

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

Wednesday, April 1, 1931.

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

Prayer by the Rev. Mr. McWhorter of Augusta.

(At this point Representative Farris of Augusta assumed the Chair, amid the applause of the House)

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Final report of the Committee on

Taxation

Temperance

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Majority report of the committee on Inland Fisheries and Game reporting ought to pass on bill an act to repeal the bounty on porcupines, S. P. 408, L. D. 516.

Report was signed by the following members:

Messrs. Boulter of York, Greenleaf of Androscoggin, McLean of Hancock—of the Senate; Angell of Saco, Bussey of Dixmont, Sterling of Caratunk—of the House.

Minority report of same committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. Eaton of Calais, MacKinnon of Mexico and Smith of Masardis.

Comes from the Senate with the majority report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Burkett of Portland, the majority report, ought to pass was accepted in concurrence with the Senate.

Thereupon the bill received its two several readings; Senate Amendment A. read and adopted in concurrence; and under suspension of the rules the bill received its third reading and was passed to be engrossed, as amended by Senate Amendment A, in concurrence.

From the Senate: Report of the committee on Judiciary on bill an act relating to "itinerant vendors" and "hawkers and peddlers" S. P. 366, L. D. 387, reporting same in a new draft, S. P. 570, L. D. 986, under same title and that it ought to pass.

Comes from the Senate, report read and accepted and the new draft passed to be engrossed as amended by Senate Amendment A.

In the House, the report was accepted in concurrence, and the bill received its two several readings. Senate Amendment A read and adopted in concurrence, and under suspension of the rules the bill received its third reading and was passed to be engrossed, as amended by Senate Amendment A, in concurrence.

From the Senate: Bill an act relating to road construction in the town of Islesboro (H. P. 235) which was passed to be engrossed in the House, March 27th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Snow of Bluehill, that body voted to recede and concur.

From the Senate: Resolve in favor of a Memorial to the Maine Volunteer Signal Corps (H. P. 76) (L. D. 55) which was passed to be engrossed as amended by House Amendment A in the House, March 30th.

Comes from the Senate referred to the next Legislature in non-concurrence.

In the House, on motion by Mr. Smith of Bangor, that body voted to recede and concur.

From the Senate: Bill an act relating to insurance agents and brokers, H. P. 631, L. D. 539, which was indefinitely postponed in the House March 26th.

Comes from the Senate passed to be engrossed in non-concurrence.

In the House:

Mr. FENLASON of Anson: Mr. Speaker, I move that the House insist and ask for a committee of conference.

Mr. McCART of Eastport: Mr. Speaker, I believe that motion is debatable?

The SPEAKER pro tem: It is.

Mr. McCART: And if the motion is not carried I hope to make a mo-

tion that the House recede and concur with the Senate.

The SPEAKER pro tem: I will say, for the gentleman's information, that he can make that motion. It has precedence over the motion to insist.

Mr. McCART: I shall make that motion at the conclusion of my remarks.

I feel that our vote of, I believe it was day before yesterday, on this matter, was principally made through our friendship for Mr. Fenlason. I do not believe any of us want to do anything we feel is going to work a real harm to any member of this House.

I met a gentleman yesterday who was not connected with the Union Mutual Life Insurance Company, a gentleman by the name of Mr. Neale, who is general agent in this State for the New York Life Insurance Company, which is in no way affected by this act. In the course of our conversation I asked Mr. Neale if this tax really would do any harm to any agent selling life insurance in this State. He said in his experience that it would not, and he showed me two letters which he had received, one from a party in the state of Vermont and another from a party in the state of New Hampshire, both of which have an act practically identical to this. I asked the gentleman if he would let me have those letters, that I might read them to the House, and he did. The first letter is from Mr. W. O. Comstock, who is secretary of the Vermont Association of Life Underwriters. He says to Mr. Neale:

"Dear Sir: It comes to my attention that Maine is considering a modification of her non-residential law.

