislature convened. That is a committee composed of the retiring Governor, the incoming Governor, one member of the Senate and two members of the House. Governor Gardiner was one of those members, and I want to pay this tribute here now to Governor Gardiner: That he worked just as interestedly and just as hard on that Budget Committee as he would if he had been or was to be the incoming Governor. The Committee made its report. Your Finance Committee has worked diligently and hard.

Now as I said, the members of the party in this House to which I belong are going to turn the matter right over to you, and the responsibility for what happens hereafter is yours and not ours.

You remember in the Governor's address that he said, I think, there were some three or four hundred thousand dollars in the Treasury today. The interest on the bonds coming due tomorrow will practically absorb all of that money. What are you going to do? The responsibility is yours. We hand it over to you. Do as you please.

Mr. THOMPSON of Belfast: Mr. Speaker, I move that when this vote is taken, it be taken by the yeas and nays.

Mr. FARRIS of Augusta: Mr. Speaker, I feel that we should look at this matter from a non-partisan standpoint. Let us consider this State as a great corporation, and the members of the Legislature as stockholders. Let us consider the Governor and Council as a Board of Directors. We as members of the Legislature are simply delegating our powers to a Board of Directors, which is the Governor and Council. Now the Governor is elected by the people at large. The seven Councilors were elected by this body and the Senate in Joint Convention, and they are all Republicans, and with a Republican Council of seven members and

a Democratic Governor, I do not believe we are taking any chances in turning this proposition over to the Governor and Council until January 1, 1934.

I think we should allow the amendment to be offered by the gentleman from Westbrook (Mr. Scates), as he has suggested. I think it is too long a time to extend it to December, 1934, nearly two years. I think in a year this thing will right itself. I hope this bill will pass. As I understand, the amendment is in order at this time.

The SPEAKER: It would be necessary to reconsider engrossing of the bill before taking up the amendment.

Mr. FARRIS: Mr. Speaker, I now move we reconsider our action whereby we passed this bill to be engrossed.

The SPEAKER: The gentleman from Augusta, Mr. Farris, moves that the House reconsider its action whereby this bill was passed to be engrossed.

Mr. FERNALD of Winterport: Mr. Speaker, this is a government of the people, and for the people and by the people. I believe that it is well and right that the minority party should stand by the Governor. I believe it is right that the majority party should stand by the Governor, and we have stood by the Governor. But you know, and I know that we have a higher duty, a higher responsibility than standing by the Governor. Our first duty, our first responsibility, our first obligation is to the State of Maine and to the people of the community which we represent here in this Legislature.

In November, we had an election which declared for a new deal. We are living in critical times, in serious times, and there are many people who consider the problems and responsibilities of government who realize that Franklin D. Roosevelt may be the last President of the United States. Now I, for one, do not stand for a political dictatorship in Maine, nor a financial dictatorship in Maine, nor for a political or a financial dictatorship in the United States.

We are told that we have some million dollars in closed savings banks; it is very hard to get information in the State House in regard to these funds, but from what information I have at hand

we know that some half of that sum is trust funds that could not even be handled under the bill if passed. We also know there are \$256,000 of the Coburn Trust Fund that is in unnegotiable securities. We also know there are \$138,000 in the Fidelity Trust Company in Portland that will shortly be released, and we also know there are some \$700,000 in the Casco Bank.

Now this million dollars that has been spoken of is distributed over the State in anywhere from twenty-five to forty banks. Now I do not believe that these twenty-five or forty banks are to be closed indefinitely. Now if we set up this proposed dictatorship, that is going to cost money. You know what the re-count cost last fall; you know what the people said about the expenses of that re-count. You know how much the members of the Governor's Council got.

Now there is one matter that the Governor recommended that we did not pass. Now please forget the fact that I introduced the bill. Somebody is going to say that the only bills I favor are the ones I introduced. Please just forget that. The fact is, after I introduced it, the Governor found it was O. K., and recommended it. That was Legislative Document 44, and you accepted the report of the Judiciary Committee, ought not to pass, this morning on that bill. That may be right, but, nevertheless, let me indicate to you right there that if that bill had gone into effect, in one instance alone \$125,000 would have been paid to the State Treasury of Maine by the city of Waterville, and I am informed, within the last day or two, that the city of Rockland would have liked to take advantage of that same law, if it had been passed. Furthermore, it is not a very vicious measure, because the city of Portland itself today is running under the same provision, and all I was asking was that the other cities and towns of Maine be permitted to borrow up to 7 1-2 per cent. I am not criticizing any member of the committee for their vote on that, but there was one measure that we could have handled here that would have helped the situation.

Now there is another angle to this proposition. A lot of people never like to leave matters to a large representative body, and it is

hoped, if this bill goes through, perhaps that certain important committees will be called in to go over this matter with the Governor and Council. Last fall, certain members of this Legislature were called in. I do not know whether or not you know it, but I know it—that in one instance one man received \$10 a day in wages and expenses. Now you say this is going to be easy, no expense connected with it. But there are a few incidentals that are going to creep into this Bureaucracy that we are going to set up, if we do.

It is amusing to note the way they maneuver these things. Yesterday, without printing, a bill whereby we are going to do away with representative government in Maine—we have the proposition before us that the temporary emergency only lasts until January 1, 1934. They go into the Senate and they jam on another year, but now they come back here and they know they are licked, and they are willing to withdraw, and before we get through with them, they will withdraw the whole proposition.

Now you and I are going home tonight, or tomorrow. When we get through, somebody is going to say: "Joe, what about the road money?" "Oh, I don't know." "Well, what did you do? Did you refer it to the next Legislature?" "No: we referred it to the Governor and Council."

And let me point out to you, with no reflection on the Governor, or no reflection on the Council, the mere fact that you have a member of one party as Governor and members of the other party as Council, you are going to set up here in Augusta the biggest trading post that ever existed in continental North America.

What about your school funds? How much money do you think they would get for schools under this dictatorship? You do not know. Does anybody know? What about the pork barrel? You have got the barrel, but the bung is out and both heads are knocked out. What are you going to tell these people in rural Maine who want jobs on the road? What are you going to tell them? You do not know what you are going to tell them. You cannot tell them anything. What are you going to do? Are you going to tell them they

can get delegates and come before the Governor and Council and hash this thing all over again? That is the only way. How are you going into the merits of these cases? How are you going to distribute them? How about Lillian? How about Danny Mahar? It does not look to me as though the State would get those films of Governor Parkhurst's funeral for some time.

I refer to the Kennebec Journal of this morning, Friday, March 31st:

"The reply to his contention,"—that of Governor Brann—"would seem to be that the Legislature already has had opportunity and has not taken steps to use such power, if it really has the capacity for so doing."

Now I take exception to that statement. I take exception to that editorial. We were elected and sent down here to do something, and we can do it, and we will do it. Now you talk about the expense of bringing this Legislature back again. If we are acting in good faith and want to be of service, we do not have to adjourn tonight; we can recess tonight for a couple of weeks or for a month or for two months, and then come back here, and it will cost the State of Maine \$350 a day. Now that is not much more than it will cost the other way, and that will be representative government. And seven times twenty dollars and a hundred and forty dollars—and I believe Council members have been known to receive \$20 a day.

My good friend here has pointed out that the members of a Recess Committee do not get anything. That is all right with me. We have got our \$600, and I am willing to earn it. I think it is a good thing for us to get through here today or tomorrow and to go back home and cool off, and to think this thing over calmly. Let the various heads of departments and the Governor and Council get their facts together, then we will come back here and we will pass a revenue measure or anything else. But we want him to put something concrete up to us. We will not pass the buck. Bring in your proposition, Governor Brann, and we will pass it or give you something just as good. I am for representative government, and I am going back to my people, and I am going to say to them: "We are ready and

willing to go forward and do our job, and we won't delegate it." I hope the House stands with me. (Applause)

Mr. SCATES: Mr. Speaker, I take exception to one remark of the gentleman who has just spoken, when he referred to "they" that come back here with this amendment that I propose to introduce it. "They," whoever he may refer to as "they," had nothing to do with it at all. I did it myself, because I thought it was the only fair thing to do.

Now as I said before, it is up to you members. And when the gentleman spoke to you about what they will say to you about your roads, about your schools, what will they say to you about your insane hospitals and about your jails, and about your school for feeble-minded, if they cannot carry on for lack of funds? Think of that.

Now it is a question of whether we want to follow the Alexander Hamilton of the Penobscot or whether we want to follow the leader of the Republican House here, Mr. Farris.

The SPEAKER: The pending question is the motion of the gentleman from Augusta, Mr. Farris, that the House reconsider its action taken whereby this bill was passed to be engrossed. All those in favor will say aye; contrary-minded no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The gentleman from Westbrook, Mr. Scates, now offers House Amendment A, which the Clerk will now read.

House Amendment A to L. D. 1048.

Amend by adding: "Sec. 4. The provisions of this act shall expire one January 1, 1934."

The SPEAKER: Will the gentleman from Westbrook, Mr. Scates, step up here so a proper amendment may be prepared?

The Chair understands that the gentleman from Westbrook, Mr. Scates, withdraws his amendment, which would have been amending the present section in the bill. The Clerk will have a new amendment ready in a moment. Is it the pleasure of the House that the gentleman from Westbrook, Mr. Scates, be granted unanimous consent to withdraw this amendment?

Unanimous consent was given,

and the amendment was withdrawn.

Miss LAUGHLIN: Mr. Speaker, the bill then reads "December 31, 1934." If so, I would like some explanation of it, because certainly in the bill as read yesterday it was to January 1, 1934. Where it got changed to December 1, 1934, I would like to know.

