

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fifth Legislature

OF THE

STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

### HOUSE

Tuesday, March 17, 1931

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

Prayer by the Rev. Mr. McWhorter.

Journal of the previous session read and approved.

From the Senate:  
The following communication:

STATE OF MAINE  
SENATE CHAMBER

March 12, 1931.

To the Honorable Clyde R. Chapman,  
Clerk of the House of Representatives,  
of the Eighty-fifth Legislature:

Sir:

I have the honor to transmit herewith the appointee by the President of the Senate as called for in the Joint Order relative to examining into the natural beauties and historical spots with a view of purchasing same and creating a system of State Parks:

Senator Leland of Piscataquis.

Respectfully yours,

(Signed) ROYDEN V. BROWN

Secretary of the Senate.

Read and placed on file.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on labor reporting ought not to pass on bill an act regulating labor and bids on State construction. S. P. 420, L. D. 527.

Comes from the Senate report read and accepted

In the House, on motion by Mr. Biddle of Portland, tabled pending acceptance of report in concurrence.

#### Senate Bills In First Reading

S. P. 533, L. D. 835: Resolve in favor of Mrs. Gladys Malcolm.

S. P. 540, L. D. 837: An act forbidding sirens on motor vehicles with certain exceptions.

S. P. 509, L. D. 752: An act to authorize York Harbor to appropriate money to improve part of York River.

S. P. 535, L. D. 836: An act relating to inspectors of buildings.

S. P. 538, L. D. 838: An act to

incorporate the Madawaska Village Corporation.

Mr. Daigle of Madawaska offered House Amendment A, as follows, and moved its adoption:

House Amendment A to L. D. 838, bill an act to incorporate the Madawaska Village Corporation.

Amend Section 12 by striking out in the third line thereof the words "or either of them" and by substituting in the eighth line thereof "he" for the word "they."

The amendment was adopted.

S. P. 539, L. D. 840: An act relating to the construction and maintenance of bridges on State highways.

S. P. 421, L. D. 528: An act relating to the care of neglected and abandoned animals.

S. P. 451, L. D. 608: An act relating to the promotion of medical education.

From the Senate.

An act regulating the open season for fishing in the county of York. (H. P. 535) (L. D. 168)

An act regulating fishing in Kennebago Stream. (H. P. 544) (L. D. 178)

An act regulating fishing in Dead River, South Branch and tributaries thereto. (H. P. 546) (L. D. 180)

An act regulating fishing in Alder Stream. (H. P. 548) (L. D. 182)

An act regulating fishing in Bunganut Lake, Ossipee Lake, Lone Pond, Moody Pond and Barker's Pond, county of York. (H. P. 560) (L. D. 193)

An act regulating fishing in Little Lyford Pond. (H. P. 699) (L. D. 228)

An act relating to length and daily limit of fish in Stanley Ponds, in Hiram and Porter, county of Oxford. (H. P. 534) (L. D. 167)

An act to regulate fishing in Wilson Lake in the town of Wilton in the county of Franklin. (H. P. 539) (L. D. 172)

An act to regulate fishing in Hill's Pond in Perkins Plantation in the county of Franklin. (H. P. 540) (L. D. 173)

An act regulating fishing in Cupsuptic Lake tributaries. (H. P. 545) (L. D. 179)

Which were passed to be engrossed in the House.

Come from the Senate the report of the committee recommitted to the committee on Inland Fisheries and Game.

In the House that body voted to recede and concur.

From the Senate: An act opening Upper and Lower Cold Stream Ponds to ice fishing. (H. P. 734) (L. D. 256) which was passed to be engrossed in the House.

Comes from the Senate the report of the committee recommitting to the Committee on Inland Fisheries and Game.

In the House, on motion by Mr. Lowell of Lincoln, tabled pending reconsideration.

Mr. SCATES of Westbrook: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. SCATES: Mr. Speaker, a few minutes ago I was requested to go out and meet three very beautiful ladies from Lewiston, and they requested that I perform a very pleasant duty for, if there is anything in this world that I do like to do it is to please the ladies. They informed me that it was the birthday of one of their members from Lewiston, Mr. Breen, and in token of that they wanted me to present him with this beautiful bouquet of flowers.

Thereupon there was placed upon the desk of the gentleman from Lewiston, Mr. Breen, a basket of flowers, amid the applause of the House.

Mr. BREEN: Mr. Speaker and members of the House: I am very much surprised to receive this bouquet this morning, and, as it is not my birthday, the only way I can figure it out is that I am not "wearing the green" and the ladies have "done it with flowers." (Laughter and applause).