"It seems to me that this act should be amended, as most of the other states do allow non-residents to solicit by mail, and it has never been brought to my attention as secretary of the Vermont Association of Life Underwriters or as general agent, that the law as we have it on our statutes is in any way harmful to the regular solicitors who are residents in the field."

The second letter is from a gentleman by the name of C. A. Allen, who is president of the New Hampshire Life Underwriters' Association. In the course of his remarks

on this bill he says: "This law has been very helpful to life underwriters as a whole and I am sure, to every general agent, and the State does, I believe, receive a little more benefit than they would without the law, because there of course is always some business that can be written by some agent from another state on a relative or friend, which business probably would not be secured by one of our local agents.

"I have been president of the New Hampshire Life Underwriters' Association and also of the Manchester Life Underwriters' Association for three years, and during that time I have handled many complaints for both real and imaginary ills, but I have never yet received one complaint making any objection to our insurance law, particularly as pertaining to the licensing of non-resident agents."

Now these are letters from officials representing life insurance agents from two states which are practically the same as ours, large rural sections. They do not feel that this act is doing any harm but I am frank to say it is the opinion of this House that the act would do some harm, but I think, in the face of what we might call expert opinion, that this House would be perfectly justified in reversing their action on the bill and giving it passage. Mr. Speaker, I move that the House recede and concur with the Senate.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Eastport, Mr. McCart, that we recede and concur with the Senate.

Mr. FENLASON of Anson: Mr. Speaker, we have heard what New Hampshire and Vermont have to say about the bill, and we have heard what Mr. Neale has to say about it. I have a great many letters here, but I am not going to tire the House by reading them. I will read one or two with your permission—this one is from the John Hancock Mutual Life Insurance Company:

"Representative Earl Fenlason,

State House, Augusta, Maine.

Dear Mr. Fenlason: I want to place myself squarely on record as being opposed to the bill which would grant licenses to transact the business of life insurance to non-

residents of Maine. Such a law would work far more harm than good.

"I have been in the life insurance business in Maine for 15 years—pay my taxes and spend my money in Maine. I do not see how the State of Maine can benefit by permitting outsiders to compete with its own citizens.

"The present law protects our public in that it permits the insurance commissioner to put his finger immediately on any agent who is guilty of fraud, misrepresentation, or other breaking of the insurance laws. Would the proposed bill enable the commissioner to act against men who may never enter the State again?"

"As a matter of fact, the bill is class legislation. It permits the issue of licenses to non-resident life insurance men; why not extend non-resident licenses to fire, casualty and other lines of insurance?"

The next letter is from Mr. Higgins of The Travelers, Bangor: "Dear Mr. Fenlason:

I understand that there is a bill before the Legislature at the present time which will enable non-residents to sell Life Insurance in the State of Maine and that this matter is to be discussed at a Life Underwriters meeting in Portland, Maine, Next Tuesday at the Columbia Hotel.

"As one engaged in the insurance business, I am convinced that such a plan would be a distinct disadvantage to Maine residents and wish to register my protest against passage. Such a plan not only seems to be unnecessary but would undoubtedly cause much Maine Life business to be placed through outside agents which normally would be handled by Maine residents. It would further apparently be an opening wedge for a similar arrangement on Fire and Casualty which would be apt to produce results even more disastrous in view of the large amount of summer property owned by residents of other states. It seems fair to expect that insurance in Maine should be reserved for Maine agents rather than subjected to outside non-resident competition which has not worked out any too successfully in other states where it has been tried. I therefore feel

strongly that every effort should be made to prevent the passage of the pending bill and believe this sentiment is shared by the majority of Maine agents.

Very truly yours,

Donald S. Higgins,
General Agent."

Here is one along the same line from E. C. Jones & Co., Inc., Robert M. Pennell, vice president. I will read any of them that you gentleman want me to, but I do not think you want me to. Here is another one from James C. Milliken, special agent New England Mutual Life Insurance Company: "I am decidedly opposed to the bill." Another one is from the Massachusetts Mutual Life Insurance Company, J. Putnam Stevens Company, general agents, signed by Mr. W. G. Thomas:

"In reference to a bill now before the Legislature proposing to license non-residents to sell life insurance in our State, I wish to go on record as being opposed to it on the ground that it will do a great deal more harm than good.