The SPEAKER: The House will be in order.

The pending question is the motion of the gentleman from Westbrook, Mr. Scates, that House Amendment B be adopted. The Clerk will read House Amendment B.

House Amendment B to S. P. 670, An Act Providing Flexibility in the Handling of State Revenues and Expenditures During the Period of the Present Stringency.

"Amend said bill by striking off from the end of Section 3 the phrase "December 31, 1934," and substituting therefor the phrase "January 1, 1934".

The SPEAKER: The pending question is the motion of the gentleman from Westbrook, Mr. Scates, that House Amendment B be adopted. All those in favor will say aye; contrary-minded no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: Is it now the pleasure of the House that this bill as amended by House Amendment B in non-concurrence be passed to be engrossed?

Miss LAUGHLIN: Mr. Speaker, I am going to renew my objection to it. It is evident there has come in some bill we never have seen. However, I am not going to make any further argument on that but will direct what I have to say to the general principles of it. There is just one thing I want to say because of some things I have said, and that is there is nothing partisan about this bill, because the body to which this bill proposes to give powers is composed of seven Republicans and one Democrat, the Governor, so it is plain to be seen I should never oppose giving power to the Governor because he belongs to the opposite party, for the reason that is entirely offset by the fact there are seven Republican members in the Council. In passing this bill, we are not giving it to the Governor, but to the Governor and Council, which means one Democrat and seven Republi-

cans, and I think that should absolve it from any question of partisanship in the matter.

The SPEAKER: The Chair understands the question raised by the member over the date arose as follows: Another bill was introduced in the Senate that was different from this one. That bill was ordered printed in there, came into the House, and reception was refused. This bill on which we are acting has not been printed, and the bill which the Clerk has in his possession contains the date December 31, 1934.

Now is it the pleasure of the House that this bill as amended by House Amendment B be passed to be engrossed in non-concurrence?

Miss MARTIN of Bangor: Mr. Speaker, I would like to ask if this bill the Clerk has in his hands now is the one he had in his hands yesterday when he read to us that Section 3 read "In view of the emergency recited in the preamble this Act shall take effect when approved—is that the bill the Clerk had in his hands when he read the date December 31, 1934. I happened to write it down as he read it.

The SPEAKER: Is there any point to be made by spending time over this date? This is the bill that has been in the hands of the Clerk and has been to the engrossing department, and there is no evidence it has been changed since it was introduced. The Clerk would be glad to bring the bill down to the member and show it to her if there is any question about it.

Miss MARTIN: The only point I make, Mr. Speaker, is that a great many feel as I do, and are a little bit suspicious of any changes in it; that the bill has been changed since we last heard it.

Mr. SANBORN of Weld: Mr. Speaker, I will say that I had the same notation that Miss Martin, of Bangor, had.

The SPEAKER: It would seem as if the amendment which has been offered and adopted corrects any question as to date and that there is no further point to be made in talking about the date of the act. The Chair would be very pleased to have the Clerk read the entire act, if anybody has any question about it. The Chair cannot believe there has been any change made in this bill since it was introduced.

The pending question now is shall this bill as amended by House Amendment B be passed to be engrossed in non-concurrence? All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: No further action can, of course, be taken on this bill until it has gone to the Senate and that body has acted upon the amendment which has just been adopted.

Miss LAUGHLIN: Mr. Speaker, I do not understand this motion before us now. The action is on the enactment of this bill?

The SPEAKER: It cannot be enacted at this time. It must go to the Senate while that body acts on the amendment which has been adopted by the House.

The Clerk and the Speaker have been conferring over this matter, and the Clerk states that he can see no other explanation of the misunderstanding except he possibly read it wrong when he read the bill.

Miss LAUGHLIN: Mr. Speaker, as far as that bill goes, it is manifestly different. The bill just read was Senate Paper 670.

The SPEAKER: There is no question about that. That is the bill that was introduced in the Senate, was printed and came in here and reception was refused. A new bill was prepared and received here under the order.

The bill will be sent to the Senate at once for such action as that body may take, and we will have it ready for further action later in the session.

The SPEAKER: The members now have before them printed copies of Legislative Document 1052, an act relative to malt beverages, and to derive a revenue from the manufacture and sale thereof. The Chair understands that the gentleman from Westbrook, Mr. Scates, moves that this bill be taken from the table for further consideration. The only action having been taken on it was its reception by this body.

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that without reference to a committee and under suspension of the rules that this bill have its three several readings at this time.

Miss LAUGHLIN: Mr. Speaker, I certainly am opposed to the bill having its three readings at this time. As that would require suspension of the rules, I think we should have a vote as to whether the bill should have its third reading. I am perfectly willing it should have its two readings so we may have opportunity to talk on the bill.

Thereupon, the bill was given its two several readings.

Miss LAUGHLIN: Mr. Speaker, I move this bill be indefinitely postponed. I make that motion, and I propose to talk on it, because I believe the motion is before the House.

When I read this bill, I find this very harmless beverage is such that it cannot be sold to minors, cannot be sold on Sundays, and so forth. It condemns itself by that very fact. We had before us and forbade the sale of intoxicating liquor, or what seems to be a substitute for it—as far as what this Legislature says, regardless of what the courts may say afterward. We have bootleggers and we have home brew. You now hear it is only going to be sold by persons who are licensed. We have the same conditions. I see nothing that is going to get rid of bootlegging. When it is under license, they will try to avoid the license to sell it. In every State where it has been under license, they have violated the law far more than when it was forbidden. If that is so, we are not going to get rid of it; we simply extend the evil.

We have been told we do not want home brewing in our houses. If the persons who manufacture it have to pay for the privilege, certainly there is some invitation for home brewing and for all these evils we were told were going to be done away with, when we forbade the sale of alcoholic beverages. Also, of course, we were told it was going to decrease crime, because we were going to permit it, and if we did not forbid people selling it, they could not commit any crime. Of course now, if they sell it without a license, they will be guilty of crime. You cannot abolish crime that way.

So the only way I can see, if the arguments are true, and we are to change the laws of this State on the matter of alcoholic liquors, the only way to get rid of that—if this

is so desirable—is to let it be sold as freely as we sell mineral water and everything else, and give the people the advantage of it, and not have violators of laws and criminals, or home brew or bootleggers. But this bill does nothing to get rid of those things. It simply makes them pay a license instead of being forbidden. In all States where that has existed before we find more violators of law than we ever found when it was absolutely forbidden. And so it seems to me, if we are going to have this so-called un-intoxicating malt beverage in the State, we should have it freely and without these restrictions so that there will not be bootlegging and home brewing and other violations of law.

The SPEAKER: The question before the House is the motion of the member from Portland, Miss Laughlin, that this bill be indefinitely postponed. All those in favor will say aye; contrary minded no.

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

Mr. SCATES: Mr. Speaker, I would ask that this bill be laid on the table for the time being, as I understand there is an amendment to be offered.

Thereupon, the gentleman from Westbrook, Mr. Scates, withdrew his motion to table, and offered House Amendment A and moved its adoption as follows:

House Amendment A to House Paper 1748.

Amend said bill by striking out the "period" in the fifth line of Section 13, and insert in place thereof a 'semi-colon,' and inserting after the 'semi-colon' the words 'provided that the State Licensing Board is authorized to fix the license fee for summer hotels and restaurants from twenty-five dollars to one hundred dollars, depending upon the size of said summer hotels and restaurants and their volume of business.'

Thereupon, House Amendment A was adopted and the bill as amended was assigned for third reading this afternoon at six o'clock.

Passed to be Enacted

(Out of order, under suspension of the rules.)

An act relative to increase of the State Debt limit (H. P. No. 1735) (L. D. No. 1043)

An act to provide for the Issue

of Bonds for Emergency Relief (H. P. No. 1736) (L. D. No. 1044)

The SPEAKER: The Chair inquires of the member from Portland, Miss Laughlin, whether she is prepared to take from the table L. D. 1042, an act to provide for a Constitutional Convention?

Miss LAUGHLIN: I might offer an amendment to it, but I haven't it in typewritten form. I can read it as it is and explain the amendment that I wish to offer to the bill. The bill before us does not provide that the person who shall be elected shall have the highest number of votes. It provides in section six that the balance shall contain the names of all candidates, arranged alphabetically. This, if followed out, would mean that each ballot in each county would contain the names of all the candidates in the whole State, and it would mean that much more printing. There is nothing in this bill which says that the persons receiving the highest number of votes shall be the ones elected. The amendment that I offer—I can offer it in writing if the Chair wishes me to present it in that way—

The SPEAKER: The matter will remain on the table until the amendment is prepared.

On motion by Mr. Raymond of Westbrook, the House recessed until 6 P. M.

AFTER RECESS

The SPEAKER: Is it the pleasure of the House to take up a bill on its third reading?

Thereupon bill an act relating to malt beverages L. D. 1052 had its third reading.

Mr. DEVEREAUX of Penobscot: I move that the bill now be passed to be engrossed.

Miss LAUGHLIN: Mr. Speaker, I move that when the vote is taken it be by a roll call.

The SPEAKER: The pending question is the motion made by the gentleman from Penobscot that the bill be now passed to be engrossed. The member from Portland, Miss Laughlin, requests that the vote be taken by the yeas and nays. As many as are in favor of a yea and nay vote will rise and stay until counted and the monitors will make and return the count.

A sufficient number did not arise,

therefore the yeas and nays were not ordered.

Thereupon, a viva voce vote being taken, the bill was passed to be engrossed as amended by House Amendment A.

