

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Wednesday, March 26, 1941.

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

Prayer by the Rev. Mr. Akeley of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Hinckley.

Mr. HINCKLEY: Mr. Speaker, I present a Conference Committee Report.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, presents a Conference Committee Report and moves its acceptance. The Clerk will read the Report.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve relating to Conveying Certain Land to Maine Peat Moss, Inc. of Portland H. P. 1212, L. D. 430, reporting that the Senate recede from its former action and concur with the House in recommitting the Report and Resolve to the Committee on State Lands and Forest Preservation.

(Signed)

Messrs: HINCKLEY of Portland

PREBLE of Millinocket

DUTTON of Bingham

—Committee on part of House

LIBBY of Cumberland

DOW of Franklin

SNOW of Piscataquis

—Committee on part of Senate

The Report was read and accepted and sent up for concurrence.

**Senate Reports
Ought Not to Pass**

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Repealing the Potato Branding Law" (S. P. 108) (L. D. 157)

Report of same Committee reporting same on Bill "An Act relating to the Commissioner of Agriculture" (S. P. 326) (L. D. 699)

Report of the Committee on Motor Vehicles reporting same on Bill "An Act relating to Reserved Number Plates" (S. P. 155) (L. D. 224)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft

From the Senate:

Report of the Committee on Public Utilities on Bill "An Act providing for the Regulation of the Use of the Highways Transporting Property for Hire" (S. P. 322) (L. D. 524) reporting same in a new draft (S. P. 501) (L. D. 1032) under same title and that it "Ought to pass"

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed.

In the House, Report read and accepted in concurrence, and the Bill had its two several readings and tomorrow assigned.

Senate Bills in First Reading

Bill "An Act relative to Rabbits in Waldo County" (S. P. 240) (L. D. 395)

Bill "An Act relative to the Regulation of the Highways by Motor Vehicles Transporting Property and for the Supervision and Control of such Motor Vehicles" (S. P. 297) (L. D. 507)

Bills were read twice and tomorrow assigned.

The following Remonstrances were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Taxation

Remonstrance of Mrs. H. L. Greenlaw of Masardis and 70 others against Soft Drink Tax (H. P. 1806) (Presented by Mr. Anderson of Oxbow Pl.)

Remonstrance of Frank W. Wasi of Scarborough and 46 others against same (H. P. 1807) (Presented by Mr. Baker of Scarborough)

Remonstrance of G. G. Chamberlain and 89 others of Damariscotta and vicinity against same (H. P. 1808) (Presented by Mr. Denny of Damariscotta)

Remonstrance of Raymond D. Sears of Falmouth and 21 others against same (H. P. 1809) (Presented by Mr. Dow of Falmouth)

Remonstrance of Catherine Jacobs and 130 others of Anson and Norridgewock against same (H. P. 1810) (Presented by Mr. Fenlason of Anson)

Remonstrance of Henry Crowell

of Waldoboro and 202 others against same (H. P. 1811) (Presented by Mrs. Grady of Whitefield)

Remonstrance of Gussie Lurette of Wilton and 73 others opposing same (H. P. 1812) (Presented by Mr. Hall of Wilton)

Remonstrance of Harold W. Willis of Topsham and 164 others against same (H. P. 1813) (Presented by Mr. McIntire of Phippsburg)

Remonstrance of Howard W. Shaw of Paris and 98 others against same (H. P. 1814) (Presented by Mr. McKeen of Paris)

Remonstrance of Oscar H. Reynolds of Freeport and 21 others against same (H. P. 1815) (Presented by Mr. Patterson of Freeport)

Remonstrance of Mrs. Walter Johnson of York Harbor and 181 others against same (H. P. 1816) (Presented by Mr. Pearson of North Kennebunkport)

Remonstrance of George Elliott and 460 others of Waterville against same (H. P. 1817) (Presented by Mr. Poulin of Waterville)

Remonstrance of Louis A. Perreault of Warren and 181 others against same (H. P. 1818) (Presented by Mr. Starrett of Warren)

Remonstrance of O. W. Perkins and 28 others of Ogunquit against same (H. P. 1819) (Presented by Mr. Welch of North Berwick)

Sent up for concurrence.

Orders

On motion by Mr. McGlaulin of Portland, it was

ORDERED, that Mr. Brewer of Presque Isle, be excused for the remainder of the week because of business; and that Mrs. Grady of Whitefield, be excused from attendance because of illness.

