

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
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ERRATA:

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

Page 656—Bill an act relating to weights and measures, Senate Paper 568, Legislative Document 849—should be L. D. 859.
 Page 656—Senate Paper 571 should be 578.
 Page 661—An act closing Middle Range Pond to ice fishing, H. P. 693, L. D. 562—Should be H. P. 693, L. D. 362.
 Page 662—New draft 1632, L. D. 948 should be L. D. 984.
 Page 664—An act relating to school unions, H. P. 1624, L. D. 970—Should be H. P. 1634, L. D. 970.
 Page 669—An act relating to publicity (H. P. 1639, L. D. 975)—Should be (H. P. 1639, L. D. 973)
 Page 669—"An act extending the charter of the Fryeburg Village Fire Corporation" (H. P. 80, L. D. 380)—Should be (H. P. 870, L. D. 380)
 Page 670—Reading misspelled.
 Page 670—Resolve in favor of Frederick A. Burbish of Mt. Vernon (H. P. 747)—Should be Frederick A. Furbish.
 Page 673—An act to revise the Charter of the City of South Portland (H. P. 597, L. D. 923)—Should be (H. P. 1597, L. D. 923)
 Page 676—The President laid before the Senate, (S. P. 212, L. D. 278)—Should be (S. P. 212, L. D. 279)
 Page 679—Resolve providing for a state pension for Mary A. Leighton of Gardiner, (H. P. 74, L. D. 670)—Should be (H. P. 74, L. D. 671)
 Page 679—Resolve providing for an increase in State pension for Lester Paggan of Hermon, (H. P. 56) (L. D. 706)—Should be Lester Patten.
 Page 680—An act to assure a Balanced Budget, (S. P. 827) (L. D. 998)—Should be (S. P. 627) (L. D. 998)
 Page 684—Resolve in favor of a pension for Richard T. Kensall of Alna—Should be Richard T. Kensell.
 Page 696—An Act relating to tax foreclosures (S. P. 636)—Should be (S. P. 317)
 Page 696—Moe should be move.
 Page 714—An act relating to Reports to Towns of Excise Tax Payments (H. P. No. 117) (L. D. No. 561)—Should be (H. P. No. 1170)
 Page 716—"said sum to be used as an offset against any accounts due the State of Maine from the city of Maine."—Should be city of Eastport.
 Page 727—Thereupon H. P. 1334, L. D. 970—should be H. P. 1634, L. D. 970.
 Page 731—Resolve in favor of Lillian R. Cushman" (H. P. 900—Should be (H. P. 800)
 Page 733—reported the same in a second new draft (S. P. 837)—Should be (S. P. 637)
 Page 733—An Act concerning the improvement, protection or preservation of shade, forest or ornamental trees. (H. P. 164, L. D. 975)—Should be (H. P. 1641, L. D. 975)
 Page 755—An Act relating to Disclosures of the Affairs of Corporations and the place within Counties in which Disclosures are to be made" (H. P. No. 110) (L. D. No. 584)—Should be (H. P. No. 1103) (L. D. No. 584)
 Page 769—An act relative to closed time on deer, H. P. 1645, L. D. 921—Should be H. P. 1645, L. D. 991.
 Page 796—(S. P. 34) (L. D. 696) An act relating to dealer's registration, fees for plates, etc.—Should be (S. P. 347) (L. D. 696)
 Page 796—(H. P. No. 1694) (L. D. No. 1008) An act appointing a Commission on Taxation—Should be (H. P. No. 1694) (L. D. No. 1007)
 Page 796—(H. P. No. 1694) (L. D. No. 1006) An act relating to pauper settlement.—Should be (H. P. No. 1694) (L. D. No. 1008)
 Page 796—(S. P. No. 163) (L. D. No. 989) Resolve to repeal a resolve providing for a State pension for Carrie E. Fitch.—Should be (S. P. No. 165) (L. D. No. 989)
 Page 807—An act relating to taxation of motor vehicles (H. P. 865, L. D. 299)—Should be (H. P. 665) (L. D. 299)
 Page 812—S. P. 636, L. D. 1015: Resolve providing for a State pension for Elida F. Whitcomb of Montville.—Should be S. P. 633, L. D. 1015.
 Page 839—An Act to repeal the act incorporating number XIV Plantation in Washington County (H. P. 623, L. D. 164)—Should be (H. P. 623, L. D. 184)
 Page 840—"An act relating to the sale of real estate for taxes" (H. P. 112, L. D. 631)—Should be (H. P. 1122, L. D. 631)
 Page 842—An act to Facilitate Recounting of Ballots (H. P. 1644) (L. D. 99)—Should be (H. P. 1644) (L. D. 992)
 Page 846—Delete second paragraph.

SENATE

Tuesday, March 28, 1933

Senate called to order by the President.

Prayer by the Rev. Edwin Cunningham of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House:

Bill "An Act relating to the purchase and sale of lobsters." (H. P. 1155, L. D. 616)

(In the Senate on March 22d the Minority Report "ought to pass" accepted in non-concurrence)

In the House that body having voted to adhere to its former action whereby the Majority Report "ought not to pass" was accepted.

In the Senate, on motion by Mr. McLoon of Knox, tabled pending consideration and this afternoon assigned.

From the House:

Bill "An Act relating to the repeal of bounty on bear." (H. P. 729, L. D. 336)

(In the Senate on March 23d the Majority Report "ought to pass" was accepted in non-concurrence.)

In the House that body having insisted on its former action whereby the Minority Report "ought not to pass" was accepted, and asked for a Committee of Conference, the Speaker having appointed as members of such Committee

Messrs. Russ of Woodstock
Sanborn of Weld
Drisko of Jonesboro

In the Senate, on motion by Mr. Page of Somerset, the Senate voted to join in the Committee of Conference and the President appointed as members on the part of the Senate:

Senators: Page of Androscoggin
Angell of York
Schnurle of Cumberland

From the House:

The Committee on Judiciary on Bill "An Act relating to corporation for the protection and development of forests." (S. P. 578, L. D. 871) reported that the same ought to pass in a new draft.

(In the Senate on March 10th the report read and accepted.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Weeks of Somerset, the Senate voted to insist on its former action whereby the report of the committee was accepted, and asked for a Committee of Conference the President having appointed as members of such Committee on the part of the Senate:

Senators Weeks of Somerset
Holman of Franklin
Viles of Kennebec

From the House:

The Majority of the Committee on Judiciary on Bill "An Act relating to absentee voters" (H. P. 93, L. D. 50) reported that the same ought not to pass.

(Signed) Weeks of Somerset
Holmes of Androscoggin
Fernald of Winterport
Holman of Franklin
Eldridge of Eastport
Farris of Augusta

The Minority of the same Committee on the same subject reported that the same ought to pass in a new draft (H. P. 1610, L. D. 939)

(Signed) Goudy of South Portland
Laughlin of Portland
Tompkins of Houlton
Hill of South Portland

In the House the Minority Report "ought to pass in new draft" accepted, and House Amendment "A" offered and rejected, and passed to be engrossed as amended by House Amendment "B".

In the Senate, on motion by Mr. Weeks of Somerset, the Majority Report of the Committee "Ought not to Pass" was accepted in non-concurrence.

Sent down for concurrence.

From the House:

The majority of the Committee on Legal Affairs on Bill "An Act relating to towns and town officers" (H. P. 1135, L. D. 645) reported that the same ought to pass in new draft (H. P. 1695, L. D. 1001).