Order out of Order

The gentleman from Gorham, Mr. Carswell, presented the following order out of order and moved its passage:

Ordered, that the Bank Commissioner shall publish in two or more newspapers in the sections of the State where any closed bank is located, within thirty days of the demand for payment of the double liability on the stock of said bank, the names of the owners of the stock of said bank, designating those who are liable for the payment of double liability and those who have been owners of such stock but have sold it to a security holding company, taking in payment therefor stock of said holding company. Provided, however, that the names of the former owners who have so sold their stock who pay within said thirty days the assessment that they would have had to pay if they had not so sold their stock, shall not be so published.

Mr. FARRIS of Augusta: Mr. Speaker, it is contrary to law, under the provisions of our Revised Statutes, for the Bank Commissioner to reveal any information filed in his Department except as provided by law. That is Chapter 57 of the Revised Statutes, Section 1, as amended by the laws of 1931. For that reason, this order would have no force of law, and I therefore move its indefinite postponement.

Thereupon, a viva voce vote being taken, the order was indefinitely postponed.

Conference Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to the Making of Local Regulations for Fishing and Game Sanctuaries" (S. P. No. 643) (L. D. No. 1032) reporting that they cannot agree.

(Signed) Messrs. Sterling of Caratunk, Crowell of Weston, Shaw of Milbridge—Committee on part of House; Cooper of Waldo, Schnurle of Cumberland, Angell of

York—Committee on part of Senate.

Report read and accepted and sent up for concurrence.

The committee on conference on the disagreeing action of the two branches of the Legislature on bill an act relating to parking of vehicles on highways, H. P. 1045, L. D. 446, ask leave to report that they are unable to agree. The report is signed by the following members of the two committees:

Messrs. Scates of Westbrook, Plouff of Dexter, Wright of Bath—Committee on part of House; Weeks of Somerset, Holman of Franklin—Committee on part of Senate.

Report read and accepted and sent up for concurrence.

PASSED TO BE ENACTED

(Out of order, under suspension of the rules)

(S. P. No. 659) An Act to amend the Law Providing for Continuous Revision of the Statutes.

(H. P. No. 1738) (L. D. No. 1050) An Act relating to the Maintenance of the Androscoggin Lake Dam.

FINALLY PASSED

(S. P. No. 638) (L. D. No. 1025) Resolve in favor of the Pownal State School, for additions and improvements.

(H. P. No. 946) Resolve in favor of the City of Old Town.

(H. P. No. 1749) Resolve in favor of Elmer Attean, Representative of the Penobscot Tribe of Indians.

(H. P. No. 1750) Resolve in favor of George I. Stevens, Representative of the Passamaquoddy Tribe of Indians.

The SPEAKER: The Chair understands that the member from Portland, Miss Laughlin, moves to take from the table L. D. 1042, an act to provide for a Constitutional Convention to pass on the proposed Twenty-first Amendment to the Constitution of the United States, tabled by her earlier today, pending third reading of the bill.

Thereupon Miss Laughlin offered House Amendment C, as follows:

House Amendment "C" to S. P. 661, L. D. 1042 entitled "An Act to Provide for a Constitutional Convention to Pass on the Proposed Twenty-first Amendment to the

Constitution of the United States.

Amend said bill as follows: Amend section 6 by striking out the first paragraph of said section and substituting therefor the following: "The ballots shall contain the names and residences of all candidates duly nominated in the county in which such candidates are to be voted upon, the names to be arranged in alphabetical order"; and further amend said section by adding at the end thereof the following: "The persons to the number to be elected in the county in which the said persons are candidates who shall receive the highest number of votes shall be declared to be elected. In case of a tie between two or more persons the person or persons elected shall be determined in the manner provided by law in the case of a tie in a primary election."

Miss LAUGHLIN: Mr. Speaker, this amendment is designed merely to correct errors in the bill. There are no provisions in the bill providing who shall be declared elected, that is, the one getting the highest number of votes. Section six also says that the ballots shall contain the names of all candidates duly nominated. That means the whole 84 instead of limiting it to the county in which they were to be voted upon. It would simply make a difference in the printing of the ballot and not have all of the candidates. That is all there is to the amendment.

Mr. FARRIS of Augusta: Mr. Speaker. I am in favor of the amendment offered by the member from Portland (Miss Laughlin). I wish to congratulate her upon the untiring efforts which she has put in on this bill in getting it into the shape it is in now. There were several omissions in the bill that one could see on looking it over, and if they had not been discovered by the member from Portland, there would have been some errors in it when it passed the House. I do not believe the House appreciates the efforts she has put into the bill. I second the motion.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, in view of the fact that if thirteen states reject the Twenty-first Amendment, or if thirty-six accept it, it would be entirely unnecessary for Maine to hold this Convention. It is going to cost quite a lot of money and the

State is very hard up. Therefore, I move the indefinite postponement of this bill.

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

The SPEAKER: The question now is on the adoption of House Amendment C offered by the member from Portland, Miss Laughlin. As many as are in favor of this amendment will say aye, contrary minded no.

A viva voce vote being taken, the amendment was adopted.

Thereupon the rules were suspended, the bill had its third reading and was passed to be engrossed.

Passed to be Enacted

(Out of order)

S. P. 675: An act creating a commission to investigate the need of legislation relating to the lobster industry.

Finally Passed

(Out of order)

S. P. 674: Resolve in favor of clerks, stenographers, messengers of the several committees of the Eighty-sixth Legislature.

Passed to be Enacted

(Out of order)

S. P. 670: An act providing flexibility in the handling of State revenues and expenditures during the period of the present cash stringency.

Mr. HILL of South Portland: Mr. Speaker and members of the House: Among the many important matters that have come before us at this session, I feel that there has been no bill more important to the people of the State of Maine than this.

This bill, as we all realize, I think, is very drastic in its provisions. I have no lack of confidence in the present Governor of the State of Maine. I have no lack of confidence in the Governor's Council; but I am opposed to the passage of this bill.

The bill, as it seems to me, provides for a most radical departure from the very fundamental theory of popular government as we have it in America, both in State and in Nation.

To go back to the Eighteenth Century, when our American Government was formed, that govern-

ment was modeled in part upon the theory of the French political writer, Montesquieu, it was established on the principle of checks and balances, upon the principle that is salutary to divide the Government into three Departments, and to keep the duties and the powers of these three Departments separate and distinct. That is the theory of the Constitution of Maine.

As I see this bill, the Legislature is delegating to the Governor and Council legislative duties. Let us look for a moment at the Constitution of Maine and see what it says upon this point. I read from Article III of the Constitution;

"Section 1. The powers of this government shall be divided into three distinct departments, the legislative, executive and judicial.

"Section 2. No person or persons belonging to one of these departments shall exercise any of the powers belonging to either of the others, except as in the cases herein expressly directed or permitted."

That is a principle which has been jealously guarded by our courts. I read from the opinion of the Supreme Court of Maine, a short paragraph, taken from the case of Lewis et al vs. Webb, in 3 Maine, 326, at pages 328 and 329, where the court says: "It seems at the present day to be an established principle in our country, as well as in many other parts of the world, that the three great powers of government, the legislative, the executive and the judicial, should be preserved as distinct from and independent of each other, as the nature of society, human imperfections, and peculiar circumstances will admit. And the more this independence of each department, within its constitutional limits, can be preserved, the nearer the system will approach the perfection of civil government, and the security of civil liberty. Thus the wisdom and virtue of society are called upon to give strength and support to this vital principle; thereby guarding the system against those disorders and diseases which are too apt to endanger its stability and derange its operations."

Other minds better than mine may differ from me on the question of the constitutionality of this measure. To my mind it is in direct violation, not only of the letter but of the spirit of our Constitution. When I took a seat here as a

member of this House, I took a solemn oath to protect the Constitution of Maine. In view of that oath, I cannot and I will not vote for this bill. (Applause)

Mr. FARRIS of Augusta: Mr. Speaker, the gentleman cites the case, I think, from 3 Maine. Since that case was handed down by the Supreme Court, many things have happened in the State of Maine. This is nothing new in the history of the State of Maine, this delegating the authority to the Governor and Council. It dates back to 1917, when Governor Milliken was Governor, when he had passed in the Legislature a law that the Governor and Council should regulate the salaries of State employees and heads of departments. Before that time all these salaries had been fixed by the Legislature, by statute. Since that time we have seen many changes in centralization of government.

Two years ago, I stood up here on the floor of this House and opposed the Code Bill. The gentleman from Fort Fairfield (Mr. Ashby) was a member of that committee, and he stood up here and said he did not see how I had the nerve to oppose such a bill as the Code Bill, which was giving the Governor and Council authority to take over all departments, to take over all institutions, appoint their chiefs and fix their salaries and the time they should stay in the office.

This is no radical departure, and this is very simple. The authority granted in this bill is much less than that which we gave the Governor and the Bank Commissioner under the Banking Bill. We gave him broader powers; and the same emergency now exists that existed when we passed the Banking Bill on the floor of this House. I say that this bill should pass at this time if we expect to go home and allow the Governor and Council to function as they have heretofore.

Now the Governor and Council have also taken their oaths of office, just as well as the member from South Portland (Mr. Hill) and ourselves. I say that this bill at this time should have a passage with this amendment attached thereto. This simply gives the Governor and Council for a period of nine months authority to carry on this State and keep within its appropriations and keep within the in-

come that comes from taxes and other sources of revenue.

Now if the taxes are not paid, how are these appropriations going to be paid? How is money going to be raised to pay these various appropriations? The gentleman from Winterport (Mr. Fernald) has laid great stress upon the Lillian Cushman Resolve and the Daniel Mahar Resolve, and those different things. How are they going to be paid, if the tax money does not come in?