House Reports of Committees

Recess Committee Report

Report of the Recess Committee on Feasibility of Acquiring Property for the Establishment of Public Bathing Beaches and for Encouraging the Development of the Shores of the Lakes and Streams of the State, created by Chapter 60 of the Resolves of 1939 (H. P. 1805)

(On motion by Mr. Payson of Portland, the Report of the Committee was accepted and placed on

file and 600 copies ordered printed in pamphlet form)

Ought Not to Pass

Mr. Good from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Tax on Potatoes" (H. P. 1567) (L. D. 920)

Mr. Pratt from the Committee on Education reported same on Bill "An Act relating to Fire Protection" (H. P. 1452) (L. D. 764)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Miss Deering from the Committee on Education on Bill "An Act relating to State Aid on Manua Training or Domestic Science in Elementary Schools" (H. P. 787) (L. D. 337) reported same in a new draft (H. P. 1820) under title of "An Act relating to State Aid for Maintaining Industrial Arts and Home Economics in Towns or Academies" and that it "Ought to pass"

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Ought to Pass

Report Tabled

Mr. Leveque from the Committee on Counties reported "Ought to pass" on Bill "An Act relating to Androscoggin County Law Library" (H. P. 1340) (L. D. 797)

(On motion by Mr. Pratt of Turner, tabled pending acceptance of Committee Report)

The SPEAKER: The Chair will state that Item No. 6 has been returned to the Committee for a correction in the report and is not before the House.

Ought to Pass with Committee Amendment

Mr. Robie from the Committee on Education on Bill "An Act relating to School Tax in Unorganized Territory" (H. P. 1341) (L. D. 569) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Dwinall from the Committee on Towns reported same on Bill "An Act relating to the town of Mount Desert" (H. P. 1217) (L. D. 434)

Reports were read and accepted.

Divided Reports

Majority Report of the Committee on Judiciary on Bill "An Act relating to Taking of Land for Municipal Airports" (H. P. 1583) (L. D. 918) reporting same in a new draft (H. P. 1821) under same title and that it "Ought to pass".

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
Messrs. FARRIS of Kennebec
HARVEY of York
—of the Senate.
HINKLEY of So. Portland
GRUA of Livermore Falls
WILLIAMS of Bethel
PAYSON of Portland
BRIGGS of Hampden
MILLS of Farmington
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. McGLAUFLIN of Portland
—of the House.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlauflin.

Mr. McGLAUFLIN: Mr. Speaker, I am not going to undertake to convince this Legislature that I am right and that the majority of the committee are wrong on this measure.

I do, however, wish to state to you why I vote "No" on this proposition, and I am perfectly willing to stand alone.

This measure provides that cities and towns for some municipal airports may take land by eminent domain, in the manner provided for taking highways.

There are two laws in regard to taking land by eminent domain. One is that employed for the taking of parks and the other is that employed for taking highways. Under the provisions for taking highways, you can take a man's home, his residence. Under the provision for taking parks, you cannot do that.

This measure provides that they have the power of eminent domain as provided for the taking of highways.

Now, in the evidence that came before the committee, we were told that the City of Rockland had laid out an airport, and that some man owned a strip that was wanted, and

he would not sell at their price. As I got the story, he wanted \$500 more than they were willing to give him. Therefore, they advocate that this Majority Report go through, so that he has got to take the price that is assessed by eminent domain.

I think that in most cases—I believe in all cases—if they are given the right of eminent domain such as is allowed for taking parks, that is giving them authority enough.

I do not believe in giving them authority enough to take my home or your home, just because somebody likes that particular location. That is why I am opposed to this bill.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, I move the acceptance of the Majority Report "Ought to pass in new draft." I think that this is purely a matter of comparative values. The question is: Of how much importance are airports today in the State of Maine? If they are of no importance, then my good friend, the gentleman from Portland, Mr. McGlauflin, is perfectly right. But if airports are the highways of the future, if they are very necessary and essential for national defense, then certainly they ought to be on a par, under the proceedings for taking land, with that for the taking of land for roads.

It seems to me that it is perfectly apparent that the necessity for airports is great. Look at the situation you run across everywhere.

It does not affect the City of Portland one particle, but I ran into this situation when we were taking an airport in the City of Portland three years ago, for which we paid \$65,000, and on which the Federal government had spent over a quarter of a million dollars, and the City of Portland over \$20,000. There was a little home down on that airport, and if that man who owned that home had not been a perfectly decent sort of chap, he could have ruined our whole airport, because we would have had to pay whatever he asked for it.

Now, there are situations like that all over the State of Maine, which make necessary such a law as we are hoping to pass.

I could bring emphasis on the word "home" and do emotional appeal stuff—but not so well as the gentleman from Portland, Mr. Mc-

Glauffin—but we have to face sober reality and take comparative values.

I believe thoroughly and firmly that we must have our airport program go along, in spite of some petty hardships that it would have on some of those persons who own homes.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Payson, that the House accept the Majority Report "Ought to pass in new draft." As many as are in favor of the motion of the gentleman from Portland, Mr. Payson, that the House accept the "Ought to pass in new draft" report of the committee, will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, and the Majority Report "Ought to pass in new draft" was accepted.

First Reading of Printed Bills

Bill "An Act to Amend the Milk Control Law" (H. P. 1246) (L. D. 530)

Bill "An Act relating to the Sale of Nursery Stock" (H. P. 1334) (L. D. 792)

Bill "An Act relating to Pasteurized Milk" (H. P. 1509) (L. D. 853)

Bills were read twice and tomorrow assigned.

First Reading of Printed Bill With Committee Amendment

Bill "An Act to Assure Proper Branding of Potatoes" (H. P. 1250) (L. D. 533)

Bill had its two several readings.