(Signed) Blaisdell of Hancock
Farnsworth of Aroostook
Page of Somerset
Quine of Bangor
Chase of Sebec
Tompkins of Bridgewater
Chase of Baring
Plummer of Portland
Martin of Bangor

The minority of the same Committee on the same subject reported that the same ought not to pass.

(Signed) Sargent of Brewer.

In the House the Minority Report "ought not to pass" accepted.

In the Senate, on motion by Mr. Blaisdell of Hancock, the Majority Report of the Committee "Ought to Pass in New Draft" was accepted in non-concurrence and the bill was given its first reading; on further motion by the same Senator the rules were suspended and the bill was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Reports of Committees

The Committee on Indian Affairs presented its final report.

The Committee on Public Utilities presented its final report.

Which were read and accepted.

Sent down for concurrence.

Passed to be Engrossed

An Act relating to aid to libraries, expenses of state historian, compensation and expenses of geologists, topographic mapping, and abolishment of grade crossings. (S. P. 641, L. D. 1033)

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, Senate Report from the Committee on Judiciary, Report "A" Ought to Pass in New Draft" Report "B" "Ought Not to Pass" on An Act to Define and Limit Sitting in Equity, and for Other Purposes, (S. P. 83) (L. D. 99), tabled by Mr. Holmes of Androscoggin on March 24th pending acceptance of either report, and today assigned; and the Chair recognized that Senator.

Mr. HOLMES of Androscoggin: Mr. President, by inadvertence and carelessness on my part, I did not ask to have the new draft which accompanied the Ought to Pass in New Draft report printed, and it is not printed, and after consultation we think that it would be better for its consideration to retable it and ask that 500 copies be printed, and especially assign it for tomorrow morning.

The motion to retable and print, and especially assign for tomorrow morning prevailed.

The President laid before the Senate, An Act Enabling Cities and Towns to Take Advantage of Reconstruction Finance Corporation Loans for Construction of Sewerage

Works, (S. P. 213) (L. D. 280), tabled by Mr. Schnurle of Cumberland on March 24th pending motion to indefinitely postpone, and today assigned; and the Chair recognized that Senator.

Mr. SCHNURLE of Cumberland: Mr. President, I yield to the Senator from Androscoggin, Senator Holmes.

Thereupon, Mr. Holmes of Androscoggin asked permission of the Senate to withdraw his previous motion to indefinitely postpone the bill.

Permission of the Senate was given to withdraw the motion to indefinitely postpone.

MR. HOLMES of Androscoggin: Mr. President, if the report of the committee has not been accepted, I move it be accepted and the bill be given its two readings under suspension of the rules, so that I may offer an amendment.

THE PRESIDENT: The Chair will advise that the report has been accepted and the bill has been given its first reading.

Thereupon, on motion by Mr. Holmes, the rules were suspended and the bill was given its second reading.

MR. HOLMES: Mr. President, I now offer Senate Amendment "A" and move its adoption. When the Chair and the Secretary see the amendment, perhaps they will think it would be better for me to explain it than to read two pages of close type.

"Senate Amendment 'A' to Legislative Document 280. Amend said Act by inserting in the 1st line of said act after the word 'State' the words 'not now owning such', and by striking out in the 3rd line thereof the words 'and/or without', and by striking out in the 17th line of Sec. 1 the words 'and/or without'.

"Amend Sec. 2 of said act by striking out in the 3rd line thereof the word 'or' following the word 'collection' and inserting the word 'of'.

"Amend Sec. 3 of said act by striking out in the 6th line thereof the word 'common' and inserting in its place the word 'city' and by striking out in the 17th line the word 'any' and insert in its place the word 'no'.

"Amend Sec. 4 of said Act by striking out the word 'controller' and inserting in its place the word 'auditor', and by striking out in the 9th line the word 'controller'

and inserting in place thereof the word 'auditor', and by striking out in the 12th line the word 'common' and inserting the word 'city', and by striking out in the 14th line the word 'controller' and inserting in its place the word 'auditor' and by striking out in the 14th line the word 'common' and inserting in place thereof the word 'city', and by striking out in the 17th line the word 'common' and inserting in its place the word 'city', and by striking out in the 27th line thereof the word 'trustees' and inserting in its place the word 'selectmen', and by striking out in the 29th line the word 'controller' and inserting in its place the word 'auditor' and by striking out in the 29th line thereof the word 'common' and inserting in place thereof the word 'city', and by striking out in the 30th line the word 'controller' and inserting in its place the word 'auditor', and by striking out in the 32nd line the word 'controller' and inserting in place thereof the word 'auditor'.

"Amend Sec. 5 of said Act by striking out in the 2nd line thereof the word 'common' and inserting in its place the word 'city', and by inserting in said 2nd line after the word 'board' the words 'of selectmen', and by inserting in the 3rd line of said section after the word 'board' the words 'of public works'.

"Amend Sec. 6 of said Act by striking out in the 4th and 5th lines the words 'Or for extensions, improvements, or additions thereto' and by striking out in the 10th and succeeding lines, the following words, to wit: 'Provided, the city or town shall be under no obligation to accept and pay for any property condemned and shall in no event pay for any property condemned or purchased, except from the funds provided pursuant to to this act; and in any proceedings to condemn, such orders may be made as may be just to the city or town and to the owners of the property to be condemned, and an undertaking or other security may be required securing such owners against any loss or damage to be sustained by reason of the failure of the city or town to accept and pay for the property, but such undertaking or security shall impose no liability upon the city or town except such as may be paid from the funds provided under the authority of this act', and by inserting in the 21st line after the word

'board' the words 'of public works'.

"Amend Sec. 9 of said Act by striking out in the 16th line thereof the word 'controller' and inserting in its place the word 'Treasurer' and by striking out in the said 16th line the words 'or where there is no city controller then by the city clerk' and by striking out in the 17th line the word 'clerk' and inserting in its place the word 'Treasurer' and by striking out in the 18th and 19th lines thereof the word 'common' and inserting in its place the word 'city' and by inserting in the 19th line after the word 'board' the words 'of selectmen'.

"Amend Sec. 10 of said Act by striking out in the 1st line the word 'common' and inserting in its place the word 'city' and by inserting after the word 'board' in said 1st line the words 'of selectmen'.

"Amend Sec. 12 of said Act by striking out in the 1st line thereof the word 'common' and inserting in its place the word 'city' and by inserting after the word 'board' in said 1st line the words 'of selectmen', and by inserting in the 15th line after the word 'board' the words 'of Public Works' and by inserting in the 17th line after the word 'require' the word 'that' and by inserting in the 19th line after the word 'thereto' the word 'shall' and by striking out in the 24th line of said section the word 'common' and inserting in its place the word 'city' and by inserting in the said 24th line after the word 'board' the words 'of selectmen'.

"Amend Sec. 13 of said Act by striking out in the 1st line the word 'common' and inserting in place thereof the word 'city' and by inserting in the 2nd line after the word 'board' the words 'of selectmen' and by inserting in the 8th line of said section after the word 'board' the words 'of public works' and by inserting in the 20th line after the word 'board' the words 'of public works'.

"Amend Sec. 14 of said Act by striking out in the 1st line the word 'common' and inserting in place thereof the word 'city' and by inserting in said 1st line after the word 'board' the words 'of selectmen' and by striking out in the 44th line the words 'a civil action' and inserting in place thereof the words 'an action of debt' and by striking out in the 45th line the word 'foreclosed' and inserting in place thereof the word 'enforced' and by striking out in the 46th line

the words 'in accordance with the laws relating thereto' and inserting in their place the words 'as now provided by law for enforcement of liens for taxes; such action to be commenced within one year from the date when the rate or charge shall have become due.'