But if we have money in one department, it can be transferred, under this bill, and used to pay different items in the different departments. I think that the gentleman from Winterport (Mr. Fernald), in his speech this afternoon, is the one who showed that he was hysterical. No one else is excited about this bill. There is nothing to be afraid of.

Now this authority we are giving the Governor in this bill extends only nine months, to January 1, 1934, and when that ceases, if the Governor and Council cannot function in that time, they can call this Legislature in special session on the first Wednesday of January, 1934, and then if there is anything for us to do, we can do it, but in the meantime, in the next nine months, I feel that we should delegate this power to the Governor and Council, considering the emergency which now exists in the financial situation in this State. Therefore, I hope the motion that this bill be enacted will receive the two-thirds vote required.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, perhaps my memory is short, but if I remember, the heads of the departments were exempt from any provisions that they would come under the jurisdiction of the Governor and Council. I think that their offices remain elective, and that the Legislature is still empowered to set their salaries.

Now sometimes I have doubt of the legal advice we get here. You know anything you get for nothing does not seem to be awful good. A short time ago we saw one of our prominent legal advisers here move that a bill be accepted, and then nailed it to the mast by a reconsideration vote, said he hoped it would not prevail and that it was unconstitutional.

Now we have had plenty of chances here to raise revenue on

two Grange bills that came in here. If they had been passed by this House and the inevitable emergency clause that seems to be attached to most everything had been attached to them, they would have been available for April assessment, and would have returned more than enough revenue to balance the budget. But if I remember rightly the gentleman from Augusta (Mr. Farris) was one of the men who moved that they be referred to a referendum in September. Also, Miss Martin's sales tax would have been much preferable. Although I opposed that, I would support it now in preference to this Legislature relinquishing the powers vested in it by the Constitution, and what seems to be a safeguard for the safety of the State of Maine today.

There are plenty of ways of balancing this budget without resorting to this drastic method of the Legislature turning over all its powers to the Governor and Council. If we accept this bill, it should have been introduced the second day of the Legislature, and we could have passed it and all gone home. Now we have been here thirteen weeks, and under this bill, as I understand it, everything we have done can be upset in a month by the Governor and Council. I am not casting any reflection on the Governor or on his Council, but I am opposed to delegating too much power to any one particular body. The one hundred and fifty-one Representatives here—I think their combined brains are better than the eight in the Governor and Council.

Mr. FERNALD of Winterport: Mr. Speaker, may I ask through the Chair our Republican Floor Leader a question?

The SPEAKER: Certainly.

Mr. FERNALD: I would like to know if, in his opinion, he feels there is any likelihood that this Legislature would be called into special session on or before January 1, 1934.

The SPEAKER: The gentleman from Winterport, Mr. Fernald, asks of the gentleman from Augusta, Mr. Farris, a question. He may answer, if he has heard the question, and can reply.

Mr. FARRIS: Mr. Speaker, I will answer that in this way: It all depends on the income which the

State receives from taxes and other sources. Also it depends somewhat on the banking situation being cleared up. If the banks are open and restrictions taken off so that some of this money that is in these different banks that the gentleman from Winterport (Mr. Fernald) mentioned this afternoon, I do not believe that we will have to have a special session before January 1, 1934, perhaps not before 1935.

Mr. FERNALD: Mr. Speaker, may I ask the gentleman another question?

The SPEAKER: Yes.

Mr. FERNALD: Assuming everything he has said is correct, does he believe that the passage of this bill that is before us will in any way obviate the necessity of a special session of the Legislature on or before January 1, 1934?

The SPEAKER: The gentleman from Augusta, Mr. Farris, may answer.

Mr. FARRIS: In answer to that question, I will say that if we do give the Governor and Council this authority that is asked for in this bill, and the banks still remain closed, and the cities and towns do not pay their taxes, and the direct income from existing taxes falls off, I believe we will have to have a special session before January, 1934.

Mr. FERNALD: May I ask the gentleman another question, Mr. Speaker?

(Calls of "No, No.")

The SPEAKER: Let us be courteous.

Mr. FERNALD: I do not think the gentleman understood my question, Mr. Speaker. He answered the question if we do not pass this bill. My question was if we do pass the bill.

Mr. FARRIS: I say if we pass the bill, I do not think we will have to have a special session, if that answers the gentleman's question.

Mr. FERNALD: Mr. Speaker, I will only take a few minutes of your time. As I interpret the reasoning of our Republican Floor Leader, it would seem that by the passage of this act some miracle is to be performed, and the Governor and Council is going to be able to provide some measure whereby we can raise revenue.

Now I was taught in grammar school a very simple thing, and that was that the legislative branch of

the government is the branch that originates tax measures and appropriation bills. If I may venture a prediction at this time, my good friends, you and I will be back here before snow flies, regardless of whether you pass this measure or not. And I am reminded, in the days of the World War, of the challenge of that great French General at Verdun: "They shall not pass." I say to my good friends here tonight: They shall not pass; and government by the people and for the people shall continue in the State of Maine.

Mr. FARRIS: Mr. Speaker, the gentleman from Winterport (Mr. Fernald) has been here thirteen weeks, and he has not offered one constructive plan as to how we can balance the budget. He says: "Let us go home to Winterport a week and think it over, and then come back and balance the budget." Someone waves a magic wand and the money comes flowing in, if we go back home and think it over. He offers no constructive plan. I would like to ask the member if he has any definite plan whereby we can balance the budget. (Applause)

Mr. FERNALD: Mr. Speaker, I think the gentleman's position is well taken. I think, before anybody criticises, they should be willing to offer a constructive program. I have offered a constructive program before this Legislature, and in spite of the fact that people say "All Fernald does is talk, and he never gets any bills passed"—but when the final record is taken you will find at least seventeen bills have been signed by Governor Brann.

Now the program: My good friend from Houlton, Mr. Tompkins, and I presented—not together—two plans to tax the chain stores. I will not say that the bill that has been passed is more like his bill or like mine or more like mine than like his; but I will say this: That Mr. Tompkins' bill was modeled on the Indiana Plan, and my bill was modeled on the Indiana Plan, and I believe, from a conservative estimate, that they would provide \$100,000 in revenue. Well, there is \$100,000 to start with.

Now I have tried to sell to the Republican Floor Leader of the Republican High Command the proposition that we should save

\$50,000 on our September election, but we rang the cash register and the red flag came up "No sale." There is \$50,000 more.

Now I tried to save \$8,000 on newspapers. Well, we came around to the idea after one of our good, conservative and staunch members of the distinguished committee on Appropriations has manipulated the thing around so we have decided to save seven or eight thousand dollars on the newspapers.

Now there is \$158,000 anyway. So far, so good.

I do not stand very far from the gentleman from Augusta (Mr. Farris), but I thought when I spoke here this afternoon that I spoke loudly enough for him to hear what I said, and I called to his attention and to your attention a bill that would help us balance the budget. It wasn't a proposition that was sprung on the gentleman the last day, when we had old Dobbin headed for home, but it was a proposition that is entitled Legislative Document 44, and that has been kicking around here at least eighty days. It was referred to the committee on Judiciary, upon which my good friend from Augusta (Mr. Farris) is the distinguished House Chairman—a proposition that would in one instance, in the case of the city of Waterville, bring in to the State Treasury the small and insignificant sum of \$125,000.

Well, let us put those together—\$158,000, \$125,000. That is \$283,000. Now I think that is pretty good for the Floor Leader of the third party of this House, which has only a membership of one. (Applause)

Now let us go a little further. My guess that I just gave you of \$125,000 applied to the city of Waterville. Now there is Rockland; there is Houlton—and I might go on and give the names of a great many towns in Aroostook County and in some other places which I believe could have borrowed money under that bill. I suppose somebody is going to get up and say: "Well, that was a very radical measure; it wasn't carefully studied." But, you know, I thought it was a pretty good proposition. Previous Legislatures, in which the radical from Winterport was not a member, had seen fit to pass the same proposition to the city of Portland. I thought if it was good for Portland, it might have been good for Augusta.

Now I have shown you right here on paper that I had a program that conservatively would have helped us nearly half a million dollars on the budget. I was not elected Floor Leader here. You would not expect me to take over the duties of such a distinguished attorney and legislator as our good friend from Augusta (Mr. Farris), but in a couple of more years, perhaps, if my good friends in the Senate see fit, perhaps they will let me bring in a program.

Now I think we have had enough of this personality, but, seriously, members, I have been over here working, and I have tried to do something. You may not agree with me now, but anyway, I have called them just as I have seen them. (Applause)

Mr. Farris was granted permission of the House to speak the third time.

Mr. FARRIS: Mr. Speaker, I wish to give the gentleman from Winterport (Mr. Fernald) all credit that is due him. I do not like to hear him say "My plan," "My program" too much, because it is the whole Legislature. I worked with the gentleman from Winterport on the committee on Judiciary, and we got along very well. It is true that he put in a bill to raise the borrowing capacity of the State Government from \$800,000 to \$2,000,000. They tell me that he came down here about two weeks before hand and found out what the Democratic Party was going to put in for a program, and he got all the bills in ahead of them. (Laughter)

The Governor also wanted a \$2,000,000 bond issue for relief. They say the gentleman from Winterport got down here early and heard about that, and that he drafted his own bill, or the Revisor of Statutes drafted it for him, so that he got ahead of the Governor on that. So, really, he is ahead of the Governor on his legislation.

But, seriously, we considered the bond issue in the committee on Judiciary, and I went along with him on that, and it has just been passed to be enacted. That is to borrow \$2,000,000 for relief in this State. That is one reason why we are in such a condition as we are. We have got to pay interest on some of these bonds we have issued in years past. We have power to raise \$31,000,000 on bonds. We have in-

terest to pay on bonds April 1st \$800,000. Where are we going to get the money to pay it with?