From the Senate: Bill an act relating to fishing in Spear Stream in Peru, H. P. 187, L. D. 137, which was passed to be enacted in the House March 11th and passed to be engrossed March 4th.

Comes from the Senate recommitting to the committee on Inland Fisheries and Game in non-concurrence.

In the House, that body voted to recede and concur in the recommitment.

From the Senate: Report of the committee on Library reporting ought not to pass on resolve for

the purchase and distribution of Ward's Syllabus-Digest of the Maine Reports, H. P. 626, which was accepted in the House March 5th.

Comes from the Senate recommitting to the committee on Judiciary in non-concurrence.

In the House that body voted to recede and concur in the recommitment.

The following petitions were received, and, upon recommendation of the committee on Reference of Bills, were referred to the committee on Legal Affairs:

#### Legal Affairs

By Mr. Duquette of Biddeford: Petition signed by Daniel J. Gurney of Biddeford and 40 others in favor of liberalizing the Sunday Blue Laws. (H. P. 1306)

By Mr. Eaton of Calais: Petition signed by Ray A. Foley of Calais and 35 others in favor of same. (H. P. 1307)

By Mr. Perham of Paris: Petition signed by D. A. Dyer of Burnham and 23 others in favor of same. (H. P. 1308)

#### Reports of Committees

Mr. Sterling from the Committee on Agriculture reported ought not to pass on bill an act to control the sale of wood alcohol, methanol and methyl alcohol. (H. P. 939) (L. D. 443)

Report read and accepted.

Mr. Adams from the Committees on Agriculture and Inland Fisheries and Game jointly reported ought not to pass on bill an act repealing the bounty on bears. (H. P. 1056) (L. D. 612)

Mr. PERHAM of Paris: Mr. Speaker, two years ago the Legislature passed a bear bounty bill placing a bounty of twenty-five dollars a bear on all bears killed in towns where damage was being done to domestic animals. In the eighteen months following the introduction of that bill, there has been a saving of one hundred per cent to the State of Maine. I move that the report of the committee be accepted.

Report was accepted.

Mr. Blodgett from the Committee on Claims reported ought not to pass on resolve in favor of Daniel Maher of Bangor, Maine. (H. P. 793)

Mr. Littlefield from same Committee reported same on resolve in favor of the town of Washington. (H. P. 1158)

Mr. Smith from same Committee reported same on resolve in favor of the town of Lubec. (H. P. 513)

Mr. Webber from same Committee reported same on resolve reimbursing Joseph L. Martin for the amount due him for services and money expended by him for the burial of Fred D. Bumps, of Orneville, Maine. (H. P. 498)

Same gentleman from same committee reported same on resolve in favor of Edward J. Carroll and Alice Janet Carroll, H. P. 506.

Mrs. MOREY of Lewiston: Mr. Speaker and members of the House: This claim I am deeply interested in as a matter of justice. For fear that some of you may not understand the situation, I will state to you a few brief facts. The daughter of Mrs. Carroll, a little girl of thirteen, was visiting in South Paris one Sunday afternoon and she went across the road to the cemetery to read an inscription on a monument. It was very near a rifle range and she was shot by somebody at the rifle range and the bullet is in her groin at the present time. It could not be removed because it lies very near an artery, and, if removed, there would be danger of death. She is very nervous and of course the shock was very severe. This occurred five years ago, in 1926. She is now a girl eighteen or nineteen years old and it has affected her health a great deal. I understand that nature forms a little sac around a bullet, but it has of course affected her whole nervous system. Of course the shock was very severe to her father and mother as well as to the little girl. All they ask for is the money they paid out for hospital and doctors, nothing for the shock to her system or the shock to themselves. Of course anything of that kind cannot be measured in terms of money. Anything that happens to a child of yours or mine cannot of course be so measured. What they asked for is less than five hundred dollars—I think four hundred and seventy-five dollars or four hundred and eighty-seven dollars—something of that kind; and in the interest of common humanity and common justice I move to substitute the resolve for the report.

Mr. LITTLEFIELD of Monroe: Mr. Speaker, while I am sorry to oppose the lady, I was on the Claims committee two years ago and this same resolve came before

it. We had the Adjutant General's people come before us and they showed by testimony that this girl wasn't shot during the military target practice; that they had stopped firing at one o'clock Sunday afternoon and that this shooting did not take place until between two and three or nearly three o'clock in the afternoon. While we feel sorry for the girl, the committee feels that the claim is not just and so they turned it down. I signed the majority report and it was the unanimous belief that the State was not to blame and should not pay for the damage to the girl. While we may have sympathy, we feel that there is no just claim there. Therefore I move that the report, ought not to pass, be accepted.