"Amend Sec. 16 of said Act by striking out in the 1st line the word 'common' and inserting in its place the word 'city' and by inserting in said 1st line after the word 'board' the words 'of selectmen' and by striking out in the 4th and 5th lines thereof the words 'president of the board' and inserting in place thereof the words 'first selectman' and by striking out in the 7th line of said section the word 'common' and inserting in place thereof the word 'city' and by inserting in the 7th line after the word 'board' the words 'of selectmen' and by striking out in the 17th line thereof the words 'president of the board, and inserting in their place the words 'first selectmen' and by striking out in the 25th line the word 'common' and inserting in its place the word 'city' and by striking out in the 28th line thereof the word 'common' and inserting in its place the word 'city'.

"Amend Sec. 21 of said Act by striking out in the 3rd, 4th and 5th lines thereof the words 'For all purposes of this act, all cities and towns shall have jurisdiction for ten miles outside the corporate limits thereof'.

"Amend Sec. 22 of said Act by striking out in the 13th line thereof the word 'Board' and inserting in its place the word 'Department' and by adding at the end of Sec. 22 after the word 'act' the following: 'This act shall not be available to cities and towns, which now own sewerage systems for the extension or enlargement of the same, but may be availed of by sewer districts for extension or enlargement of their existing sewerage systems.'"

Mr. HOLMES: Mr. President, this bill to take advantage of Reconstruction Finance Corporation loans for the construction of sewerage works, is the bill that accompanied in the legislature and to the Judiciary Committee a similar bill for water works which on Friday last was amended and passed to be engrossed, and I have had several consultations with the Senator from Cumberland, Senator Schnurle, who introduced the bill and who believes

in its virtue, and I want to say that I, myself, believe in its virtue if it could be so amended that the attempt to work it in this state would not cause greater confusion and consequent harm than no such law at all.

The idea of the bill is, in a general way, to allow the constructing of sewers and sewerage systems of all kinds, even of reclamation and in towns which have no sewers now and to allow the extension and enlargement of sewerage systems in cities and towns which have them already, and it seemed to me and to some others here who consulted about it and who were interested in it that great confusion would arise if the bill became a law in such shape that cities and towns which now have sewerage systems were permitted to try to take advantage of it for the purpose of extending and enlarging their sewerage systems, and that it would be better therefore, to confine it to those towns which now have no sewerage systems and to confine it also to those towns or cities—and I believe there are no cities unless possibly Auburn which have a sewer district corresponding to a water district—because under our chapter in the Revised Statutes in regard to public drains and sewers, which is very old law I think, we have a stated public policy in regard to public sewers. The law as it exists and has existed for many years permits the town or city, when it begins to construct a sewer, to levy an assessment upon the landowners who will be benefited thereby, but the law assumes that after the sewer has been constructed and any landowner enters the same and pays for entering it, that the city and town shall thereafter always maintain that sewer in repair so that it will not cause damage to the party using it by backing up or anything like that, and maintain it in repair forever as a public duty, and it is part of the municipal expense of the city or town just like running the police department or the fire department.

Now, this bill if applied to those cities and towns which now have sewerage systems, publicly owned municipal systems, probably might and would find themselves in the position, if they undertook to take advantage of this act to enlarge their systems, in the same town

they would have two sewerage systems. They would have the municipally owned and they would have this other which would be truly a municipally owned, but which would have to be run in an entirely different way.

The idea of the bill, of course, is to—and the bill provides for the issuing of bonds for the original construction of a sewer in a place where there is none, and in the issuing of bonds for the enlargement and extension of a sewer in a place where there is one, and these bonds then become a mortgage upon the sewerage system and there are very extensive and technical details in the bill for the working out of the financial end of it and the continuing working out, and it is provided that the committee or board, which the bill permits to be either the board of public works or a board corresponding to that, which in a town which has no board of public works and which in a small town might be the board of selectmen or the board of sanitary engineers—that board shall require the land owners who connect with the sewer to always pay for that privilege.

The result then would be that in the same city or town there would be some who were getting their sewer service as a public service paid for out of the tax receipts and revenues from the tax receipts, and others who would be paid especially for the use of its user. It also provides if the bonds are defaulted, the bonds not met when they come due, that the owners of the bonds may institute equity proceedings to foreclose upon the system. That again would result in serious confusion and serious inconvenience, but in the case of the water works bill, it seemed to us if it was confined so far as enlargement and extension goes, to those places where there was a sewerage district that operates separate from the municipal government itself, and if it was confined also to the construction of new sewers entirely and the places which now have no sewers, it might and probably would result in two benefits. One, it would bring Reconstruction Finance Corporation money into the State to employ labor with in building new sewers, and in extending sewers in the place that have sewer districts and thereby it would increase the public ser-

vice given by municipalities in the State.

Now I have tried to amend this bill and it makes two pages of closely typed paper, so that I believe the net result is the bill will accomplish what I have said. In this end of the legislature, everybody is busy on some particular thing, and I have not had the opportunity to consult with the chairman of the Judiciary Committee,—I believe he is in sympathy with this in principle,—or with other members of the committee because each one has been busy on particular matters.

If anyone is in doubt that this amendment would accomplish the purpose as I have stated it, I think the amendment should be printed and it should be laid on the table to let members carefully compare the amendment, the striking out and inserting, with the original bill which is pending.

So now then, Mr. President, for the purpose of getting the idea of the Senate, for the purpose of bringing the matter to decision one way or another, I renew my motion that Senate Amendment "A" be adopted.

MR. HATHAWAY of Piscataquis: Mr. President, may I, through the Chair, ask the Senator from Androscoggin, Senator Holmes, a question?

THE PRESIDENT: The Senator may do so, and the Senator from Androscoggin, Senator Holmes, may answer if he desires.

MR. HATHAWAY: How would this proposed bill, as amended, or proposed to be amended, affect a town which has a privately owned sewerage system, if they wished to take advantage of Reconstruction Finance Corporation loans?

MR. HOLMES: Such towns could take advantage of this act.

MR. HATHAWAY: It provides that?

MR. HOLMES: Yes.

MR. HATHAWAY: I am speaking for my town. We have a privately owned sewer. Thank you.

Thereupon, Senate Amendment "A" was adopted.

THE PRESIDENT: May the Chair suggest to the Senator from Androscoggin, Senator Holmes, that perhaps the most effective way to get the check he desires from the reading by other members, will be to get copies of engrossed bills, if the House and Senate concur in passing this bill to the engrossing state, and having the finished prod-

uct carefully read by several. The chair has read the amendment as well as he can while the Senator has been speaking, and finds that it is quite difficult to follow.

MR. HOLMES: Mr. President, if I understand the Chair correctly, the Chair means if it goes on to the stage where it is engrossed and comes in as an enactor, then that would be the best time to study it?

THE PRESIDENT: The Chair believes he can get engrossed copies from the Secretary of State some time before it comes in for enacting. If the Senator will ask the Secretary of State or the Engrossing Department for copies I am sure that ample copies will be available.

Thereupon, on motion by Mr. Holmes of Androscoggin, the bill, as amended by Senate Amendment "A" was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate, New Draft, 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, (S. P. 629) (L. D. 1000), tabled by Mr. Kitchen of Aroostook on March 24th pending passage to be engrossed, and today assigned; and the Chair recognized that Senator.