All his money is on paper. He does not tell us where we can get money, except on paper. We want to know where we can get real money, not where we are going to borrow money.

On the proposition of the debt limit of cities and towns, raising it from five per cent to seven and a half, we went along with him on that, and in this Legislature we have passed three constitutional amendments and one resolve, and we have also the machinery by legislative act to carry out the proposition so that the cities and towns can borrow from the State out of this \$2,000,000, when they need it, at a low rate of interest. He went along with us on that proposition in the committee, and signed the report ought to pass, as I understand it. It was understood that this bill was to be killed, ought not to pass—and that is what he has had so much fuss about this afternoon. He says the city of Waterville can raise \$150,000 under it. Where are they going to raise it? The banks are closed in many instances and cannot loan money to the cities.

The gentleman has proposed a constitutional amendment which must be passed upon by the people next September. Now where are we going to get the money before July 1 to pay our current expenses and interest on our bonds? Will you tell me that? You cannot do it with any figures on your paper down there. His theories are fine; his principles are fine; but his practical common sense in this proposition I feel is lacking. He does not get down to the bed rock of the proposition.

Now I hope that you gentlemen of the House have heard enough about this bill. We have debated it here two or three days—in regard to flexibility of appropriations to be handled by the Governor and Council. We have amended the bill so it only confers authority on the Governor and Council for a period of nine months, to January 1, 1934. I feel, at this time, in this emergency, considering the lack of funds in our State Treasury, and considering our banking situation in this State, that this bill should have passage.

Mr. FERNALD: Mr. Speaker—

The SPEAKER: Does the gentleman desire to speak on this bill or to continue this matter which the Chair has let run along?

Mr. FERNALD: The defense rests.

The SPEAKER: The Chair is willing to give all possible leeway to the discussion on the merits of this bill, but discussion has gone quite a way afield.

Mr. SCATES of Westbrook: Mr. Speaker, they speak about saving \$8,000,000. Good! They speak about raising \$100,000. Good! But do you know how much it is costing this State every day to carry on? It is costing nearly \$30,000 every day, and between now and July 1st you have got to pick up somewhere nearly \$2,500,000. And that does not include interest on the bonds. Think of that!

Mr. ASHBY: Mr. Speaker, the gentleman from Augusta (Mr. Farris) wishes a constructive program. He asks how you are going to raise this money. I will tell you how to do it. Recall your two Grange Bills that you referred to a referendum. They were backed by 43,000 voters of the State of Maine. Pass them here tonight. Attach your everlasting emergency clause, and get the Governor to sign them tonight, and they will be available for April taxation. They will return more than money enough to balance your budget. But because they were Grange bills you referred them to a referendum in September. They are going through in September, because they are backed by 50,000 voters. Pass those bills, and they will return the necessary taxation money to balance your budget.

The great trouble is that you want to balance your budget but you want it to come from the poor devil; you do not want it to come from the big corporation that can pay. If you want to balance your budget and have a constructive program here, then recall these bills, pass them, attach the emergency clause, get the Governor to sign them tonight, and you will have your money by July 1st. (Applause)

Mr. CARLETON of Portland: Mr. Speaker, I have known something about the finances of the State, or I should. I have worked on the budget, and I have tried to

handle the finances of the State, and I believe that this is a good, fair, safe proposition for us to tackle. I am very much in favor of it. I think it will give us the relief we want, and I sincerely hope that it will pass.

In my experience of six years in the finances of this State I probably have known as much about it as some of the members who are lawyers. I will give you more figures on the budget when it comes before you in a little while. If we can get this through, I think it will help the State out in every way and give us a chance. It is simply a matter of bookkeeping, and we can change the money from one department to another and take care of affairs as you would in any business proposition. It will work out all right, and the State of Maine will be better off.

Mr. FERNALD: Mr. Speaker, I do not intend to carry on the discussion any more, but after the explanation of the distinguished gentleman from Portland (Mr. Carleton) it seems that what we should do is to delegate our powers to a good bookkeeper.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Farris - - -

Mr. THOMPSON of Belfast: Mr. Speaker, I move that when this vote is taken, it be taken by the yeas and nays.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Farris, that this bill be passed to be enacted. The gentleman from Belfast, Mr. Thompson, has requested that when the vote is taken, it be taken by the yeas and nays. All those in favor of the motion that the vote be taken by the yeas and nays will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: A sufficient number obviously having arisen, the yeas and nays are ordered. The pending question is the motion of the gentleman from Augusta, Mr. Farris, that this bill, which has had its three several readings in the House and has been passed to be engrossed, and has its two several readings in the Senate and has been passed to be engrossed, and has been reported by the commit-

tee on Engrossed Bills as being truly and strictly engrossed, be now passed to be enacted. This bill bears an emergency clause, and on its passage to be enacted requires the affirmative vote of two-thirds of the entire membership of the House. The Clerk will call the roll.

YEA—Allison, Audet, Bailey, Whitefield; Bartlett, Belanger, Berry, Berwick, Boyle, Breen, Bucknam, Burgess, Burkett, Burns, Bushey, Bussey, Carignan, Carleton, Carswell, Carter, Chase, Baring; Chase, Sebec; Clarke, Collins, Cook, Dow, Portland; Drisko, Dunn, Duquette, Eastman, Ellis, Farris, Fenselson, Flanders, Fogg, Rockland; Forgue, Lewiston; Friend, Gallagher, Goodwin, Gray, Gross, Hall, Ham, Hamel, George; Hamel, Napoleon, Hancock, Haskell, Hastings, Hescocck, Hickey, Hobbs, Holden, Hussey, Jones, Knight, Labbee, Lancaster, Leathers, Lebel, Lewis, Lindsey, Littlefield, Bluehill; Luce, Mace, Mack, Mason, Mechanic Falls; Mason, Raymond; McKinney, Michaud, Morin, Nevers, O'Connor, Peacock, Piper, Plouff, Quine, Raymond, Rea, Rush, Russ, Sargent, Scates, Shaw, Smith, Orono; Smith, Vinalhaven; Soper, Sterling, Stover, Thomas, Thompson, Thurston, Tompkins, Bridgewater; Tompkins, Houlton; Tupper, Valley, Viles, Walker, Rockport; Ward, Harrison; Ward, Thorndike; Wentworth, Whitney, Williams, Wright.—102 yeas.

NAY—Ashby, Bailey, Woolwich; Bennett, Blanchard, Chase, Limington; Clement, Cobb, Crowell, Deering, Devereux, Dow, Livermore; Eldridge, Fernald, Fowles, Graves, Haggett, Hanson, Hawkes, Hill, Hills, Laughlin, Littlefield, Alfred; Lord, Martin, Mayers, Norris, Oliver, Osgood, Plummer, Richardson, Ryder, Sanborn, Baldwin; Sanborn, Weld; Sprague, Tillson, Wallingford, Webber.—37 no.

ABSENT—Gagnon, Goudy, MacPherson, Newcomb, Rand, Rounds, Smith, Masardis; Stern, Walker, Rockland; White, Whitten, Young.—12 absent.

The Clerk will call the name of the Speaker.

Thereupon, Speaker Burkett's name was called and he voted yes.

One hundred and two voting in the affirmative, 37 in the negative, and 12 being absent, 102 being more than two-thirds of the entire membership of the House, the bill was passed to be enacted. (Applause and cheers).

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to

the Repeal of Bounty on Bear" (H. P. No. 729) (L. D. No. 336) reporting that they are unable to agree.

(Signed)

Messrs. RUSS of Woodstock
SANBORN of Weld
DRISKO of Jonesboro
—Committee on part of House
ANGELL of York
PAGE of Somerset
—Committee on part of Senate
Was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up, out of order, and under suspension of the rules.

From the Senate:

Joint order relative to study of pauper laws of State, S. P. 605, which was passed in concurrence in the House on March 21st.

Comes from the Senate with the following members appointed on its part.

Messrs. Holmes of Androscoggin
Weeks of Somerset

In the House, the Chair appointed on the committee on the part of the House, Messrs. Tompkins of Houlton, Jones of Winthrop and Goodwin of Mexico.

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Corporations for the Protection and Development of Forests" (S. P. No. 578) (L. D. No. 871) reporting that they are unable to agree.

(Signed)

Messrs. WEEKS of Somerset
HOLMAN of Franklin
VILES of Kennebec
—Committee on part of Senate
SANBORN of Weld
BENNETT of Presque Isle
LITTLEFIELD of Alfred
—Committee on part of House

Comes from the Senate, read and accepted.

In the House, on motion by Mr. Tupper of Calais, the report was accepted in concurrence.

Mr. TUPPER: Mr. Speaker, I move that the House recede and concur with the Senate.

Miss LAUGHLIN of Portland: Mr. Speaker, I understood that there was a conference committee report that they could not agree.

The SPEAKER: That is what the conference committee reported.

Miss LAUGHLIN: Then I can-

not understand, Mr. Speaker, why that motion is in order that was just made. I thought Rule 13 provided that there could not be any further action taken except by another committee. Am I not correct?

The SPEAKER: The Chair ruled once this morning that action by the House following the disagreeing report of the Conference committee could be had, if the motion was one that tended to bring the Houses into agreement. The pending question is the motion of the gentleman from Calais, Mr. Tupper, that the House recede and concur with the Senate in the passage of this bill to be engrossed.

Mr. REA of Lagrange: Mr. Speaker, is this question debatable?

The SPEAKER: Certainly.