Mrs. MOREY: Mr. Speaker, I know the evidence was that way, but the doctor who attended the little girl said there was more shooting there. Of course it cannot be proved that it was the militia, but if it was, and they should have looked after it, it was careless shooting. The remark was made at that time that there was shooting and somebody would be killed by the careless shooting. Somebody was shooting between two and three. That is all I have to say.

The SPEAKER: The pending motion is on the motion of the lady from Lewiston—

Mr. BLODGETT of Bucksport: Mr. Speaker, I hesitate to rise in opposition to this very sad case; but I feel that perhaps I should support my colleague, the gentleman from Waldo, Mr. Littlefield, in assuring this body that I too have served on the Claims committee for two years, and I know of no case that has been more thoroughly and sincerely investigated than this case which we have under consideration. After the committee had taken its first vote on the case, further opportunity was given for the people interested in this claim to come before the committee and produce further evidence as to the State's responsibility in this matter. We are all very sorry for the young lady and I regret exceedingly to oppose it and the lady from Lewiston, Mrs. Morey; but I feel that the unanimous report of the committee should be accepted.

The SPEAKER: The pending question is on the motion of the member from Lewiston, Mrs. Morey, that the resolve be substituted for the report. All those in favor of

substituting the resolve for the report will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the resolve for the report failed of passage.

The SPEAKER: The motion now before the House is on the acceptance of the ought not to pass report. Is it the pleasure of the House to accept that report?

The motion prevailed and the report was accepted.

Mr. Webber from the committee on Claims reported ought not to pass on resolve in favor of the town of Easton. (H. P. 727)

Mr. Sterling from the Committee on Inland Fisheries and Game reported same on bill an act relating to the use of certain traps or other devices for the capture of fur bearing animals. (H. P. 950) (L. D. 429)

Mr. Rogers from same Committee reported same on bill an act regulating trapping of fur bearing animals in the county of Washington. (H. P. 803) (L. D. 329)

Same gentleman from same Committee reported same on bill an act relating to trapping in the southern counties. (H. P. 1140) (L. D. 709)

Mr. Smith from same Committee reported same on bill an act relative to night hunting. (H. P. 920) (L. D. 398)

Mr. Eaton from same Committee reported same on bill an act relating to fur bearing animals. (H. P. 906) (L. D. 361)

Same gentleman from same Committee reported same on bill an act relative to ice fishing for pickerel. (H. P. 85) (L. D. 58)

Mr. Sterling from same Committee reported same on bill an act relating to shipping skins of fur bearing animals. (H. P. 907) (L. D. 342)

Same gentleman from same Committee reported same on bill an act relating to wild hares or rabbits. (H. P. 799) (L. D. 355)

Mr. Authier from the Committee on Judiciary reported ought not to pass on bill an act relating to town of Sanford. (H. P. 573)

Reports read and accepted and sent up for concurrence.

Mr. Authier from the Committee on Judiciary reported same ought not to pass on bill an act relating to the weight of commercial vehicles. (H. P. 1090) (L. D. 664)

(Tabled by Mr. Burkett of Portland, pending acceptance of report.)

Mr. Burkett from the Committee

on Judiciary reported ought not to pass on bill an act relating to stopping of motor vehicles at grade crossings. (H. P. 1095) (L. D. 667)

Same gentleman from same Committee reported same on bill an act relating to parking of motor vehicles. (H. P. 1094) (L. D. 673)

Mr. Farris from same Committee reported same on bill an act relating to exemptions from attachment. (H. P. 1096) (L. D. 668)

Same gentleman from same Committee reported same on bill an act relocating the residence of Fred E. Mitchell. (H. P. 745) (L. D. 266)

Reports read and accepted and sent up for concurrence.

Mr. Farris from the Committee on Judiciary reported ought not to pass on bill an act relating to secondary bells at railroad crossings. (H. P. 1087) (L. D. 671)

(Tabled by Mr. Bowers of Portland pending acceptance of report.)

Mr. McCart from the Committee on Judiciary reported ought not to pass on bill an act relating to County Commissioners. (H. P. 1089) (L. D. 663)

Report read and accepted and sent up for concurrence.