MR. KITCHEN of Aroostook: Mr. President, I wish to yield to the Senator from Penobscot, Senator Weatherbee.

MR. WEATHERBEE of Penobscot: Mr. President, I will say that an amendment is being prepared that will meet some of the objections that some have to this bill, and I move that this bill lie on the table during the day and be especially assigned for this afternoon, at which time the amendment will be ready for adoption or rejection.

Thereupon, the bill was retabled pending passage to be engrossed, and especially assigned for this afternoon.

The President laid before the Senate, An Act Relative to the Trial Terms of the Superior Court, (H. P. 32) (L. D. 95), tabled by Mr. Weeks of Somerset on March 27th pending adoption of House Amendment "A"; and today assigned; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, House Amendment "A" was adopted in concurrence;

House Amendment "A" to House Amendment "A" was adopted in concurrence; House Amendment "B" to House Amendment "A" was adopted in concurrence; and the bill as amended by House Amendment "A" as amended by House Amendment "A" and House Amendment "B", was passed to be engrossed in concurrence.

The President laid before the Senate, An Act Relating to the Taking of Testimony, (S. P. 214) (L. D. 278), tabled by Mr. Weeks of Somerset on March 27th pending passage to be enacted, and today assigned, and the Chair recognized that Senator.

Thereupon, on motion by the same Senator, the bill was retabled and especially assigned for this afternoon.

The President laid before the Senate, Resolve in Favor of Lillian R. Cushman, (H. P. 1553) (L. D. 1027), tabled by Mr. Angell of York on March 27th pending second reading, and today assigned, and the Chair recognized that Senator.

Thereupon the same Senator offered Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to Legislative Document 1027, Resolve in Favor of Lillian R. Cushman. Amend said resolve by striking out in the last line of said resolve the words, 'funds of the Department of Inland Fisheries and Game' and inserting in place thereof the words, 'general funds of the state.'"

Thereupon, on motion by Mr. Viles of Kennebec, the bill was retabled pending motion to adopt Senate Amendment "A," and especially assigned for this afternoon.

Emergency Measure

The President laid before the Senate, New Draft, An Act Relative to Reduction Sentence Convicts in State Prison, (H. P. 1578) (L. D. 880), tabled on March 27th by Mr. Weeks of Somerset, pending enactment, and today assigned; and the Chair recognized that Senator.

MR. WEEKS of Somerset: Mr. President, while I do not believe that emergency clauses should be used for the purpose defined in this bill, I understand there is quite a demand for its immediate passage, and while opposing the emergency I will move that it be enacted.

The PRESIDENT: Opposing but not to the extent of striking out?

Mr. WEEKS: That is right, Mr. President.

Thereupon, this bill being an emergency measure and having received an affirmative vote of 29 members of the Senate, was passed to be enacted.

The President laid before the Senate, House Report from the Committee on Labor, "Ought to Pass in a New Draft" (H. P. 1636) on "An Act Relating to the Forty-eight Hour Law" (H. P. 1060, L. D. 450), tabled by Mr. Holmes of Androscoggin on March 27th pending acceptance of the report and today assigned; and the Chair recognized that Senator.

Mr. HOLMES of Androscoggin: Mr. President, I move the acceptance of the report "Ought to pass in new draft." I do this for the purpose of offering an amendment which will bring the true issue clearly before the Senate so that they may vote on the principle of the bill.

Thereupon, the report of the committee "ought to pass in a new draft" was accepted in non-concurrence and the bill was given its first reading.

Mr. Holmes of Androscoggin offered Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to Legislative Document 450, 'An Act relating to the Forty-eight Hour Law.' Amend said Act by striking out all of the Act after the enactment clause and substituting in place thereof the following:

"Chapter 144 of the Public Laws of 1931 is hereby amended by striking out the word 'nine' in the 2nd line of the section numbered 21 and inserting in place thereof the word 'eight,' and by striking out the word 'fifty-four' in the 5th line and substituting the word 'forty-eight,' so that said section as amended shall read as follows:

"Sec. 21. Females not to be employed more than eight hours a day; minors under sixteen years of age not to be employed more than eight hours a day; exceptions. No female shall be employed in any workshop, factory, manufacturing or mechanical establishment more than eight hours in any one day; except when a different apportionment of the hours of labor is made

for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed forty-eight in a week. And no minor under sixteen years of age shall be employed in any of the said establishments of occupations more than eight hours in any one day.'

"And by striking out in the section numbered 23 in the 5th line thereof the word 'fifty-four' and inserting in its place the word 'forty-eight,' so that said section as amended shall read as follows:

"Sec. 23. Minors under sixteen and females not to be employed more than forty-eight hours in any one week; exceptions. No male minor under sixteen years of age and no female shall be employed in any telephone exchange employing more than three operators or in any mercantile establishment, store, restaurant, laundry, telegraph office, or by any express or transportation company in the state of Maine more than forty-eight hours in any one week. The provisions of this section shall not apply between the seventeenth day of December and the twenty-fourth day of December both inclusive, and shall not apply during the eight days prior to Easter Sunday to persons employed in millinery shops or stores. In cases of emergency, in which there is danger to property, life, public safety, or public health and in cases of extraordinary public requirement the provisions of sections twenty-one and twenty-seven inclusive shall not apply to employers engaged in public service.'

Mr. HOLMES: Mr. President, speaking to my motion to adopt Senate Amendment "A" I wish to relate the history of this matter as I gathered it from the newspapers and from conversations. I did not introduce the original bill. It is a House Paper. It was referred to the Committee on Labor. I did not attend the Labor Committee meeting and so I have not first-hand knowledge but I have read the original bill. It was simply a statement of the policy of the State, public policy, that an eight-hour day, or a forty-eight hour week, should constitute a day's work or a week's work legally.

Now, it seems that when the bill reached the Committee on Labor that committee decided to redraft it and they reported it out in a

new draft. I have the new draft and you all have it. It begins like this: "Sec. 1. Revised Statutes, Chap. 54, Sec. 21, amended. Sec. 21 of Chap. 54 of the Revised Statutes is hereby amended to read as follows"—and then it is one section which amends that section 21 of Chap. 54 of the Revised Statutes with merely an additional section repealing the inconsistent act.

Now, it would appear as if—I don't want to be understood as criticising that committee—but in the absence of explanation it would appear as though the committee had overlooked the fact that our Legislature in 1931 had amended Sec. 21 of Chap. 54, so that the committee in reporting the new draft not only disregarded the acts of 1931 but in their new draft in amending Sec. 21 of Chap. 54 of the Revised Statutes struck out the word 'female,' so that Sec. 21 of Chap. 54 of the Revised Statutes begins this way: 'Sec. 21. Persons not to be employed more than eight hours a day. Exceptions. No person shall be employed in any workshop, factory,' etc. The result was that they raised a constitutional question and the House apparently did not care to consider constitutional questions and voted to indefinitely postpone the bill.

Now, it seems to me that it ought not to go out of this Legislature in that way, that it ought to be voted upon on its merits as an economic measure applicable to present conditions, so it seems to me that what the proponents were after could be accomplished best and most simply by taking the act of 1931 and amending the two sections in that act which fix the hours of females and minors under sixteen at nine hours per day and fifty-four hours per week and changing that to eight per day and forty-eight per week. And they have accomplished it because no one would question the right of a sovereign state to regulate the hours of labor of minors and of women who are mothers of the race. Of course the matter is so well settled that there would be no dispute about that. And then the constitutional question of the right of even a sovereign state to say how many hours a man should work would be obviated.