Committee Amendment "A" was then read by the Clerk as follows:

Committee Amendment "A" to H. P. 1250, L. D. 533, Bill "An Act to Assure Proper Branding of Potatoes."

Amend said bill by adding after the title thereof, the following:

'Emergency preamble. Whereas, laws affecting the sale of potatoes must take effect immediately to assist the producers of potatoes in the sale of the last crop of potatoes; and

Whereas, the present branding law and a surplus production of potatoes has prevented the producers of potatoes from obtaining a fair price for their product; and

Whereas, the success of the

potato producers is necessary for the social security of the inhabitants of a large area of our state; and

Whereas, the provisions of the following act will permit the potato producers to obtain a fair price for their potatoes; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said bill by inserting after the word "label" in the 3rd line from the end, and after the word "labelled" in the next to the last line, the words 'as to grade.'

Further amend said bill by striking out the comma after the word "graded" in next to the last line, and inserting in place thereof the word 'and'.

Further amend said bill by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

Committee Amendment "A" was then adopted, and tomorrow was assigned for third reading of the bill.

Passed to Be Engrossed Bill Tabled

Bill "An Act relating to Apportionment of School Funds" (S. P. 143) (L. D. 195)

Was reported by the Committee on Bills in the Third Reading.

Mr. PRATT of Turner: Mr. Speaker, I offer House Amendment "A" and move its adoption.

The SPEAKER: The Chair will have to rule that the amendment is out of order as it is apparently not an amendment to the pending bill.

Thereupon, on motion by Mr. Pratt, the bill was tabled pending third reading.

Passed to Be Engrossed (Continued)

Bill "An Act relating to Aid to Needy Children" (S. P. 367) (L. D. 681)

Was reported by the Committee on Bills in the Third Reading, read the third time and passed to be engrossed and sent to the Senate.

Bill Tabled

Bill "An Act relating to State Aid for Academies" (H. P. 792) (L. D. 307)

Was reported by the Committee on Bills in the Third Reading.

Mr. Pratt of Turner, thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 792, L. D. 307, Bill "An Act relating to State Aid for Academies."

Amend said bill by indicating the deletion of the amount \$2500 in the next to the last line thereof and by inserting after that amount the amount '\$3500.'

On motion by Mr. Hinckley of South Portland, the bill and amendment were tabled pending adoption of House Amendment "A".

Passed to be Engrossed (Continued)

Bill "An Act relative to Revocation of Hunting and Fishing Licenses" (H. P. 1363) (L. D. 709)

Bill "An Act amending the Charter of the Kittery Electric Light Company" (H. P. 1658) (L. D. 1013)

Bill Tabled

Bill "An Act relating to Bounty on Bears" (H. P. 1795) (L. D. 1052)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Dutton of Bingham, tabled pending third reading)

Bill "An Act relative to Field Trials and Training Bird or Coon Dogs" (H. P. 1796) (L. D. 1053)

Bill "An Act relative to Training of Fox, Coon or Rabbit Hounds" (H. P. 1797) (L. D. 1054)

Bill "An Act relative to Trapping of Bobcats in Aroostook County" (H. P. 1798) (L. D. 1055)

Resolve in favor of Blanche G. Cobb of Lisbon (H. P. 257) (L. D. 1056)

Resolve in favor of Ella M. Jude of Ellsworth (H. P. 672) (L. D. 1057)

Resolve in favor of George Socotmah, Representative of the Passamaquoddy Tribe of Indians (H. P. 1794) (L. D. 1051)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all except tabled matters passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act relating to Commitment of Persons of Unsound Mind to the State Hospitals for Observation" (S. P. 346) (L. D. 663)

Was reported by the Committee on Bills in the Third Reading.

Mr. Payson of Portland, then offered House Amendment "A" and moved its adoption.

House Amendment "A" to S. P. 346, L. D. 663, Bill "An Act Relating to Commitment of Persons of Unsound Mind to the State Hospitals for Observation."

Amend said bill by striking out in the 4th line the underlined words "12 years of age or over" and further amend said bill by striking out in the 12th line the underlined words "for a period not exceeding 90 days."

Thereupon, House Amendment "A" was adopted, and the bill as amended by Committee Amendment "A" and House Amendment "A" was passed to be engrossed and sent to the Senate.

Bill Tabled

Bill "An Act to amend the Charter of the city of Gardiner" (H. P. 833) (L. D. 347)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Slosberg of Gardiner, tabled pending third reading)

Passed to Be Engrossed (Continued)

Bill "An Act relative to Daily Limit on Pickerel" (H. P. 1356) (L. D. 702)

Resolve permitting the Building of a Fish Pond in Madison (H. P. 1379) (L. D. 808)

Resolve Tabled

Resolve Regulating Hunting and Trapping of Muskrats (H. P. 244) (L. D. 83)

(Was reported by the Committee on Bills in the Third Reading, read the second time, and on motion by Mr. Harold of Standish, tabled pending passage to be engrossed)

Resolve relative to Open Season on Pheasants (H. P. 811) (L. D. 324)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all except tabled matters passed to be engrossed as amended and sent to the Senate.