Mr. McCart from the Committee on Judiciary reported ought not to pass on bill an act relating to registration of motor vehicles and licensing of operators of motor vehicles. (H. P. 1097) (L. D. 689)

(Tabled by Mr. Picher of Waterville pending acceptance of report)

Mr. Snow from the Committee on Judiciary reported ought not to pass on bill an act relating to enforcement officials. (H. P. 1086) (L. D. 711)

Same gentleman from same Committee reported same on bill an act proposing an amendment to the Motor Vehicle Law requiring hand signals on turning or stopping or signals by a mechanical device approved by the Secretary of State. (H. P. 1091) (L. D. 665)

Reports read and accepted and sent up for concurrence.

Mr. Tompkins from the Committee on Judiciary reported ought not to pass on bill an act relating to pensions for members of the Police Department of the city of Portland. (H. P. 826) (L. D. 312)

(Tabled by Mr. Bowers of Portland pending acceptance of report)

Mr. Tompkins from the Committee on Judiciary reported ought not to pass on bill an act designating town and city clerks as agents of Secretary of State for certain purposes. (H. P. 1085) (L. D. 661)

Same gentleman from same Committee reported same on bill an act relating to reciprocity to trucks bringing household goods to persons dwelling in this State. (H. P. 1092) (L. D. 666)

Mr. Varney from same Committee reported same on bill an act relating to use of the highways by motor vehicles. (H. P. 1093) (L. D. 672)

Reports read and accepted and sent up for concurrence.

Mr. Harrington from the Committee on Taxation reported ought not to pass on bill an act relating to the reduction of registration fees and the increase of the gasoline tax. (H. P. 1112) (L. D. 689)

(Tabled by Mr. Boody of Windham pending acceptance of report)

Mr. Hathaway from the Committee on Taxation reported ought not to pass on bill an act to exempt certain live stock from taxation. (H. P. 1113) (L. D. 690)

(Tabled by Mr. Boody of Windham pending acceptance of report)

Mr. Lancaster from the Committee on State School for Boys, State School for Girls and State Reformatories on resolve in favor of the State School for Girls (H. P. 1143) reported that same be referred to the next Legislature.

Report read and accepted and sent up for concurrence.

Mr. Burr from the Committee on Claims on resolve in favor of Howard F. Dollard, compensating him for damages (H. P. 172) reported same in a new draft (H. P. 1295) under same title and that it ought to pass.

Mr. Smith from same Committee on resolve in favor of Elwyn Houston of Wells (H. P. 730) reported same in a new draft (H. P. 1296) under same title and that it ought to pass.

Mr. White from same Committee on resolve in favor of Maurice E. Gould of Sherman Mills (H. P. 176) reported same in a new draft (H. P. 1297) under same title and that it ought to pass.

Same gentleman from same Committee on resolve in favor of Horace Kelley (H. P. 1200) reported same in a second new draft (H. P. 1298) under same title and that it ought to pass.

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

Mr. MacKinnon from the Committee on Inland Fisheries and Game on bill an act relative to ice fishing for pickerel (H. P. 808) (L. D. 333) reported same in a new draft (H. P. 1299) under same title and that it ought to pass.

(On motion by Mr. Eaton of Calais, recommitted to the Committee on Inland Fisheries and Game)

Mr. MacKinnon from the Committee on Inland Fisheries and Game on bill an act relating to catching of smelts in fresh water streams (H. P. 952) (L. D. 431) reported same in a new draft (H. P. 1300) under same title and that it ought to pass.

(On motion by Mr. Eaton of Calais, recommitted to the Committee on Inland Fisheries and Game)

Mr. MacKinnon from the committee on Inland Fisheries and Game on bill an act establishing a Game Preserve in the towns of Vassalboro and Winslow, in the county of Kennebec (H. P. 951) (L. D. 430) reported same in a new draft (H. P. 1301) under title of An act establishing the Natanis Game Preserve in the town of Vassalboro in the county of Kennebec, and that it ought to pass.

Mr. Smith from same Committee on bill an act relative to the issuing of hunting and guiding licenses (H. P. 804) (L. D. 330) reported same in a new draft (H. P. 1302) under same title, and that it ought to pass.

Mr. McCart from the Committee on Judiciary on bill an act to incorporate the Lubec Cemetery Corporation (H. P. 587) reported same in a new draft (H. P. 1303) under same title and that it ought to pass.

Same gentleman from same Committee on bill an act relating to pauper settlements (H. P. 962) (L. D. 453) reported same in a new draft (H. P. 1304) under same title and that it ought to pass.

Mr. Varney from same Committee on bill an act to incorporate the Berwick Cemetery Association (H. P. 590) reported same in a new draft (H. P. 1305) under same title and that it ought to pass.