So that if the Senate will con-

sider this matter purely upon the merits as an economic measure we will get the decision of the Senate, and I hope of the House also, and that is of the Legislature, upon the question of whether or not the time has come—and, as I think, came long ago—to set the hours of labor for women and children at forty-eight hours per week, eight per day, which can be shifted around, of course, so as to make forty-eight per week.

Therefore, Mr. President, I am moving the adoption of Senate Amendment "A".

Thereupon, on motion by Mrs. Gay of Lincoln, the bill was laid upon the table pending motion to adopt Senate Amendment "A", and tomorrow assigned.

The President laid before the Senate, House Report from the Committee on Judiciary, Majority Report, "Ought to Pass"; Minority Report, "Ought to Pass in a New Draft" on "An Act to Repeal the Act Incorporating Number XIV Plantation in Washington County" (H. P. 623, L. D. 184), tabled by Mr. McDonald of Washington on March 27th pending acceptance of the Minority Report; and the Chair recognized that Senator.

Mr. McDONALD of Washington: Mr. President and members of the Senate, this matter before us was presented to this Legislature earlier in the session as Legislative Document 968 and it is a bill to repeal the organization of Plantation XIV in Washington County; the Majority Report of the committee "Ought to Pass" and the Minority Report, "Ought to Pass in a New Draft." The only difference in the two bills is that the Minority Report under Sec. 2 is that this act shall become effective when approved by the legal voters of Plantation XIV at any legally called annual or special meeting of the legal voters of said Plantation under an article placed in the warrant of said Plantation for that purpose.

This Plantation, located in Washington County, has a population of only seventy-three people. The school census of 1932 shows a school attendance of thirty-one and only one school. Naturally, when a matter of this kind comes up several things present themselves to us. The first, perhaps is the matter of schools. There is but

one school here, and upon this point I think we are all agreed, that the school is perhaps as good as could be expected in any small community. On that point I think we are all agreed. The second point which naturally comes to us is the matter of highways and management but if I am not mistaken in Washington County the County Commissioners have a good deal to do with overseeing the construction and the outlay of money in that County. And on that point I think we are pretty well agreed.

The next matter that comes up for our consideration is the question of taxes, and I may say that in this particular township, located as it is, a large part of it, on the shores of one of the most beautiful lakes in Maine, Cathance Lake, has a few summer residents and a number of people from the nearby towns of Washington County have located cottages on the shore of the lake and there are also several people from other states who own cottages there.

On the question of taxation, as far as they are concerned and those with whom I have talked, I think the situation is very fair. There is no question but what the taxes have increased in Washington County about one percent in the last year but I submit to you that that isn't anything out of the ordinary. I think many of the larger towns and perhaps many of the cities in the State of Maine have had a corresponding increase in their tax rate. But I think the general complaint from the people who have asked for this, comes from the people who own the wild lands particularly one large concern which owns quite a good deal of the land in that county, and they have complained bitterly of the increase in the tax rate the last year or two. But when the tax rate was just half what it is today these people made the same complaint about their tax rate.

The citizens down there are made up much the same as citizens in other localities in the State of Maine. There are citizens in that town of quite a high degree of intelligence and we also have the illiterate. As far as anything that has happened there in regard to the mismanagement of the affairs there is concerned it seems to me that it has been an unfortunate condition of things that perhaps a

few years ago some of the men who were not capable of running the plantation did manage the Plantation and perhaps made mistakes. But I submit to you that that is no different than what we have had in many of the different towns and cities in the State of Maine.

The people come to you and ask you here why they cannot have the privilege of voting on this question of disorganization of the Plantation. It is entirely up to you, what to say; whether or not you will disorganize that Plantation without giving the legal voters a chance to pass on it. As I say, the whole objection and the whole question is the demand on the part of the heavy timberland owners in regard to taxation, and I think that question is easily compared to any other town that is complaining bitterly of the burden of taxation, but I do not think the burdens of taxation in this particular case are any different than we have in any other town; and I move the acceptance of the Minority Report.

Mr. WEEKS of Somerset: Mr. President, I cannot allow this motion to prevail if it is possible to prevent it because of the fact that nine out of the ten members of the Judiciary Committee voted that it ought to pass without the referendum.

Every argument which the Senator from Washington, Senator McDonald, presented to the Senate this morning was presented to that committee. I think that the statement he made to the effect that in the past—and I believe up until yesterday when they had a town meeting—the affairs of the Plantation were not properly managed, is the best argument that I know of for the passing of the bill without the referendum; and I certainly hope that the motion will not prevail.

Mr. McDONALD: Mr. President, may I say in reply to the distinguished Senator from Somerset, Senator Weeks, that it is a fact that we have had mismanagement but as far as the citizens of the township itself are concerned I think it is a fact that a good deal of the mismanagement has been due to the management of the parties who are now asking for disorganization.

The PRESIDENT: The question is on the motion of the Senator

from Washington, Senator McDonald, that the Minority Report of the committee "Ought to Pass in a New Draft" be accepted.

A viva voce vote being had

The Chair was in doubt.

A division of the Senate was had.

The PRESIDENT: Twenty-eight members of the Senate having voted while thirty members are present in their seats the question will again be put before the Senate. If any member desires to be excused from voting he will please ask to be excused as the rules of the Senate require that every member present shall vote unless excused.

A division of the Senate was had.

Seventeen having voted in the affirmative and thirteen opposed, the motion prevailed and the report of the committee "Ought to Pass in a New Draft" was accepted, and the bill was given its first reading.

Thereupon, the rules were suspended and the bill was given its second reading and passed to be engrossed in concurrence.

From the House, out of order, the following order:

Ordered, the Senate concurring, that H. P. 670, L. D. 201, "Resolve directing the State Highway Commission to make a bridge survey across Eggemoggin Reach, be recalled to the House from the Committee on Ways and Bridges. (H. P. 1728)

In the House, read and passed.

In the Senate, on motion by Mr. Hathaway of Piscataquis, temporarily tabled pending passage and assigned for later in this morning's session.

From the House, out of order, the following order:

Ordered, the Senate concurring, that the engrossing department be requested to return to the House, Legislative Document 991, new draft of House Paper 717, "An Act relating to closed time on deer." (H. P. 1729)

In the House, read and passed.

In the Senate, read and passed in concurrence.

On motion by Mr. Hathaway of Piscataquis, the Senate voted to take from the table, the Joint Order, recalling from the Committee on Ways and Bridges "Resolve directing the State Highway Commission to make a bridge survey across Eggemoggin Reach" (H. P. 670, L. D. 201), tabled by that Sen-

ator earlier in today's session pending passage and assigned for later in today's session; and on further motion by the same Senator the order received passage in concurrence.

On motion by Mr. Weeks of Somerset, the Senate voted to reconsider its former action of today whereby, An Act relating to the taking of testimony (S. P. 214, L. D. 278) was laid upon the table pending passage to be enacted and this afternoon assigned; and on further motion by the same Senator the rules were suspended and the Senate reconsidered its former action whereby this bill was passed to be engrossed.

Thereupon, the same Senator offered Senate Amendment "A" and moved its adoption:—

"Senate Amendment 'A' to Legislative Document 278, An Act relating to the taking of testimony. Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 'If in the trial of a civil case there is a conflict of oral testimony or the contents of a written statement are denied or controverted by the person involved therein, it is competent to show in testimony the interest or bias of the person testifying orally or the person preparing the written statement.'"

Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: Is there any further business to come before the Senate before recess?