Finally Passed

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace E. Kelley (H. P. 1210) (L. D. 428)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

Orders of the Day

On motion by Mr. Pratt of Turner, the House voted to take from the table Bill "An Act relating to Apportionment of School Funds (S. P. 143) (L. D. 195) tabled by that gentleman earlier in today's session pending its third reading; and on further motion by the same gentleman, the bill was given its third reading and passed to be engrossed in concurrence.

On motion by Mr. Welch of Chapman, the House voted to take from the table the fourth tabled and unassigned matter, Bill "An Act Relating to Sunday Hunting in Unorganized Territory" (H. P. 1532) (L. D. 871) tabled by that gentleman on March 21st, pending second reading.

The SPEAKER: The Chair recognizes the gentleman from Chapman, Mr. Welch.

Mr. WELCH: Mr. Speaker and Members of the House: My reason for tabling this bill was that I might get some information on it, more information than we had. It seems that since this bill has been on the table it has attracted almost statewide interest. Some of the information which I wanted to obtain was that we were told that no accidents occurred in unorganized territory during the last year, which was very true; but I wanted to find out where the accidents did occur and I found that five of them were in wild land townships. If we accept the action of this Legislature, the townships where three of these men were shot will next year be unorganized townships.

I went back still further and I found in 1939 seven persons were shot in unorganized townships, and in 1938 eleven were shot in the same wild land.

The opening up of Sunday hunting was compared to our boys shouldering arms to defend our country

if it was needed. I think this comparison is unfair. I do not think, until the time comes when these young men have to fight for our country,—and God knows we hope that time will never come—that you are going to find them out shooting on Sundays.

I wonder how many there are in this House that are aware that this bill will open up hunting in three hundred and eighty townships of our State, or almost one-third of the area in our State will be opened up to Sunday hunting.

We are told that it is to give the millhands and clerks a chance to go out and hunt on Sunday. I ask you: How are those men going to get into these unorganized townships without travelling across the unorganized towns? I can cite you a case in our county where the main road runs parallel to the town line and the town and the unorganized township are three-quarters of a mile apart. How is the hunter on Sunday morning going to get from that highway to the unorganized township without violating the game laws? I am sure that I or any other man, if he were travelling from that road to the unorganized township through three-quarters of a mile of woods, if he sees a deer he is going to violate the law.

Another thing, there are very few of these town lines that can be followed. They have not been spotted for years. How is the hunter to know when he is out there in the woods whether he is on one side of that line or the other? Further than that, under our general law, if he is hunting in an unorganized township and he shoots a deer and that deer runs across the line into an organized township, he is not allowed to follow it. I ask you if that is a fair law to require the hunter to abide by?

I am opposing this measure from forty-eight states had this kind of a law to allow Sunday hunting. Is that any reason, if one-third of the United States wants to allow Sunday hunting, that the other two-thirds should adopt it?

I am opposing this measure from one standpoint alone, and that is as a legislator who is interested in the welfare of the State. I for one come from a hunting section of our State and know what we will have if Sunday hunting is allowed. We used to have it up my way right in my

neighborhood years ago. After there was one young fellow twenty-one years of age that was carried out dead, we had no more Sunday hunting and we did not have to have the law either.

Mr. Holland, Secretary and Treasurer of the Maine Federation of Sportsmens' Clubs, called me this morning, and he said that every club except one belonging to the Federation are on record as opposing this measure.

Mr. Speaker, I move the indefinite postponement of this measure.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlauffin.

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I once heard General Green, of the United States Army, say that nations are always governed by self-interest. I think that is largely true with individuals. Those members of the House who have a selfish interest in this measure, for example, who want the pleasure of hunting on Sunday, are not open to reason, and no matter how long any of us talk, you will not change any of their votes. But there are some men and women in this House who will listen to reason, and will try to vote according to sound judgment.

I am going to tell you one or two reasons why I am opposed to this Sunday hunting measure.

I pointed out in this House four years ago that if you passed the Sunday moving picture law, you were going to open a door—further open a door that had already been opened to shut out Sunday observance. I tried to point out at that time that the experience of history had shown that Sunday observance was something beneficial to mankind, regardless of religious sentiment.

Now, two years ago they passed the Sunday moving picture law. That step was taken. Another law they passed opening up Sunday was for baseball games on Sunday.

Here is a step to open up Sunday a little further—Sunday hunting. Step by step you are getting in the way of doing just what they did in France,—Sunday was just like any other day. Do you think that did not have any effect on the morale of the French people? What happened in France a few months ago? She completely collapsed. Why? She had lost her morale.

England is fighting today. England will keep on fighting, because she has got fighting morale. What is morale? It is courage; it is principle; it is stamina; it is back-bone; it is manhood; it is all based on principle—principle!

We fight because we believe in God. We fight because we believe in our country. That is morale,—because we want to protect our family. You lose that, and you go down hill.