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

Mr. Smith from the Committee on Claims reported ought to pass

on resolve in favor of Harry W. Hill of Limerick. (H. P. 48)

Mr. Farris from the Committee on Judiciary reported same on bill an act relating to the Attorney-General. (H. P. 921)

Reports read and accepted and the bill and resolve ordered printed under the Joint Rules.

Mr. Sterling from the Committee on Agriculture reported ought to pass on bill an act to provide for cooperation between the United States Department of Agriculture, the Commissioners of Agriculture of the New England States, and the Maine Department of Agriculture in the collection and publication of statistics and for other purposes. (H. P. 1078) (L. D. 654)

Same gentleman from same Committee reported same on bill an act regulating the transportation of poultry. (H. P. 777) (L. D. 323)

Mr. Rogers from the Committee on Inland Fisheries and Game reported same on bill an act relating to classification of registered guides. (H. P. 948) (L. D. 427)

Mr. Eaton from same Committee reported same on bill an act relating to a biennial revision of Fish and Game Laws. (H. P. 1060) (L. D. 616)

Mr. MacKinnon from same Committee reported same on bill an act relating to hunting from railways. (H. P. 1057) (L. D. 613)

Mr. Smith from same Committee reported same on bill an act providing for a State Game Farm. (H. P. 798) (L. D. 325)

Mr. Burkett from the Committee on Judiciary reported same on bill an act to provide for the appointment of a Commission on Revision of the Inheritance and Estate Tax Law. (H. P. 1088) (L. D. 662)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

#### First Reading Of Printed Bills And Resolve

(H. P. 701) (L. D. 849) An act relating to the Penobscot Tribe of Indians.

(H. P. 1293) (L. D. 850) An act relating to supervision of Indian Old Town Schools.

(H. P. 1294) (L. D. 851) An act exempting charitable organizations from excise tax.

(H. P. 1292) (L. D. 852) Resolve in favor of Josian W. Reed and Carleton Day Reed of Woolwich, co-partners in trade and doing business under the firm name and style of Reed & Reed.

(Tabled by Mr. Oliver of Bath, pending second reading.)

#### Passed To Be Engrossed

(S. P. 387) (L. D. 491) An act relating to ballots for primary elections.

(S. F. 532) (L. D. 814) An act to appropriate monies for the necessary expenses of State government.

(H. P. 94) (L. D. 65) An act relating to Fish Hatcheries and Feeding Stations.

(H. F. 1069) (L. D. 848) An act relating to County Law Libraries.

(H. P. 1104) (L. D. 682) An act relating to legal holidays.

#### Orders of the Day

Mr. BOODY of Windham: Mr. Speaker and members of the House: As one of the members who voted to join with the Senate in concurrence on the question of the investigation of the State Assessors, I now move that we do not concur, and give my reasons. A careful investigation has fully satisfied me that in the valuation of the State of Maine by the change of the excise tax on automobiles that goes to your cities and towns instead of a state and county tax, has made a reduction of \$30,000,000, and the Governor of the State and the Assessors, in conference together, have decided that the valuation of the State should be raised to the valuation that it formerly had, or, in other words, if the valuation of the State of Maine is to remain the same, you would lose \$250,000 less than the amount that you might raise with the same per cent, and as the percentage is the great basis on which politicians base their judgment before the people, that percentage would be raised.

Now the question at issue is whether or no you wish to raise the percentage or the percentage shall remain the same, which does not govern either way, up or down. Then the question involved is what effect would the investigation have on the State? It would have none whatever. It is only a question of prolongation. It would be only a question of whether the equaliza-



tion was made on the basis of dollars and cents or, in other words, on an imaginary basis. This, in my personal opinion, would give no different basis than we have now. It would be a question of equalizing, anyway, whether the valuation was down or up.

Now in my town a valuation of \$50,000 was put on. Portland I notice, had a valuation of \$2,000,000, and still her net valuation is only \$350,000 more than it was two years ago. I notice that many of the changed conditions have somewhat affected the valuation in a personal way. But the only objection I have to this valuation is the failure to protect the small towns. My town can stand this valuation, but many of the poorer and adjoining towns cannot stand it, should not have it advanced, therefore I personally believe that we should recede from the Senate and not concur, and then let the towns and the cities take up their valuation at the next valuation that they will have before them. Therefore, Mr. Speaker, I move you that we recede and non-concur.

The SPEAKER: The motion of the gentleman from Windham, Mr. Boody, is that the House reconsider its action whereby it voted to recede and concur with the Senate.