Mr. REA: I am frank to confess, Mr. Speaker, that I am not sufficiently familiar with parliamentary procedure to know the standing of this bill at all. I understood when the committee of conference disagreed that settled it. I do not feel that we are getting a fair shake here for some reason or other, and I hope that the motion of the gentleman from Calais (Mr. Tupper) does not prevail. I believe if you people understood it thoroughly you would not allow it.

Mr. CROWELL of Weston: Mr. Speaker, may I ask what document this is?

The SPEAKER: The Clerk will read again the title of the bill.

(Title read)

Mr. CROWELL: Mr. Speaker, I wish to second the motion of the gentleman from Lagrange, Mr. Rea. I do not think we should concur with the Senate.

The SPEAKER: The pending question is the motion of the gentleman from Calais, Mr. Tupper, that the House recede and concur with the Senate in the passage of this bill to be engrossed. All those in favor will say aye, contrary minded no.

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

The SPEAKER: The House has now in its possession L. D. 1052, bill an act relating to malt beverages and to derive revenue from the manufacture and sale thereof, being House Paper 1748, L. D. 1052. This was passed to be engrossed in

the House earlier today as amended by House Amendment A.

It now comes from the Senate passed to be engrossed as amended by House Amendment A and Senate Amendment A in non-concurrence.

In the House: Senate Amendment A read.

Thereupon the House voted to reconsider its action whereby this bill was passed to be engrossed, and Senate Amendment A by a viva voce vote was adopted in concurrence.

Mr. SCATES of Westbrook: Mr. Speaker, I offer House Amendment B and move its adoption as follows:

House Amendment B to L. D. 1052.

Amend said bill by inserting after the word "to" in the last line of section fifteen the words "the manufacture or sale of".

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

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate:

Resolve in favor of the City of Old Town (H. P. No. 946) which was finally passed in the House earlier in the day.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Hickey of Old Town that body voted to insist on its action whereby this resolve was finally passed and ask for a committee of conference.

The SPEAKER: The Chair will appoint the Conference committee later.

From the Senate:

An Act relating to the Maintenance of the Androscoggin Lake Dam (H. P. No. 1738) (L. D. No. 1050) which was passed to be enacted in the House earlier in the day and passed to be engrossed on March 31st.

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 the House recon-

sidered its action whereby earlier in the day this bill was passed to be enacted. It also reconsidered its action whereby the bill was passed to be engrossed.

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

The SPEAKER: The Chair appoints as conferees on the disagreeing action of the two bodies on resolve in favor of the city of Old Town, Messrs. Hickey of Old Town, Smith of Orono and Bussey of Dixmont.

Passed to be Enacted

(Out of order, and under suspension of the rules)

(H. P. No. 1698) (L. D. No. 1020)

An Act to provide for Old Age Pensions.

Finally Passed

(S. P. No. 672) Resolve on the Payroll of the Senate of the Eighty-sixth Legislature.

Report of Committee

(Out of order under suspension of the rules)

Mr. Jones from the Committee on Ways and Bridges on the following Resolves:

Town of Addison, H. P. 404.

Town of Albion, H. P. 179.

Town of Alexander, H. P. 324.

Town of Alfred, H. P. 415.

Town of Alna, H. P. 272.

Town of Andover, H. P. 685.

Town of Anson, H. P. 277.

Town of Appleton, H. P. 265.

Town of Arrowsic, S. P. 244.

Town of Ashland, H. P. 515.

Town of Atkinson, H. P. 976.

Town of Athens, H. P. 325.

Town of Avon, S. P. 136.

Town of Baldwin, H. P. 973.

Town of Bancroft, H. P. 249.

Town of Bar Harbor, H. P. 485.

City of Bath, H. P. 315.

City of Belfast, H. P. 322.

Town of Belmont, H. P. 981.

Town of Benton, H. P. 180.

Town of Berwick, H. P. 457.

Town of Bethel, H. P. 999.

City of Biddeford, H. P. 952.

Town of Bingham, H. P. 289.

Birch Point Village Corp., S. P.

245.

Town of Blaine, H. P. 138.

Town of Bluehill, H. P. 306.

- Town of Boothbay, H. P. 329.
 Town of Boothbay, H. P. 330.
 Town of Bowdoin, H. P. 481.
 Town of Bowdoinham, H. P. 478.
 Town of Bradford, H. P. 108.
 Town of Bradford, H. P. 109.
 City of Brewer, H. P. 320.
 Town of Bremen, H. P. 476.
 Town of Bridgewater, H. P. 232.
 Town of Brooks, H. P. 297.
 Town of Brooksville, H. P. 134.
 Town of Brownfield, H. P. 287.
 Town of Brownville, H. P. 974.
 Town of Burnham, H. P. 296.
 Town of Buxton, H. P. 965.
 Town of Byron, H. P. 984.
 City of Calais, H. P. 521.
 Town of Cambridge, H. P. 173.
 Town of Camden, H. P. 264.
 Town of Canaan, H. P. 326.
 Town of Canaan, H. P. 327.
 Town of Canton, H. P. 446.
 Town of Caribou, S. P. 242.
 Town of Carroll, H. P. 526.
 Towns of Casco & Raymond, H. P. 185.
 Town of Chapman, H. P. 139.
 Town of Charlotte, H. P. 255.
 Town of Cherryfield, H. P. 246.
 Town of Chesterville, H. P. 307.
 Chesuncook Plantation, H. P. 484.
 Town of China, H. P. 412.
 Town of Clinton, H. P. 178.
 Codyville Plantation, H. P. 456.
 Town of Concord, H. P. 278.
 Town of Cooper, H. P. 184.
 Town of Cornish, H. P. 997.
 Town of Cornville, H. P. 422.
 Town of Cranberry Island, H. P. 1002.
 Town of Crystal, H. P. 308.
 Town of Cushing, H. P. 240.
 Dallas Plantation, H. P. 338.
 Town of Danforth, H. P. 454.
 Town of Detroit, H. P. 955.
 Town of Dexter, H. P. 498.
 Town of Dixmont, H. P. 400.
 Town of Dover - Foxcroft, H. P. 170.
 Town of Dresden, S. P. 130.
 Town of Durham, H. P. 252.
 Town of Eagle Lake, H. P. 334.
 Town of East Machias, H. P. 309.
 Town of Easton, H. P. 303.
 Town of Eddington, H. P. 242.
 Town of Edgecomb, H. P. 59.
 Town of Edgecomb, H. P. 60.
 Town of Edmunds, H. P. 283.
 Town of Embden, H. P. 425.
 Town of Exeter, H. P. 248.
 Town of Fairfield, S. P. 138.
 Town of Fairfield, H. P. 453.
 Town of Farmingdale, H. P. 994.
 Town of Fayette, H. P. 236.
 Town of Fort Fairfield, H. P. 82.
 Town of Frankfort, H. P. 470.
 Town of Franklin, S. P. 127.
 Town of Freedom, H. P. 177.
 Town of Freeman, H. P. 345.
 Town of Freeport, H. P. 237.
 Town of Fryeburg, H. P. 286.
 Town of Garland, H. P. 295.
 Town of Gilead, H. P. 284.
 Town of Glenburn, H. P. 492.
 Town of Gorham, H. P. 487.
 Town of Gray, H. P. 683.
 Town of Gray, S. P. 249.
 Town of Greene, H. P. 337.
 Town of Greenfield, H. P. 684.
 Town of Greenville, H. P. 294.
 Town of Greenwood, H. P. 1001.
 City of Hallowell, H. P. 182.
 Hamlin Plantation, H. P. 410.
 Town of Hancock, H. P. 674.
 Town of Hanover, S. P. 133.
 Town of Harmony, H. P. 328.
 Town of Harrison, H. P. 971.
 Town of Harrington, H. P. 304.
 Town of Hartford, H. P. 445.
 Town of Hartland, H. P. 172.
 Town of Hebron, H. P. 311.
 Town of Hermon, H. P. 136.
 Town of Hermon, H. P. 490.
 Town of Hermon, H. P. 491.
 Highland Plantation, H. P. 505.
 Town of Holden, H. P. 963.
 Town of Hope, H. P. 263.
 Town of Hudson, H. P. 401.
 Town of Houlton, H. P. 40.
 Town of Industry, H. P. 260.
 Jackman Plantation, H. P. 291.
 Town of Jackson, H. P. 298.
 Town of Jefferson, H. P. 268.
 Town of Jefferson, H. P. 269.
 Town of Jonesboro, H. P. 448.
 Town of Kennebunk, S. P. 247.
 Town of Kennebunk, S. P. 248.
 Town of Kennebunkport, H. P. 420.
 Town of Kittery, H. P. 949.
 Town of Knox, H. P. 273.
 Town of LaGrange, H. P. 499.
 Town of LaGrange, H. P. 141.
 Lake View Plantation, S. P. 117.
 Town of Lamoine, H. P. 957.
 Town of Lebanon, H. P. 317.
 Town of Leeds, H. P. 353.
 Town of Levant, H. P. 447.
 Town of Liberty, H. P. 175.
 Town of Limestone, H. P. 411.
 Town of Limington, H. P. 408.
 Town of Lincolnville, H. P. 982.
 Town of Linneus, H. P. 460.
 Town of Litchfield, H. P. 421.
 Town of Livermore, H. P. 418.
 Long Island Plantation, H. P. 20.
 Town of Lubec, H. P. 233.
 Town of Ludlow, H. P. 519.
 Town of Lyman, H. P. 964.
 Town of Machiasport, H. P. 449.
 Town of Madison, H. P. 947.
 Town of Manchester, H. P. 419.