My first point is that by doing the way we are gradually doing, we are taking steps down, downward, weakening our morale—and, in time, it will show.

The second reason that I am opposed to this bill has already been well demonstrated in this House, both this morning and the other day. It increases the danger of our citizens.

The only argument for it is to give a few men the pleasure of going out hunting on Sunday. All the sensible arguments are against this bill.

I am with the gentleman from Chapman, Mr. Welch, to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: I feel the same about this as I did the other day, when I spoke on this bill.

I do not quite agree with the gentleman from Portland, Mr. McGlauffin. I think there are men here in this House that have thought the thing over carefully. I believe they are willing to change their mind at this time. I do not believe that they want to take the moral rights which we hold sacred and dear to us away from us.

We believe in Sunday. We believe that this is a day set apart, when men should worship God according to the dictates of their own conscience.

Yesterday, a man contacted me, a man who lives in this town, an influential man. He said, "What ails the Legislature? Are they going to pass a Sunday hunting bill?" "Why," he said, "I got out one day on a holiday and got into the woods, and I got in behind a big rock." He said, "It was all surrounded but just one side. I sat there for three hours. I did not dare to come out. I finally got out whole. That let me out from going hunting on holidays." Sunday will be nothing more than a holiday.

I am against it for two reasons,—(1) Because of safety. (2) Because of morals.

We have had letters and telegrams from all over the State of Maine, asking if we are going to allow that down here. We can only allow it so far as the members of this House will vote.

We may think that it is right. We may believe it is right. We believe our forefathers fought for the things that are right. We believe that they laid down the principles that they thought were right.

I believe it today, and I believe when we took away our rights—the same as that of two years ago, as Mr. McGlaufflin just said—when we open the door to anything that would tear down the morals of the people, we might as well pry it wide open, and it is gradually being pried open to take away the morals and principles that we have stood for, for years.

Therefore, I hope the motion of the gentleman from Chapman, Mr. Welch, to indefinitely postpone this bill, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. Starrett.

Mr. STARRETT: Mr. Speaker and Members of the House: Since this bill has come in here, I have had some things come to my attention that I think the members of this House ought to know.

We have two islands on the coast of Maine—Louds Island and Muscongus Island—which are under wild lands, which would come under this bill and would be opened up for hunting on Sunday.

No Federal law prevents hunting on those islands on Sunday if we do not have the Maine law; I predict if this bill goes through to permit Sunday hunting, that you will have a blitzkreig of duck hunters on those two islands.

This is not a measure that is going to carry along our program of conservation in the State of Maine and I believe that it is a step backwards.

The plantation of Unity, the coming year, will go into our wild lands, if I am correctly informed.

That particular plantation on a Sunday will have a congestion of hunters that will go in there.

I venture to say that next year there will be no game of any kind left in that plantation. I think it

is an unhealthy situation to have those islands opened up, and all the areas around closed I am going to support the motion of the gentleman from Chapman, Mr. Welch.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Keller.

Mr. KELLER: Mr. Speaker, I made a few notes here in regard to some of the remarks made by my worthy colleagues.

One gentleman made the statement that England was in fine shape, but he did not tell you that in England they hunt on Sundays.

Now, one man who has spoken here, makes the statement about the crowded conditions that there will be in unorganized territory. He forgets the fact that about every five years the Fish and Game Department or the Legislature opens up three of our eastern counties to moose hunting. They have opened them up also for other hunting—deer and other game.

They come from Philadelphia and from everywhere. Of course that would not be a congested area! That is a pretty comfortable area!

Now, I went all over this last week. I did not think that I would have to fight this bill twice, but apparently I have got to.

I am not going to take any more of your time. I am going to leave it to the fair play of what I believe to be the men in this House, and I certainly hope that the motion of the gentleman from Chapman, Mr. Welch, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Pembroke, Mr. McFadden.

Mr. McFADDEN: Mr. Speaker, years ago, we respected the Sabbath. Then the automobile came; then legalized baseball and moving pictures came, and now there is the question of Sunday hunting. What is it going to lead up to? Where are we going to stop?

Mr. Keller stated last week that it was for unorganized territory only.

As Mr. Welch, the gentleman from Chapman, stated, some of the towns will go back to unorganized territory. That means that the people living in those territories will be in danger.

It is not any use to shorten up our season to conserve our game, and then open it for Sunday hunting.

We live in a Christian nation. We represent a great State. It is our duty not to repeal the laws of this State.

If we open up Sunday hunting in unorganized territory, it is only an opening, and sooner or later it will be legalized in organized territory.

I am going along with the gentleman from Chapman, Mr. Welch, and move the indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Shesong.

Mr. SHESONG: Mr. Speaker, I move the previous question, and when the vote is taken, I will ask for a division.

The SPEAKER: The gentleman from Portland, Mr. Shesong, moves the previous question. In order for the Chair to entertain the motion for the previous question requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Thirty-five voted in favor of the Chair entertaining the motion for the previous question, one hundred and twenty-nine members being present.