On motion by Mr. Abbott of York, the Senate voted to reconsider its former action of today whereby An Act to repeal the act incorporating Number XIV Plantation in Washington County (H. P. 623, L. D. 164) was passed to be engrossed; and on further motion by the same Senator the bill was laid upon the table pending passage to be engrossed and tomorrow morning assigned.

On motion by Mr. Weeks of Somerset,

Recessed, until this afternoon at three o'clock.

AFTER RECESS

The Senate was called to order by the President.

Additional papers from the House out of order disposed of in concurrence.

House Bills in First Reading

(Out of Order)

An act amending the blue sky law (H. P. 1689, L. D. 1002).

Resolve in favor of the town of Veazie, to reimburse said town of Veazie for support of Archie L. Mishio and family, state paupers. (H. P. 804, L. D. 1037).

An act relating to disclosures of the affairs of corporations and the place within counties in which disclosures are to be made (H. P. 1697, L. D. 1019).

An act relating to minimum wages of laborers (H. P. 1708, L. D. 1022).

The same committee on Bill An act to regulate steam engineering (H. P. 1132, L. D. 594), reported the same in a new draft (H. P. 1707, L. D. 1023) under the same title and that it ought to pass.

(On motion by Mr. Schnurle of Cumberland, tabled pending acceptance of the report in concurrence and tomorrow morning assigned.)

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

An act providing for town line signs (H. P. 1710, L. D. 1036).

Which bills and resolves were given their second reading under suspension of the rules and passed to be engrossed in concurrence.

From the House, out of order:

The majority of the Committee on Judiciary on Bill "An act relating to the sale of real estate for taxes" (H. P. 112, L. D. 631) reported that the same ought to pass.

(Signed) Holmes of Androscoggin, Goudy of South Portland, Laughlin of Portland, Fernald of Winterport, Eldridge of Eastport, Hill of South Portland.

The Minority of the same Committee on the same subject reported that the same ought not to pass.

(Signed) Weeks of Somerset, Holman of Franklin, Farris of Augusta, Tompkins of Houlton.

In the House the Minority Report "ought not to pass" accepted.

In the Senate, on motion by Mr. Holmes of Androscoggin, the reports were tabled pending acceptance of either report and tomorrow morning assigned.

From the House, out of order:

The Committee on Taxation on Bill "An act imposing a sales tax" (H. P. 1172, L. D. 659) reported as follows:

Report "A" ought to pass in a new draft (H. P. 1704, L. D. 1031) under the same title.

(Signed) Jackson of Cumberland, Fowle of Kennebec, Mason of Mechanic Falls, Walker of Rockport, Blanchard of Wilton.

Report "B"—ought not to pass.

(Signed) Weymouth of Penobscot, Piper of Bangor, Mack of Veazie, White of Crystal, Sterling of Caratunk.

In the House, Report "B" ought not to pass" accepted.

In the Senate, on motion by Mr. Jackson of Cumberland, the reports were tabled pending acceptance of either report and tomorrow morning assigned.

From the House, out of order:

Bill "An act relating to the pauperizing of unemployed wage earners" (S. P. 42, L. D. 26).

(In the Senate on March 21 the Minority Report "ought not to pass" accepted.)

(In the House on March 27th the Majority Report "ought to pass" was accepted in non-concurrence.)

In the House passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Holman of Franklin, tabled pending consideration and tomorrow morning assigned.

From the House, out of order:

Bill "An act legalizing amateur sports and games under certain conditions on Sunday" (H. P. 1611, L. D. 940).

(In the Senate on March 23d the Majority Report "ought to pass in new draft" accepted and passed to be engrossed in concurrence.)

In the House, passage to be engrossed reconsidered and passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, the rules were suspended and that body voted to reconsider its action of March 23rd whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence and the bill was passed to be engrossed as amended by House Amendment "A" in concurrence.

Order

(Out of Order)

On motion by Mr. Bissett of Cumberland, it was

ORDERED, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding three dollars for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library Department and the unexpended balance at the close of the year 1933 shall be available for use in 1934 (S. P. 658).

Sent down for concurrence.

Passed to Be Enacted

(Out of Order)

An act Relating to Lobster Fishermen's Licenses (S. P. 340) (L. D. 546).

An act relative to Rate of Interest on Taxes (S. P. 352) (L. D. 510).

An act relative to Collection of Taxes (S. P. 353) (L. D. 511).

An act relative to weights and measures (S. P. 568) (L. D. 859).

An act to revise the Health and Welfare Laws (S. P. 577) (L. D. 926).

An act relating to Beautification of Landscape and Roadsides (S. P. 593) (L. D. 927).

An act relating to Town Meetings (S. P. 595) (L. D. 929).

An act to Reduce Salaries of certain County Officials (S. P. 597) (L. D. 930).

An act relating to By-laws of Towns, Cities, and Villages regulating Vehicles (S. P. 601) (L. D. 945).

An act Controlling Public Utility Relations with Affiliated Interests involving Contracts and Loans (S. P. 603) (L. D. 946).

An act to provide a Town Council and Manager Form of Government for the town of Washburn, in the County of Aroostook (S. P. 607) (L. D. 949).

An act relative to Closed Time, Daily Bag Limits and Transportation of Wild Hares and Rabbits (S. P. 608) (L. D. 981).

An act relative to Transportation of Deer within the State. (S. P. 609) (L. D. 982).

An act exempting Cities with more than Seventy-five Teachers from School Unions. (H. P. 592) (L. D. 238).

An act relating to Supervisory

Unions of Schools. (H. P. 593) (L. D. 239).

An act to Revise the Charter of the City of South Portland. (H. P. 597) (L. D. 923).

An act relating to Prepayment of Taxes. (H. P. 662) (L. D. 205).

An act providing for Pensions for Call-firemen in Augusta. (H. P. 879) (L. D. 315).

An act for the Preservation of Academic Records. (H. P. 1012) (L. D. 428).

An act relating to Roads in Unincorporated Places. (H. P. 1071) (L. D. 455).

An act Relating to Pauper Settlements. (H. P. 1112) (L. D. 621).

An act relating to the Counting and Sealing of Ballots. (H. P. 1305) (L. D. 669).

An act for the Regulation of the Practice of Hairdressing and Beauty Culture. (H. P. 1513) (L. D. 823).

(On motion by Mr. Weeks of Somerset, tabled pending enactment and especially assigned for consideration at the end of the calendar today)

An act relating to Apothecaries and the Sale of Poisons. (H. P. 1527) (L. D. 836).

An act relating to size of Fish and Weight of Catch Limited. (H. P. 1567) (L. D. 900).

An act Extending the Powers and Rights of the Fryeburg Village Fire Corporation. (H. P. 1569) (L. D. 879).

An act relating to Payment for Treatment of Patients at State Sanatoriums. (H. P. 1589) (L. D. 912).

An act to Redraft the Charter of the City of Biddeford. (H. P. 1596) (L. D. 922).

An act providing a Purchasing Agent for the Town of Sanford. (H. P. 1598) (L. D. 924).

An act to Grant a Commissioner Form of Government to the City of South Portland. (H. P. 1599) (L. D. 925).

An act relating to Changes in Location of any School Legally Established. (H. P. 1604) (L. D. 931).

An act in regard to the Plantation of Allagash. (H. P. 1605) (L. D. 932).

An act relating to Personal Examination of Insurance Agents and Brokers in certain cases. (H. P. 1606) (L. D. 933).