Mr. MORSE of Oakland: Mr. Speaker, I was wondering what he was speaking on,—if the motion before the House was not to reconsider.

The SPEAKER: The gentleman from Windham, Mr. Boody, had stated, I think at the beginning of his remarks that he wished to move to reconsider.

Mr. BREEN of Lewiston: Mr. Speaker I would like to say a few words. It seems to me we are paying altogether too much increase in taxes in the city of Lewiston. They saw fit to increase the value \$800,000, and the taxnavers of Lewiston are now struggling under a burden of taxation, and I certainly hope the motion of the gentleman from Windham, Mr. Boody, will not prevail.

Mr. MORSE of Oakland: Mr. Speaker, I fully realize that under the plan pursued by the State Board of Assessors that it was necessary to increase the valuation of the property in the State of Maine, but in my class of towns, and in Kennebec County, we do not think

the method of increasing valuation was justified.

Now in Kennebec County the total increase in the county was \$36,169. In the three towns which I represent, the increased valuation in those three towns is \$127,129. In other words in my town of Oakland, the town I represent, and where I live, the valuation has increased \$36,000. Now in the four cities in Kennebec County the valuation has decreased \$321,054. We think, in the towns which I represent, that this is an unjust increase. We have the plant of the American Woolen Company there, which is vacated, and they have moved all the machinery out. I do not suppose it is of any interest to the members of the House about the town of Oakland, but we would like to know the basis of the increase in valuation.

It is immaterial to me whether this order goes to the committee on taxation or to a special committee, but I would like to see the matter looked into, and I do not care to see the order die between the two Houses. Therefore I would be in favor of concurring with the Senate on the special committee for an investigation.

The SPEAKER: The question before the House is on the motion to reconsider.

Mr. BOWERS of Portland: Mr. Speaker and members of the House: I would like to make the point clear on this order that it is no criticism of the personnel of the Assessors' Office or of the Board itself. It is merely that certain things have come up like the gentleman from Oakland (Mr. Morse) referred to, that show some very wide inconsistencies which do not seem to be fair and equitable to all concerned, and the reason that that is put up is, as I say, not against the Board of Assessors or anybody else. I believe taxation is bad enough anyway, and it at least ought to be distributed equitably over the people of the State of Maine.

There is definite evidence to show one item. In the 1928 report there has been five million dollars' worth of property exempted from taxation. Now that is illegal, in the first place. The Legislature is the only body that can exempt property from taxation in this State. The municipality has no right to do so. Now take that five million dollars' worth of property, which is

located in five different counties, and you will find that with the State tax rate at 7½ mills, this exemption of \$5,000,000 amounts to something like \$37,000 in taxes. The other eleven counties have to bear that burden. For instance, Cumberland County bears over \$11,000 additional taxation; Androscoggin County bears \$4,530 because of that exemption; York County bears \$4,485; Waldo County, \$868.

From those facts alone, gentlemen, I think it indicates that something ought to be done, and I think, instead of taking little petty resolves home, if every member takes back to his community the knowledge that the taxes are fair and just, he will have done his work very well. I oppose, Mr. Speaker, this motion of Mr. Boody's to reconsider this measure.

Mr. ALLEN of Sanford: Mr. Speaker and members of the House: I think the question is whether or no we are to have an investigation. That is what the order calls for—an investigation. I have been here in the Legislature quite a few years. I have passed through quite a number of investigations, and I fail to recall one where an investigation ever meant one single, solitary thing, or ever arrived at anything.

Now to give you a little resume of this proposition: This order came over from the Senate, referred to a special committee. The House at that time took the order under consideration, and I, myself, moved to send it to the committee on taxation, not for an investigation, but to see whether an investigation was necessary or not. That passed the House and it went over to the Senate and was laid on the table. Now the sponsors of this order, whoever they may be, if they really and truly wanted an investigation, never would have kept it on the table twenty-eight days. At the end of twenty-eight days it was sent over here, and we adhered to our former position, which, in a measure, killed the order, but not necessarily.

Now I want to be fair in this matter. I cannot see, for the life of me, what good an investigation would do. They have got to raise this money for taxation, and if they take it off Oakland, take it off of Sanford, or take it off of Portland, somebody has got to pay it. It is money that has got to be allocated somewhere, and it might just as

well come from me as from somebody else.

York County, they say, has been raised \$6,000,000, the highest of any county in the State. I come from York County, and I am not finding any fault. I looked the matter up, and it really amounts to about \$800,000. That is what they raised it; not \$6,000,000.