The SPEAKER: Less than one-third of the members present having arisen, the motion is not entertained. The question before the House is on the motion of the gentleman from Chapman, Mr. Welch, that this bill be indefinitely postponed.

The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the Ninetieth Legislature: I am a little uneasy in speaking again to you on this matter of Sunday hunting because I said about everything I had to say the other day; but I would feel guilty should I sit here and not speak to you on this matter, because the people whom I am supposed to represent are very eager to see that this bill is not passed.

Over the weekend I had a great many calls, telling me how they felt on it. I expected some of them would criticize me very strongly for opposing Sunday hunting. I did not have one criticism in that direction. The only criticism was we were not

forceful enough in allowing the report to be accepted. I also made a check on this for a very good friend of mine, operating one of the largest sporting goods stores in eastern Maine, and he told me that practically everyone was against the bill. He said there were a few who wanted Sunday hunting but the majority of the sportsmen of that section, an overwhelming group, were definitely against it, as were also, as has been told to you this morning, the sportsmen's clubs of the State.

Certainly this is going to be a difficult law to enforce. As the gentleman from Chapman, Mr. Welch, brought out, most unorganized townships have not a definite line and it is difficult to know whether you are in an organized town or in an unorganized township. In these towns which are on the border line a man may wound a deer in an unorganized township and you certainly would expect him to chase it wherever it went, and he may be arrested for hunting in an organized township.

We must remember this: Not all of the unorganized townships in Maine are in Aroostook County but are scattered throughout the State. Unity Plantation up here a few miles will be disorganized in this session. That is the trend today, so you are opening up a lot of territory that is near civilization. Then there are towns on the border line and those towns do not want Sunday hunting.

From the point of view of conservation, it was brought out the other day that this will add two weeks to our hunting season. The gentlemen who are in favor of this bill admit that is a fact, that we add two weeks to the hunting season in unorganized townships, because of the greater number of men that will be there on these six Sundays that we will have this year and every other year.

The roads that lead back into the unorganized townships—many of you are acquainted with them and hunt on them, and you know that the parking room is very limited because there are so many automobiles along those roadways left there by men who are hunting.

You will find that we will kill from three to four thousand more deer. I am speaking as one who is acquainted with the woods through-

out the year, not just during the hunting season, and I say I do not believe we can stand a kill of three or four thousand more deer.

Then from the standpoint of accidents, which is the most important thing for us to consider: It does not seem sensible to us as members of this Legislature that a certain group of men must die this coming fall, because the records will show that for each additional week in the season there will be at least one fatal accident. There will be just as many hunting on Sunday as on Thanksgiving Day, which would mean we would legislate the death of one man for each Sunday the season is open. The people in his section do not want Sunday hunting.

I met with a group of men from Union River Valley, most of them from unorganized townships, last Friday night, and they definitely expressed themselves that in the section in which they live they do not want Sunday hunting.

I believe we should consider the people living in these areas. I do not think it is right for us to legislate that a certain group of men must die this coming fall in the hunting season; and I believe we must preserve our great game animal, the deer, in this State.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Lambert.

Mr. LAMBERT: Mr. Speaker and Members of the House: I would like to call your attention to the fact that I have been approached by many people in my city in favor of Sunday hunting.

The fact that I mention this to you this morning is to recall to your mind some of the arguments that were brought out last week, and especially one which interested me more than anything else.

That is the fact that most of the workers on shoes, in the shoe shops around my section, work until Friday night. They have Saturday off. If they feel like going hunting in unorganized territory, they have to make long trips by automobile, and, by the time they get to the unorganized territory, from my section of the State, they cannot enjoy any hunting whatsoever.

If, on the other hand, we permit Sunday hunting in unorganized townships, these same people would reach their destination on Saturday

evening, or on Saturday afternoon, and have the same privilege that all the others have,—that is a privilege which they are deprived of today—the privilege of hunting on Sunday. By "all the others" I mean the privilege that others have during the week, that these workers do not have. It is a sport, like everything else. If we allow Sunday fishing, I do not see what is wrong with Sunday hunting.

As far as adding two weeks more to the hunting season in concerned, I think that you will find that possibly at the most, it would be six days.

On the other hand, so far as disturbing the people around the unorganized or in organized territory is concerned, I think that if you will check, that you will bear out my statement, and find that it is a reasonable statement,—that at the present time, if you should go in and check those towns, on Sunday you will find that the woods are full of hunters. They are not shooting, but they are there, just the same. So why not give the common laborer, who has not got a chance to go hunting during the week, a chance? I hope the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Jones.

Mr. JONES: Mr. Speaker, from the statements of some of the opponents, I think, they say that the sportsmen are against the passage of this bill. Therefore, we assume that they will not go hunting on the Sundays that are open, because they are opposed to Sunday hunting.

Therefore, from those two statements, is it not safe to assume that the working men would be the only ones that will go into the woods on the Sundays that the law allows them to? In other words, there will not be the Army of the Potomac, and some of the other well-known armies, in the woods on Armistice Day and Thanksgiving Day, because the sportsmen are opposed to Sunday hunting.