An act providing Educational Opportunities for the Children of Soldiers, Sailors, and Marines who were Killed in Action or Died dur-

ing the World War. (H. P. 1607) (L. D. 934)

An act Requiring the Licensing of Operators of Milk Gathering Stations. (H. P. 1618) (L. D. 953)

An act relative to Lumber Camps not to Serve Salmon, Trout and Togue. (H. P. 1622) (L. D. 956)

An act relative to the Classification, Registration and Fees of Guides. (H. P. 1623) (L. D. 957)

An act relative to Fishing Licenses for Residents and Non-residents; Fees therefor; Revocation thereof. (H. P. 1624) (L. D. 958)

An act relative to Definitions of Hunting, Resident, Aliens, Jack-light and Trapping. (H. P. 1626) (L. D. 959)

An act relating to open season on Fur-Bearing Animals. (H. P. 1629) (L. D. 960)

An act relating to the Interstate Transfer of Dependent Persons. (H. P. 1630) (L. D. 954)

An act relating to Support of State Paupers. (H. P. 1631) (L. D. 955)

An act relating to School Unions. (H. P. 1634) (L. D. 970)

An act Relating to Personal Property. (H. P. 1637) (L. D. 980)

An act Relating to Publicity. (H. P. 1639) (L. D. 973)

An act concerning the Improvement, Protection or Preservation of Shade, Forest or Ornamental Trees. (H. P. 1641) (L. D. 975)

An act to Facilitate Recounting of Ballots. (H. P. 1644) (L. D. 99)

An act to Acquire the American Portion of the Union Bridge, so-called, at Calais in the county of Washington, connecting Maine and New Brunswick; and to provide for its Maintenance. (H. P. 1646) (L. D. 993)

Finally Passed

(Out of Order)

Resolve appropriating money to pay Pauper Claims heretofore approved by the Committee on Claims. (S. P. 591) (L. D. 951)

Resolve appropriating money to pay World War Veteran Claims heretofore approved by the Committee on Claims. (S. P. 592) (L. D. 948)

Resolve in favor of Julia A. Bradman Estate. (S. P. 594) (L. D. 928)

Resolve in favor of several Academies, Institutes and Seminaries. (S. P. 598) (L. D. 942)

Resolve in favor of Celia I. Fowler of Ellsworth. (S. P. 599) (L. D. 943)

Resolve regulating the taking of

Smelts in the York River and Smelt Brook in the towns of York and Eliot in York County. (S. P. 600) (L. D. 944)

Resolve extending Open season on Mousam River. (S. P. 610) (L. D. 983)

Resolve in favor of Amelia Rittal, of Dresden. (S. P. 657)

Resolve for the Purchase of one hundred copies of "Sketches of Brooks History." (H. P. 35) (L. D. 937)

Resolve providing for a State Pension for Fred E. Hilton, of Pittston. (H. P. 387) (L. D. 976)

Resolve providing for an increase in State Pension for Olive E. Brann, of Augusta. (H. P. 649) (L. D. 781)

Resolve providing for an increase in State Pension for Harry E. Troop, of Pittston. (H. P. 889) (L. D. 783)

Resolve providing for a State Pension for Harrison B. Bowley, Jr. of Rockport. (H. P. 897) (L. D. 782)

Resolve providing for a State Pension for Addie L. Wakefield of Saco. (H. P. 900) (L. D. 784)

Resolve providing for a State Pension for Frank C. Davis of Jefferson. (H. P. 901) (L. D. 785)

Resolve providing for a State Pension for Nellie E. Hatch of Monmouth. (H. P. 911) (L. D. 786)

Resolve providing for a State Pension for Eva E. Binford of Portland. (H. P. 912) (L. D. 787)

Resolve providing for a State Pension for Clara M. Ware of Pittston. (H. P. 918) (L. D. 788)

Resolve providing for a State Pension for Sidney Potter, of Gardiner. (H. P. 1488) (L. D. 789)

Resolve providing for a State Pension for Charles Dowling Kidder of Otisfield. (H. P. 1489) (L. D. 790)

Resolve in favor of L. S. Dixon of East Hampden. (H. P. 1603, L. D. 938)

Resolve in favor of Kineowatha Camps Inc., of Wilton, to reimburse for removal of floating bog on Wilson Lake. (H. P. 1619, L. D. 961)

Resolve relating to closed season on muskrat on the West Branch of the Sebasticook River. (H. P. 1621, L. D. 963)

Resolve regulating ice fishing in York County. (H. P. 1625, L. D. 964)

Resolve relating to fishing in Baker Pond. (H. P. 1627, L. D. 965)

Resolve regulating fishing in Day Mountain Pond, in the town of Avon. (H. P. 1628, L. D. 966)

Resolve in favor of the City of Eastport. (H. P. 1633, L. D. 977)

Resolve in favor of the road leading from Greenville to Rockwood. (H. P. 1642 L. D. 978)

(Emergency Measure)

(Out of Order)

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

Which bill being an emergency measure and having received the affirmative vote of 30 members of the Senate was passed to be enacted

(Emergency Measure)

(Out of Order)

Bill "An act relating to the shipping and transporting of clams beyond the limit of the State during closed time." (H. P. 1608, L. D. 935)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

(Emergency Measure)

(Out of Order)

Bill "An act relating to the buying, selling and transporting of clams." (H. P. 1640, L. D. 974)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate was passed to be enacted.

The President laid before the Senate, An Act Relating to the Purchase and Sale of Lobsters, (H. P. 1155) (L. D. 616), tabled by Mr. McLoon of Knox earlier in today's session, pending consideration, and this afternoon assigned; and the Chair recognized that Senator.

Mr. McLOON of Knox: Mr. President, I tabled this bill this morning, thinking I might confer with certain parties at recess. On account of the House adjourning so late this morning and having an early session this afternoon, I was unable to do so, and ask that it be retabled and especially assigned for tomorrow.

The motion to retable and assign prevailed.

The President laid before the Senate, New Draft, "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 the Supervision and Control of Such Motor Vehicles, (S. P. 629) (L. D. 1000), tabled by Mr. Weatherbee of Penobscot earlier in today's session pending passage to be engrossed, and today assigned; and the Chair recognized that Senator.

Thereupon, the same Senator offered the following amendment and moved its adoption:

"Senate Amendment C to L. D. 1060, entitled, 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 the Supervision and Control of Such Motor Vehicles.

"1. Amend said bill by striking out the period after the word 'territory' in the fifth line of Paragraph C of Section 5, and inserting the following words, 'over the same general highway route or routes'.

"2. Further amend said bill by adding thereto a new section to be numbered 10-A, and to read as follows: 'Section 10-A. Further Exemptions. Carrier trucks when carrying property to warehouses, railroads or boats for reshipment by rail or vessel shall not be subject to rate regulation for such service.

"3. Further amend said bill by striking out in Section 12 thereof, the figure 'eleven' wherever it appears before the word 'preceding'.

"4. Further amend said bill by striking out in Section 13 thereof, the words 'one to nine inclusive'."

Mr. WEATHERBEE of Penobscot: Mr. President and members of the Senate. The only important amendment of the several, is number two, which provides, that carrier trucks when carrying property to warehouse, railroads or boats for reshipment by rail or vessel shall not be subject to regulation for such service. Now, this will take care of the situation in Aroostook County as to the shipment of potatoes, and similarly in all sections in the State of Maine. I think this amendment will meet the objections of every member of the Senate, and I trust that when we come to vote on the engrossing of the bill, it may receive the unanimous assent of the Senate.

Mr. LITTLEFIELD: Mr. Presi-

dent, I would like to ask the Senator from Penobscot, Senator Weatherbee, if reshipment would mean box boards taken to a mill to make into box shooks. Would that mean reshipment?