- Town of Mariaville, H. P. 279.
 Town of Marion, H. P. 679.
 Town of Masardis, H. P. 677.
 Town of Mechanic Falls, H. P. 496.
 Town of Merrill, H. P. 302.
 Town of Mexico, H. P. 414.
 Town of Milbridge, H. P. 245.
 Town of Milbridge, H. P. 513.
 Town of Milford, H. P. 527.
 Town of Milo, S. P. 118.
 Town of Minot, H. P. 495.
 Town of Monmouth, H. P. 230.
 Town of Monroe, S. P. 119.
 Town of Monson, H. P. 483.
 Town of Montville, S. P. 131.
 Town of Morrill, H. P. 292.
 Town of Mount Vernon, H. P. 959.
 Town of Naples, H. P. 488.
 Town of Newburgh, H. P. 402.
 Town of Newcastle, H. P. 270.
 Town of Newport, H. P. 247.
 Town of New Portland, H. P. 288.
 Town of New Sharon, H. P. 105.
 Town of New Sweden, H. P. 275.
 Town of New Vineyard, H. P. 261.
 Town of Norridgewock, H. P. 450.
 Town of North Berwick, H. P. 318.
 Town of North Haven, H. P. 280.
 Town of Northport, H. P. 176.
 Town of North Yarmouth, H. P. 405.
 Town of Oakfield, H. P. 518.
 Town of Orient, H. P. 459.
 Town of Orrington, H. P. 243.
 Town of Orland, H. P. 58.
 Town of Otis, H. P. 967.
 Town of Otisfield, H. P. 972.
 Town of Owls Head, H. P. 241.
 Town of Palermo, H. P. 983.
 Town of Palmyra, H. P. 423.
 Town of Patten, H. P. 233.
 Town of Pembroke, H. P. 256.
 Town of Parkman, S. P. 243.
 Town of Penobscot, H. P. 57.
 Perkins Plantation, H. P. 262.
 Town of Perry, H. P. 992.
 Town of Phippsburg, H. P. 316.
 Town of Pittsfield, H. P. 183.
 Town of Pittsfield, H. P. 81.
 Town of Pittston, H. P. 61.
 Town of Pittston, H. P. 62.
 Town of Plymouth, H. P. 403.
 Town of Poland, H. P. 486.
 Town of Presque Isle, H. P. 444.
 Town of Princeton, H. P. 455.
 Town of Prospect, H. P. 471.
 Town of Randolph, H. P. 474.
 Town of Raymond, S. P. 101.
 Town of Raymond, H. P. 678.
 Reed Plantation, H. P. 970.
 Town of Richmond, H. P. 480.
 Town of Ripley, H. P. 305.
 Town of Rockport, H. P. 524.
 Town of Roxbury, H. P. 985.
 City of Saco, H. P. 968.
 City of Saco, H. P. 969.
 Town of Salem, H. P. 342.
 Sandy River Township, H. P. 501.
 Town of Sangerville, H. P. 171.
 Town of Scarborough, H. P. 966.
 Town of Searsmont, S. P. 129.
 Town of Seaside, H. P. 467.
 Town of Sebec, H. P. 978.
 Town of Sedgwick, H. P. 133.
 Town of Sherman, H. P. 407.
 Sidney, Oakland & Belgrade, H. P. 238.
 Town of Skowhegan, H. P. 948.
 Town of Skowhegan, H. P. 323.
 Town of Skowhegan, H. P. 132.
 Town of Somerville, H. P. 271.
 Town of South Berwick, H. P. 458.
 Town of Southport, H. P. 493.
 Town of South Portland, H. P. 340.
 Town of South Thomaston, H. P. 239.
 Town of Southwest Harbor, S. P. 74.
 Stacyville Plantation, H. P. 234.
 Town of Starks, H. P. 462.
 Town of St. Albans, H. P. 174.
 Town of St. Frances, H. P. 977.
 Town of Stetson, H. P. 975.
 Town of Stockton Springs, H. P. 472.
 Town of Sumner, H. P. 312.
 Town of Surry, H. P. 494.
 Town of Swanville, S. P. 121.
 Town of Temple, H. P. 106.
 Town of Thorndike, H. P. 299.
 Town of Topsham, H. P. 980.
 Township 30, Washington Co., H. P. 954.
 Township 31, Washington Co., H. P. 953.
 Town of Tremont, H. P. 958.
 Town of Trescott, H. P. 282.
 Town of Troy, H. P. 300.
 Town of Turner, H. P. 181.
 Township 1 and others, Piscataquis County, H. P. 313.
 Town of Union, H. P. 960.
 Town of Unity, H. P. 301.
 Town of Van Buren, H. P. 497.
 Town of Vinalhaven, H. P. 281.
 Town of Waldo, S. P. 120.
 Town of Waldoboro, S. P. 124.
 Town of Waldoboro, S. P. 123.
 Town of Wales, H. P. 310.
 Wallagrass Plantation, H. P. 335.
 Wallagrass Plantation, H. P. 336.
 Town of Warren, H. P. 222.
 Town of Washburn, S. P. 132.
 Town of Washington, H. P. 944.
 Town of Waterboro, H. P. 995.
 Town of Waterford, H. P. 489.
 Town of Wayne, H. P. 413.
 Town of Webster, H. P. 251.
 Town of Wells, H. P. 319.
 Town of West Bath, S. P. 246.
 City of Westbrook, H. P. 339.
 Town of West Gardiner, H. P. 996.
 Town of Westport, H. P. 273.

Town of Whitefield, H. P. 266.
 Town of Whitefield, H. P. 267.
 Town of Wilson's Mills, H. P. 477.
 Town of Winterport, H. P. 468.
 Town of Winthrop, H. P. 1003.
 Town of Winslow, H. P. 1000.
 Town of Woodland, H. P. 276.
 Town of Woodstock, H. P. 135.
 Town of Woolwich, H. P. 409.
 Town of Yarmouth, H. P. 962.
 Town of York, H. P. 416.

Reported same in a new draft (H. P. No. 1744) under title of "Resolve for the Construction, Maintenance and Repair of Roads, Bridges and Ferries" and that it "Ought to pass"

Report read and accepted.

Thereupon the resolve had its two several readings and was passed to be engrossed, and sent up for concurrence.

Report of Committee

(Out of order under suspension of the rules)

Mr. Jones from the Committee on Ways and Bridges reported "Ought not to pass" on the following Resolves:

Town of Brownville, H. P. 998.
 City of Biddeford, H. P. 951.
 Town of Bowdoin, H. P. 482.
 Brighton Plantation, H. P. 508.
 Bristol, H. P. 331.
 Brooklin, H. P. 475.
 Caratunk Plantation, H. P. 290.
 Chesterville, H. P. 107.
 Crystal, H. P. 676.
 Dead River Plantation, H. P. 511.
 Dresden, H. P. 424.
 Eagle Lake, H. P. 333.
 Embden, H. P. 417.
 E. Plantation, H. P. 137.
 Flagstaff Plantation, H. P. 504.
 The Forks Plantation, H. P. 502.
 Town of Frankfort, H. P. 469.
 Haynesville, H. P. 250.
 Islesboro, H. P. 473.
 Plantation of Jerusalem, H. P. 343.
 Lexington Plantation, H. P. 506.
 Littleton, H. P. 517.
 Machiasport, H. P. 675.
 Machiasport and East Machias, H. P. 169.
 Mars Hill, H. P. 231.
 Mayfield Plantation, H. P. 509.
 Moose River Plantation, H. P. 500.
 Moscow, H. P. 503.
 North Berwick, H. P. 406.
 Pleasant Ridge Plantation, H. P. 507.
 Perry, H. P. 254.
 Phippsburg, H. P. 314.
 Rangeley Plantation, H. P. 344.

Richmond, H. P. 479.
 Sandy River Plantation, H. P. 341.
 Starks, H. P. 451.
 Starks (Petition), H. P. 452
 Starks, H. P. 464.
 Starks (Petition), H. P. 465.
 Starks (Petition), H. P. 463.
 St. George, H. P. 516.
 Union, H. P. 523.
 Unity, H. P. 681.
 Unity, H. P. 950.
 Waldoboro, H. P. 124.
 Wesley, H. P. 168.
 Westport Ferry Landing, H. P. 274.
 West Forks, H. P. 510.
 Weston, H. P. 461.
 Winterville Plantation, H. P. 332.
 Steuben, H. P. 244.
 Hebron, H. P. 285.
 Report read and accepted and sent up for concurrence.

Passed to be Enacted

(Out of order under suspension of the rules)

(S. P. No. 576) (L. D. No. 866)
 An act reducing the compensation of State officials and employees.

The following bills were received out of order, under suspension of the rules:

H. P. 1751: Bill An act for the assessment of a State tax for the year 1933.

On motion by Mr. Carleton the rules were suspended and this bill, without reference to a committee, had its three several readings and was passed to be engrossed.

H. P. 1752: Bill An act for the assessment of a State tax for the year 1934.

On motion by Mr. Carleton of Portland, under suspension of the rules this bill, without reference to a committee, was given its three several readings and passed to be engrossed.