So I say, let the working man have a chance to get into the woods and take a gun, if he so desires, on Sunday.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker and Members of the House: The ques-

tion has been brought up about the working man going into the woods.

I did not realize that the question would bring so many 'phone calls and messages as I received over the week-end. They came from the working man, calling attention to the fact that he went into the camps on Sunday, because there was a certain degree of safety in going in there. He usually spends a week in there, and comes out on Sunday, feeling safer that way. They wanted to go on record—the sporting clubs and the individual sports—as being definitely opposed to this.

The SPEAKER: The Chair recognizes the gentleman from Chapman, Mr. Welch.

Mr. WELCH: I move that when the vote is taken, that it be taken by yeas and nays.

The SPEAKER: The gentleman from Chapman, Mr. Welch, asks that when the vote is taken, that it be taken by yeas and nays. Under the Constitution, the yeas and nays are ordered upon the request of one-fifth of the members present.

All those in favor of the vote being taken by yeas and nays, will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. The SPEAKER: Obviously more than one-fifth of the members having arisen, the vote will be taken by yeas and nays.

The question before the House is on the motion of the gentleman from Chapman, Mr. Welch, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Oxbow Plantation, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I have several objections to this bill but most of them have been covered.

The only one that apparently has not been discussed is this. In the northern section of the State, the town lines were run in 1847. Those lines have not been re-run.

I ask you members of this House, how are you going to tell which side of the line you are on?

The SPEAKER: The question before the House is on the motion of the gentleman from Chapman, Mr. Welch, that this bill be indefinitely postponed.

All those who are in favor of the indefinite postponement of this bill will answer yes when their names

are called, and those opposed will answer no.

The clerk will call the roll.

YEA — Anderson, Arzonico, Ayer, Babin, Bangs; Belanger, Biddeford; Bolduc, Boutin, Bowers, Boyd, Bragdon; Brown, Bangor; Brown, Eagle Lake; Bubar, Buckley, Buker, Clapp, Clough, Conant, Cousins, Crockett; Davis, Buxton; Davis, Montville; Dean, Deering, Dorrance, Doughty, Dow, Dutton, Dwinal, Estabrook, Fenlason, Flagg, Fuller, Goldsmith, Good; Gould, Gorham; Gould, Milo; Grua, Hall, Hamilton, Harvey, Hinckley, Holman, Jordan, Labbe, Lackee, LaFleur, Lane, Libby, MacLeod, McFadden, McGillicuddy, McGlauffin, McIntire, McKusick, McLellan, Milliken, Mills, Murchie, Newcomb, Osgood, Pearson, Pierce, Preble, Race; Rankin, Bridgton; Roberts, Robie, Robinson, Rollins, Roy, Sanderson, Sayward, Seecer, Shesong, Small, Starrett, Teel, Walker, Warren; Welch, Chapman; Williams, Bethel; Williams, Clifton; Winter, Worth.

NAY—Baker, Bernier, Briggs; Brown, Brunswick; Brown, Corinna; Bradford, Cross, Donahue, Farwell, Fickett, Forhan, Goodrich, Gowell, Jones, Keller, Lambert, Leavitt, Leveque, Littlefield, Martin, McKeen, McNamara, Megill, Mercier, Michaud, Morrison, Patterson, Payson, Pelletier, Phair, Porrell, Poulin, Pratt; Rankin, Denmark; Rodrigue, Savage, Sichel, Sleeper, Slosberg; Smith, Thomaston; Southard, Stevens, Sylvia, Tozier, Wallace, Weston, Willey, Wyman.

ABSENT—Belanger, Winslow; Brewer, Denny, Dorsey, Downs, Eddy, Grady, Hanold, Jacobs, Otto, Richardson; Smith, Bangor; Welch, North Berwick.

Yes—86.

No—48.

Absent—13.

On motion by Miss Clough of Bangor, the House voted to suspend Rule 25 to permit smoking for the remainder of this morning's session.

On motion by Mr. Payson of Portland, the House voted to take from the table the eighth tabled and unassigned matter, Bill "An Act Creating the Waldoboro Water District" (H. P. 1787) (L. D. 1042) tabled by that gentleman on March 24th pending assignment for third reading.

Mr. Payson offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1787, L. D. 1042, Bill "An Act Creating the Waldoboro Water District."

Amend said bill by striking out in the 2nd, 3rd and 4th lines of Section 18 thereof the words "acquire before July 1, 1943, by purchase or by the exercise of the right of emi-

ment domain" and inserting in place thereof the words 'purchase or file its petition to take by eminent domain, before July 1, 1942.'

House Amendment "A" was adopted, and tomorrow was assigned for third reading of the bill.

On motion by Mr. Payson of Portland, the House voted to take from the table the ninth tabled and unassigned matter, Bill "An Act creating the Limestone Water and Sewer District" (H. P. 1788) (L. D. 1049) tabled by that gentleman on March 24th, pending assignment for third reading.

Mr. Payson offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1788, L. D. 1049, Bill "An Act Creating the Limestone Water and Sewer District."