Now if you want an investigation, I am willing, but it is going to take at least a couple weeks to have an investigation, and I am going to tell you right now, and I really believe it as much as I am standing here, it will not amount to one single, solitary thing. I honestly believe that. But if that is what you are after, if that is what you want—an investigation—I have no fish to fry; I do not care. I am just trying to protect you people from yourselves—not that I am in a position to protect anyone—I just want to protect you from yourselves. I do not think everybody understood what they were doing when they voted last Friday to send this back to the Senate. If they want to insist and have a committee of conference, I do not care, but I think the proper thing for us to do is to indefinitely postpone this order when the time comes and get rid of it, and I am satisfied, if we do that, all of these things will be ironed out with the Assessors in the end. I hope the motion of the gentleman from Windham, Mr. Boody, will prevail.

Mr. PERHAM of Paris: Mr. Speaker, I am in favor of the indefinite postponement of this investigation. I feel that originally the House took an absolutely fair stand on this matter by voting that it be sent to the committee on taxation to find out whether or not an investigation was necessary. Then the Senate held it on the table for twenty-eight days, and now, right in the last month of our important work, we have it sent back here to cause a mess.

I was here two years ago, and I went through one investigation, and I will tell you now that I am in favor of the indefinite postponement of this investigation.

Mr. BOODY: Mr. Speaker, personally I have no interest whatever in this matter except to see the State of Maine and its people honestly treated. I do not agree with the State Assessors; I do not agree with the methods that have

been adopted; I do not believe in "politicalizing" the State of Maine on the basis of dollars and cents. I do believe, having seen this matter originate where it originated two years ago, with the great farce and assassination of human honesty—I am not willing that Frank Sterling, a man of high character, a man who has served the State of Maine wonderfully in all work pertaining to this Department, I am not willing to see him, in his old age, sacrificed and crucified by imagination. Therefore I appeal to you as humanitarians, that this order, which never can give any results—we have no control, we cannot dominate, we cannot instruct—therefore I move that this be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Windham, Mr. Boody, that the action of the House whereby it receded and concurred with the Senate be reconsidered.

Mr. LOWELL of Lincoln: Mr. Speaker, I am not in a speech-making mind this morning, and I do not intend to make any speech, but I am heartily in favor of the motion of the gentleman from Windham, Mr. Boody, for the indefinite postponement of this order.

The SPEAKER: That is not the motion before the House. The motion is not before the House to indefinitely postpone. The motion before the House is the motion to reconsider. Is the House ready for the question?

A viva voce vote was taken and the motion to reconsider prevailed.

Mr. ALLEN: Mr. Speaker, I now move that this order be indefinitely postponed.

The SPEAKER: The gentleman from Sanford, Mr. Allen, moves that the House reconsider its action whereby it voted to have this matter referred to the committee on taxation and that the matter be indefinitely postponed. All those in favor will say aye; those opposed no.

A viva voce vote was taken and the order was indefinitely postponed.

The SPEAKER: Are there any other matters that can be taken up under orders of the day?

On motion by Mr. Burkett of Portland, it was voted to take from

the table the 11th unassigned matter, bill an act to incorporate the Blueberry Farm Water Company of Camden, S. P. 208, L. D. 152, tabled by that gentleman March 12, pending passage to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby it was passed to be engrossed, and that gentleman offered House Amendment A, and moved its adoption, as follows:

House Amendment A to Senate Paper 208, bill an act to incorporate the Blueberry Farm Water Company of Camden.

Amend said bill by striking out all of section ten.

The amendment was adopted and the bill as amended was passed to be engrossed.

On motion by Mr. Allen of Sanford, it was voted to take from the table the first unassigned matter, House report ought to pass in new draft of the committee on Inland Fisheries and Game on bill an act relating to ice fishing in Mousam Lake, Square Lake and Goose Pond, situated in the towns of Shapleigh and Acton, in York county, New draft H. P. 1274, tabled by that gentleman March 10, pending acceptance of the report; and on further motion by the same gentleman the report was accepted and the new draft ordered printed under the Joint Rules.

On motion by Mr. Blaisdell of Franklin it was voted to take from the table the 25th unassigned matter, majority report ought to pass in new draft and minority report ought not to pass of the committee on Legal Affairs on bill an act providing for sentences and the imposition thereof, new draft H. P. 1192, L. D. 777, tabled by that gentleman March 13, pending the motion of Mr. Leonard of Hampden that the House reconsider its action of March 12 whereby the minority report, ought not to pass, was accepted.