Mr. CARLETON: Mr. Speaker, if the members would like to know something about the State finances, I would be pleased to enlighten them. I find that our appropriations for 1931-1933 will amount to \$10,393,311; for 1935, \$10,836,586. This is a reduction of \$2,200,721. This appropriation act calls for \$8,192,590 and the budget estimate was \$8,116,522. This is an increase over estimate of \$76,068. This increase was caused by our not allowing quite enough for some of the activities of the Legislature. We did not plan for the stipend for fairs

which the House and Senate voted to have, amounting to \$16,751. Industrial Accident Commission required \$3,500, the Library stipend was \$7,500 more, interest lands reserve \$21,000 more, aid to academies, \$13,500 more, referendum election, \$9,000 more, that is for the first year, and nothing for the next year on that item. The increase over the budget estimate as to Indian Tribes for repairing their buildings, \$2,500 each year, and \$1250 for their schooling over previous years. Infantile paralysis: This is a new item but we found that there was more or less of it in the State and we thought best to set up a fund for that item of \$2,000. The State Prison, \$5,000 each year, and that is to take care of the two buildings required there. Claims overran \$26,025. There are other items amounting to \$16,091 of a miscellaneous nature. Pensions granted overran our estimate, \$10,500. This makes \$135,957 for the first year and \$88,051 the second year. Our reductions during this time were \$59,899 the first year and \$66,020 the second year, making a total of \$98,000 for the two years over our estimate. This amount will be changed by pay cuts and adjustments in amount not determined at this date. We are looking for some reduction on our tax rate but we figure it cannot be less than seven and a quarter mills for both years. Our overlay for safety must come from a reduction in expenditures. There has been no provision for uncollected taxes which we had hoped to get.

If there is any question anyone would like to ask I would be glad to answer it if I can. This rate is the same as for the last two years.

Mr. RICHARDSON of South Portland: Mr. Speaker, may I inquire of the gentleman from Portland if he said the pensions committee had overdrawn \$10,000?

Mr. CARLETON: Ten thousand dollars over what we estimated.

Mr. RICHARDSON: Overdrawn two thousand dollars?

Mr. CARLETON: Twenty-five hundred dollars.

Mr. RICHARDSON: That isn't ten thousand dollars.

Mr. CARLETON: It is ten thousand dollars more than we estimated and \$10,500 more than we set up.

Mr. RICHARDSON: You set up \$2,500?

Mr. CARLETON: No, we set up \$65,000, I think you will find.

Mr. RICHARDSON: That is the total of the whole, for the old pension. I am speaking of the new pension.

Mr. FARRIS of Augusta: Mr. Speaker, may I inquire through the Chair, if the appropriations committee has made any provision for uncollected taxes.

Mr. CARLETON: No, I said that there was no provision made for uncollected taxes as that is an unknown quantity and could not be estimated.

Mr. FARRIS: If they actually come in, there would be more money available later?

Mr. CARLETON: Yes.

Mr. SCATES of Westbrook: Mr. Speaker, I think this is a wonderful showing on the part of the committee of Appropriations, and also on the part of the Legislature that we have not exceeded—only a little—the amount recommended by the budget committee; only by about one hundred thousand dollars, I think.

Mr. CARLETON: To be exact, it would be \$98,000, or, as I estimate, about one-half a mill.

Mr. SCATES: I think there is a great deal of credit due to the budget committee and to the committee on Appropriations and Financial Affairs and also to the different committees who have served and confined themselves so closely to the recommendations of the Budget committee. I think that everyone is to be congratulated on that fact when the budget committee recommended that we cut off about two million dollars from the appropriations of the last Legislature.

Mr. CARLETON: To be exact, the cut was \$2,200,721.

From the Senate: (Out of order and under suspension of the rules)

Final report of the committee on Judiciary.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

From the Senate: (Out of order and under suspension of the rules)

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to appropriate Moneys for the Expenditures of State Government and for other purposes for the Fiscal Years end-

ing June 30, 1934 and June 30, 1935" (S. P. No. 135) (L. D. No. 136) reporting same in a new draft (S. P. 676) under same title and that it "Ought to pass"

Comes from the Senate Report read and accepted and the new draft given its several readings under suspension of the rules and passed to be engrossed.

In the House, report read and accepted in concurrence and the new draft was given its three several readings under suspension of the rules and passed to be engrossed in concurrence.

Orders Out of Order

Mr. Plouff of Dexter, presented the following order out of order and moved its passage:

Ordered, that the Superintendent of Buildings be directed to deliver to the Clerk of the House, at his home, such equipment and supplies as the Clerk shall deem necessary for use in completing and indexing the Journal of the House.

The order received passage.

Mr. Scates of Westbrook, presented the following order out of order and moved its passage:

Ordered, that the Speaker be presented with the desk and Chair used by him in his office during the present session.

Mr. SCATES: I will say that this will be a pleasant reminder to the Speaker in the years to come of a rather hectic session.

The order received passage.

The SPEAKER: The Speaker thanks the members for this gift, and always will keep it as a memory of a pleasant session rather than of a hectic session.

Mr. Peacock of Lubec, presented the following order out of order and moved its passage:

Ordered, that the State Librarian mail to each member of the House of Representatives the balance of the legislative record beginning with March 22, 1933, page 668, after the close of the session.

The order received passage.

Miss Laughlin of Portland, presented the following order out of order and moved its passage:

Ordered, that the State Librarian send to each member of the House of Representatives and the Clerk

of the House a copy of the 1933 Laws of Maine when completed.

The order received passage.

On motion by Mr. Tupper of Calais, it was

Ordered, that the House present the Speaker with the gavel which he has used during the session of the Eighty-sixth Legislature.

From the Senate: (Out of order, under suspension of the rules)

Final report of the committee on Appropriations and Financial Affairs.

Counties.

Federal Relations.

Ways and Bridges.

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Passed to be Enacted

(Out of order and under suspension of the rules)

H. P. 1738, L. D. 1050: An act relating to the maintenance of the Androscoggin Lake Dam.

S. P. 676: An act to appropriate moneys for the expenditures of State government and for other purposes for the fiscal years ending June 30, 1934 and June 30, 1935.

H. P. 1752: An act for the assessment of a State tax for the year 1934.

(Emergency Measure)

H. P. 1751: An act for the assessment of a State tax for the year 1933.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division was had,

One hundred and twelve voting in the affirmative and none in the negative, the bill was passed to be enacted.

Passed to be Enacted—continued

S. P. 661, L. D. 1042: An act to provide for a Constitutional Convention to pass on the proposed Twenty-first Amendment to the Constitution of the United States.

H. P. 1748, L. D. 1052: An act relating to malt beverages and to de-

rive revenue from the manufacture and sale thereof.

On motion by Mr. Fernald of Winterport, it was voted to take from the table, H. P. 851, L. D. 262, resolve proposing an amendment to the Constitution raising the State debt limit, which was tabled earlier in the day, pending final passage.

Mr. FERNALD: Mr. Speaker, inasmuch as the essence of that bill has already been acted on by the Legislature and signed by the Governor, I move that it be indefinitely postponed.

The motion prevailed, and the resolve was indefinitely postponed in non-concurrence, and sent up for concurrence.

AFTER RECESS

A message was received from the Senate, through Senator Blaisdell of Hancock, informing the House that the Senate had transacted all the business before it and was ready to adjourn without day.

On motion by Mr. Farris of Augusta, it was voted that the Chair appoint a committee to wait upon the Senate and inform that body that the House has acted upon all business before it and is now ready to adjourn without day.

The Chair appointed on that committee Mr. Farris of Augusta to perform that duty, and that gentleman conveyed the message to the Senate, and upon his return announced that he had performed the duty assigned him.

From the Senate: The following order, out of order and under suspension of the rules:

ORDERED, The House concurring, that a Committee of three on the part of the Senate, with such as the House may join be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them, and are now ready to receive any communication which he may be pleased to make (S. P. No. 677)

Comes from the Senate read and passed, with the following members appointed on its part:

Messrs. Weeks of Somerset, Kitchen of Aroostook, Winn of Androscoggin.

In the House read and passed in concurrence, and the following members were appointed on the part of the House:

Messrs. Scates of Westbrook, Farris of Augusta, Plouff of Dexter, Miss Laughlin of Portland, Messrs. Peacock of Lubec, Thompson of Belfast, Vallely of Sanford.

Subsequently, Mr. Farris, for the committee, reported that the committee had performed the duty assigned it and that the Governor announced that he would at once make to this body such communication as he desired to make.

Thereupon the committee was discharged with the thanks of the House.

Mr. FARRIS of Augusta: Mr. Speaker and members of the House: I want at this time to congratulate our Official Reporter of the House for his untiring efforts during this Session. I know that you all appreciate the difficulties and the bad acoustics in this hall. You have seen him rushing around here, when different members have been speaking, trying to get everything into the Record; and I desire, on behalf of the House, to extend our thanks to our Official Reporter, Cecil Clay, who has been here for ten consecutive sessions—twenty years' service as Official Reporter of the House of Representatives. (Applause)

Communication From the Governor

State of Maine

Office of the Governor

Augusta, March 31, 1933.

To the President of the Senate and the Speaker of the House:

I herewith transmit a list of the acts and resolves passed by the present Legislature.

I have approved a total of 351 acts and 215 resolves.

I know of nothing further to engage your attention. May my best and sincerest wishes attend your journeys home.

Sincerely submitted,

(Signed) LOUIS J. BRANN,
Governor.

Comes from the Senate, read and ordered placed on file.

In the House, read and placed on file in concurrence.

The SPEAKER: The Chair now recognizes the oldest member in point of service present here tonight, the gentleman from Eagle Lake, Mr. Burns.

Mr. BURNS: Mr. Speaker, lady

members and gentleman members of this Legislature: I have the honor of being the oldest member in continuous service in this House. I have been a member here for the past sixteen years.

Now, Mr. Speaker and members

of the Eighty-sixth Legislature, I move that we adjourn sine die.

The SPEAKER: The motion made by the gentleman from Eagle Lake, Mr. Burns, prevails, and the Chair at 11.50 P. M. declares the House of the Eighty-sixth Legislature adjourned without date.