Mr. WEATHERBEE: Mr. President, this provides for the carrying of property to warehouse, railroads or boats, for the purpose of reshipment.

Mr. LITTLEFIELD: You do not think lumber would come under it?

Mr. WEATHERBEE: You carry lumber to mills?

Mr. LITTLEFIELD: Yes.

Mr. WEATHERBEE: Well, as I stated the other day, trucks may carry lumber without being in competition at all. In most instances trucks that are not regularly engaged in the business may carry over any road whatsoever without being subjected to the necessity of getting a permit, or any regulation whatsoever. I think it is taken care of in the main bill.

Mr. LITTLEFIELD: Mr. President, I simply wanted to know if this amendment was for Aroostook County and no one else. It looks to me as if that was the only one you are sure of. You know there are other counties besides Aroostook County in the State. Now I am perfectly willing to come under certain regulations, but I do not want to be subjected to regulations any more than my neighbors. I understood the Senator from Penobscot, Senator Weatherbee, to say in the lobby that this would take care of everything, but as I hear it read, I do not think it does take care of my part, and I do not think it takes care of the farmer at all. I do not think it takes care of anything but Aroostook potatoes. Now, I am perfectly willing to have an amendment take care of Aroostook, but I am also willing to have an amendment to take care of York and the other 14 counties of the State, and I think they are entitled to it. They all do something that is for their own benefit and I am looking after that, and so is Senator Kitchen when he puts this Aroostook amendment on, and I think it should be fixed to help us all instead of one.

Mr. WEATHERBEE: Mr. President, it ought not be necessary for me to state that this amendment is not designed to accommodate Aroostook County only because

everyone recognizes that if it were so designed it would not be operative at all. This is state-wide in its effect. It refers to property, meaning all property so conveyed for reshipment. Its language is plain. It cannot mean but one thing, that it is state-wide in its scope, I mean broad and complete in the articles that it embraces. It ought to be sufficient and when we vote upon the question of the adoption of the amendment I ask for a division.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Weatherbee, that Senate Amendment "C" be adopted and on that question the same Senator has asked for a division.

A division of the Senate was had.

Twenty-seven having voted in the affirmative and three in the negative the motion prevailed and Senate Amendment "C" was adopted.

Mr. LITTLEFIELD: Now, Mr. President, I don't suppose that they will allow me to retable this bill again but I am going to try it.

The PRESIDENT: The Chair will only say that you may ask.

Mr. LITTLEFIELD: I move, Mr. President, that this bill be retabled until tomorrow morning.

Mr. WEATHERBEE: Mr. President, I understand that the question being a motion to table is not debatable so I do not wish to debate it. I would like to be permitted to suggest, however, that it is now late in the session and on the motion to table I ask for a division.

The PRESIDENT: The Senator from York, Senator Littlefield, moves that the bill lie upon the table pending passage to be engrossed and be especially assigned for tomorrow morning. On that motion the Senator from Penobscot, Senator Weatherbee, asks for a division.

A division of the Senate was had.

Sixteen having voted in the affirmative and thirteen opposed the motion to table prevailed and the bill as amended by Senate Amendment C was laid upon the table pending passage to be engrossed and tomorrow morning assigned.

The President laid before the Senate, Resolve in favor of Lillian R. Cushman H. P. 1553, L. D. 1027), tabled by Mr. Viles of Kennebec earlier in today's session pending

adoption of Senate Amendment "A" and this afternoon assigned; and the Chair recognized that Senator.

Thereupon, Senate Amendment "A" was adopted and the bill was given its second reading.

Mr. BLAISDELL of Hancock: Mr. President, I move that the bill be indefinitely postponed and that it be assigned for debate tomorrow morning.

The PRESIDENT: The Senator from Hancock, Senator Blaisdell, be indefinitely postponed and that Senator further moves that his motion to indefinitely postpone be laid upon the table and especially assigned for consideration tomorrow morning.

Thereupon, the resolve as amended by Senate Amendment A was laid upon the table pending motion to indefinitely postpone and tomorrow morning assigned.

The President laid before the Senate, An act for the regulation of the practice of hairdressing and beauty culture (H. P. 1513, L. D. 823), tabled by Mr. Weeks of Somerset earlier in today's session pending enactment and assigned for the end of today's calendar; and the Chair recognized that Senator.

Thereupon, on motion by the same Senator the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, the same Senator offered Senate Amendment "C" and moved its adoption.

"Senate Amendment 'C' to Legislative Document 823. An act for the regulation of the practice of hairdressing and beauty culture. Amend Section 3 of said act by adding at the end of Section 3 the following: 'This act shall not apply to persons or their apprentices engaged in the practice of hairdressing and beauty culture when such work is done in their homes or in the homes of the persons whose hair is being dressed and no license fee shall be required of said person or apprentice operating under this section.'"

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

Sent down for concurrence.

The PRESIDENT: The Senate will take a short recess until the sound of the gavel.

AFTER RECESS

The Senate was called to order by the President.

Additional papers from the House out of order disposed of in concurrence.

From the House:

The Majority of the Committee on Legal Affairs on "An act relating to eligibility of members of City governments to certain offices" (H. P. 1061, L. D. 490) reported the same ought not to pass.

(Signed) Blaisdell of Hancock, Page of Somerset, Farnsworth of Aroostook, Tompkins of Bridgewater, Sargent of Brewer, Martin of Bangor, Chase of Sebec.

The Minority of the same Committee on the same subject reported that the same ought to pass in a new draft (H. P. 1632, L. D. 984)

(Signed) Plummer of Portland, Quine of Bangor, Chase of Baring. In the House indefinitely postponed.

In the Senate, on motion by Mr. Farnsworth of Aroostook, the reports were tabled pending acceptance of either report and tomorrow assigned.

From the House, out of order:

Resolve providing for a state pension for Joseph B. Pelletier of Winterville Plantation (H. P. 1490, L. D. 791)

(In the Senate on March 23, indefinitely postponed in non-concurrence).

In the House that body having insisted on its former action whereby the bill was passed to be engrossed and asking for a Committee of Conference, the Speaker having appointed as such members

Messrs. Burns of Eagle Lake, Leathers of Hermon, Bailey of Whitefield.

In the Senate, on motion by Mr. Kitchen of Aroostook, the Senate voted to adhere to its former action.

From the House, out of order:

An Act relating to the transportation of intoxicating liquor. (S. P. 614, L. D. 986)

(On motion by Mr. Kitchen of Aroostook, tabled pending passage to be enacted and tomorrow assigned).

On motion by Mr. Farnsworth of Aroostook, the Senate voted to reconsider its action taken a few minutes ago whereby, An Act relating to eligibility of members of City governments to certain offices (H. P. 1061, L. D. 490) was laid upon the table and tomorrow assigned pending acceptance of either report.

On motion by Mr. Farnsworth of Aroostook, the Senate voted to reconsider its action taken a few minutes ago whereby, House Report, from the Committee on Legal Affairs; Majority Report "Ought

Not to Pass" (H. P. 1061, L. D. 490) Minority Report "Ought to Pass in a New Draft" (H. P. 1632, L. D. 984) on, An Act relating to eligibility of members of city governments to certain offices, was laid upon the table pending acceptance of either report and tomorrow assigned; and on further motion by the same Senator the bill was indefinitely postponed in concurrence.

On motion by Mr. Weeks of Somerset,

Adjourned, until tomorrow morning at nine o'clock.