Mr. BLAISDELL: Mr. Speaker, I would yield to the gentleman from Hampden, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, I would like the permission of the House to accede to the request of the gentleman from Franklin, Mr. Blaisdell, and withdraw my motion to reconsider.

Thereupon a viva voce vote was taken and permission to withdraw the motion to reconsider was granted.

Mr. BLAISDELL: Mr. Speaker, for the purpose of harmony, in so far as we are able to attain it, it seems that it is possible for us to have a conference with the Chief Justice relative to certain changes that seem to bring that harmony. For that reason I move that the bill and report be recommitted to the committee on Legal Affairs.

Mr. SCATES of Westbrook: Mr. Speaker, I am not particularly interested in this bill in any way, but it is one which was fathered by the gentleman from Brewer, Mr. Sargent, and in view of the fact that he is absent today owing to the serious illness of his mother, it is nothing but courtesy to him that the matter remain on the table until he can be present; and I move that it be retabled.

The SPEAKER: The Chair will state the present status of this bill. The motion to reconsider on the part of the gentleman from Hampden, Mr. Leonard, having been withdrawn, leaves the matter before the House as having accepted the ought not to pass report. The only motion that would apply now to bring the matter before the House would be a reconsideration of the motion of the House whereby the House accepted the ought not to pass report.

Mr. BLAISDELL: Mr. Speaker, before making that motion I want the House to thoroughly understand —

The SPEAKER: Will the gentleman make the motion before speaking to the motion?

Mr. BLAISDELL: I move, you, Mr. Speaker, that we reconsider our action whereby we accepted the report ought not to pass.

The SPEAKER: Did the gentleman vote with the majority or the minority on that question?

Mr. BLAISDELL: Yes, I voted with the majority.

(Calls of "No. No.")

The SPEAKER: Did the gentleman vote ought not to pass or ought to pass?

Mr. BLAISDELL: I voted no on the motion, which was a vote for the majority report.

The SPEAKER: Then the motion cannot be reconsidered by you.

Mr. PLUMMER of Portland: Mr. Speaker, I think it no more than right that the motion made by the gentleman from Westbrook (Mr. Scates)—

The SPEAKER: The gentleman is not in order because that motion is not before the House.

Mr. PLUMMER: Mr. Speaker, I understood that he moved to table.

The SPEAKER: The bill in its present condition is not before the House for consideration. The only motion that can bring this matter before the House is a motion to reconsider made by somebody who voted with the majority side.

Mr. CHURCH of Hallowell: Mr. Speaker, I believe I voted with the majority side on the question, and I move that we reconsider the vote whereby we accepted the ought not to pass report, and I further move —

The SPEAKER: The House may be at ease for just a few moments, and the Chair will then recognize the gentleman from Westbrook (Mr. Scates). It becomes necessary to look up the Record.

(House at ease)

The SPEAKER: Is it the pleasure of the House to suspend the rules and reconsider the action of the House whereby it voted to accept the ought not to pass report? This requires a two-thirds vote.

Mr. FERNALD of Winterport: Mr. Speaker, a parliamentary inquiry. As I understand it, the present status of this bill is that the views expressed in the minority report, as presented by the gentleman from Brewer, Mr. Sargent, now prevail.

The SPEAKER: That is correct, and the question is on the reconsideration of that action. Is the House ready for the question? It requires a two thirds vote. All those in favor will rise and remain standing until counted and the monitors have returned the count.

A division being had,

Sixty-seven voting in the affirmative and 55 in the negative the motion to reconsider failed of passage.

Mr. SNOW of Bluehill: Mr. Speaker, if it is in order, I move that the action of the House whereby the gentleman from Hampden,

Mr. Leonard, was allowed to withdraw his motion be reconsidered.

The SPEAKER: The Chair will rule—

Mr. MORRILL of Gray: Mr. Speaker, as I understand it, Mr. Leonard's motion has been withdrawn. Is there any rule that will oblige him to make the motion over again?

The SPEAKER: The Chair will rule that the gentleman from Hampden, Mr. Leonard, having asked permission to withdraw his motion, and that permission having been granted by the House and he having withdrawn it, he cannot be

compelled to make it again, and, consequently, it does not exist. Therefore, the motion of the gentleman from Bluehill, Mr. Snow, is not in order.

The SPEAKER: Are there any other matters to come before the House under orders of the day?

There being no response the Clerk read the notices.

On motion by Mr. Edwards of Bethel,

Adjourned until tomorrow morning.