Amend said bill by striking out in the 2nd, 3rd and 4th lines of Section 18 thereof the words "acquire before July 1, 1943 by purchase or by the exercise of the right of eminent domain," and inserting in place thereof the words 'purchase or file its petition to take by eminent domain, before July 1, 1942.'

House Amendment "A" was adopted and tomorrow was assigned for third reading of the bill.

On motion by Mr. Sayward of Kennebunk, the House voted to take from the table the first tabled and unassigned matter, Bill "An Act Relating to Town Reports" (H. P. 1443) (L. D. 757) tabled by that gentleman on March 18th pending third reading.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Briggs.

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

Briefly, I would like to state that this bill was presented by me by request. I understand that this amendment is agreeable to the person for whom I introduced the bill, and therefore I believe there will be no objection from the parties that were originally interested.

The SPEAKER: The gentleman from Hampden, Mr. Briggs, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to H. P.

1443, L. D. 757, Bill "An Act relating to Town Reports."

Amend said Act by striking out the word "book" from the 12th line thereof;

And further amend said Act by striking out the words "regular printers' job" from the 13th line thereof.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker and Members of the House: I understand that this measure was introduced in this body by the request of a printer. It imposes hardships upon the selectmen of towns in the printing of their annual town reports. It makes specifications and requirements in regard to these reports which it is impossible for small job printers in the average small town to comply with. The towns are restricted to too many specifications and requirements and rules and licenses. I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Bingham, Mr. Dutton, moves indefinite postponement of the bill. The Chair will rule that under the rules a motion to amend takes precedence over a motion to indefinitely postpone. The question before the House is on the motion of the gentleman from Hampden, Mr. Briggs, that the House adopt House Amendment "A".

The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, I think, from reading the bill, that it may be that towns could not have their town reports mimeographed, and I have seen a good many of them that are mimeographed. No doubt the reason for that is that it is less expensive that way. It may be that some other amendment could be prepared to provide for mimeographing. I do not think that towns ought to be forced to print them if they can have them mimeographed cheaper. For that reason, I would like to ask that this bill lie on the table pending some further consideration, and I make that motion.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that this bill lie on the table pending the adoption of House Amendment "A." Is this the pleasure of the House?

The motion prevailed and the bill

was tabled pending adoption of House Amendment "A".

On motion by Mr. Dwinal of Camden, the House voted to take from the table the seventeenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns on Bill "An Act Relating to the Boundaries of the Town of Morrill" (H. P. 1219) (L. D. 436) tabled by that gentleman on March 25th, pending acceptance.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Dwinal.

Mr. DWINAL: Mr. Speaker, my only interest in this bill is as a member of the committee who signed the "Ought not to pass" report. The idea of the committee in signing the "Ought not to pass" report was not that the bill should not pass; but the bill was poorly drawn and we did not have the information available to make a redraft so that it could be in proper form, consequently we reported it "Ought not to pass". Since we made our report, however, the person interested in the bill has had a redraft made of it that will be satisfactory. It is a bill that I think should pass and I know the committee did. Consequently, as a signer of the "Ought not to pass" report, I will move that the bill be substituted for the report, and then at the proper time either I or the author of the bill will present an amendment to take care of the matter.

The SPEAKER: The gentleman from Camden, Mr. Dwinal, moves that the bill be substituted for the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the bill was substituted for the "Ought not to pass" report of the committee.

On motion by Mr. Shesong of Portland, the House voted to take from the table the sixteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns on Bill "An Act Relating to Expenses of Town Clerks" (H. P. 479) (L. D. 213) tabled by that gentleman on March 25th, pending acceptance; and on further motion by the same gentleman the bill was recommitted to the Committee on Towns and sent up for concurrence.

On motion by Mr. LaFleur of Portland, the House voted to take from the table the eleventh tabled and unassigned matter, Resolve Granting Bonus to Harold E. Seavey, of Phippsburg. (H. P. 1086) (L. D. 1045) tabled by that gentleman on March 24th pending assignment for second reading.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. LaFleur.

Mr. LaFLEUR: Mr. Speaker, my reason for tabling that particular resolve was due to the fact I wanted to make a check in the Adjutant General's office as to whether or not this particular individual had been paid the bonus. It is my understanding that it is now being checked. We did pass a resolve in this House during this session in which we granted a one hundred dollar bonus to a World War soldier who was already receiving a bonus in another State, which might be illegal. However, on checking up on this matter, I find this man is entitled under the law to his bonus. I now move the second reading of the resolve.

The SPEAKER: The question before the House is on the assignment of this resolve for second reading.

Thereupon the resolve was assigned for second reading on the next legislative day.

On motion by Mr. Mills of Farmington, the House voted to take from the table the twentieth tabled and unassigned matter, Bill "An Act Relating to Apportionment of School Funds." (H. P. 463) (L. D. 201) tabled by that gentleman on March 25th pending passage to be engrossed.

Thereupon the bill was passed to be engrossed and sent up for concurrence.

The SPEAKER: If there are no further matters to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Robinson of Brewer,

Adjourned until ten o'clock tomorrow morning.