"A similar bill was before the Legislature about ten years ago, and I well remember the remarks of a member of the committee that turned it down. He said 'I used to be in trade some years ago, ran a general store in Phillips, and occasionally some itinerant peddler with a two-horse team of groceries, wooden and hardware, dry goods, etc., would come to town, take the most of the ready cash and leave me the tailings. You could not make me think those fellows helped me any then, and you can't now.' I believe that gentleman told the whole story.

Very truly yours,

Wm. G. Thomas.

P. S. The gentleman above referred to is the Hon. White Butler of Farmington, who was in the Senate at the time."

Here is another one, signed by H. Earle Shaw, special agent John Hancock Mutual Life Insurance Company; another one from Ray N. Libby, Massachusetts Mutual Life Insurance Company; another one from the Mutual Benefit Life Insurance Company of Newark, N. J., Edward C. Hawes, general agent, Bangor: "I want to place myself squarely on record as being opposed to the bill." Another one is from the Mutual Benefit Life In-

insurance Company, of Newark, N. J., Merton H. French, agent, Bangor; another one from John Hancock Mutual Life Insurance Company, George Leatherbarrow, Saco, and four telegrams from different parts of the State to the same effect. I thank you.

Mr. GOODRICH of York: Mr. Speaker and members of the 85th Legislature: I want to support Mr. McCart's motion to recede and concur with the Senate on House Paper 631, Legislative Document 539, an act relating to insurance agents and brokers. In doing this, I wish to speak briefly on a few points which, it seems to me, have not been fully dwelt upon.

As has been pointed out, this act merely carries out a practice followed by thirty-four other states and makes possible to residents of Maine the license required to write insurance in other states than their own.

The gentleman from North Anson, Mr. Fenlason, has expressed the fear that the passage of such a reciprocal licensing bill will result in an inrush of high pressure salesmen to the detriment of the interests of local insurance agents. It seems to me, if there is any one line of business that is done more on the basis of friendship than all other, it is life insurance, and that all of us turn to our friends to write our insurance for us, consequently when an unknown agent, no matter what his sales ability, who comes into our town and talks life insurance to us, we are very apt to talk to our friend, the local agent, and be led by him and place our insurance with him when the time comes. I do not think there is much risk of the local agent, if he knows his business, losing to the high pressure salesman.

On the other hand, the opportunity afforded insurance men of this State through this reciprocity, to go into Vermont, Massachusetts, and other nearby states and solicit insurance from their friends, perhaps school friends, college friends and people of that sort, is a valuable asset to them, particularly to the younger men.

The State of Maine's one life insurance company, the Union Mutual Life Insurance Company of Portland, is one institution of which we may well be proud. It was established in 1848. It is a

strictly mutual company and has always had as directors men of prominence and ability who have ably conducted its business in the interest of the policy holders. Among its present directors are such men as Ex-Governor Wm. T. Cobb, Wadleigh B. Drummond, Edward Cox and others. Twenty per cent or thereabouts of the insurance it writes is written on the lives of residents of Maine. These policy holders to the number of 6600 and upwards, holding insurance policies now in force in the amount of over ten million dollars, are profiting through the success of this company. They are, in fact, its beneficial owners. The Insurance Department of the State of New York ruled in 1929 that agents of the Union Mutual Life Insurance Company not residents of New York State could not be licensed to write insurance there because the State of Maine did not license non-resident agents of extra-state insurance companies to write insurance within its territory. This militates against the company, consequently against its policy holders, 6600 of whom are residents of Maine.

It seems to me, even at the risk of imposing some hardship in a few individual cases this measure providing for reciprocity should be adopted in the interests of Maine's one life insurance company with its 6600 policy holders who are residents of the State.

Mr. FENLASON: Mr. Speaker, can I question the gentleman through the Chair?

The SPEAKER pro tem: The gentleman from Anson, Mr. Fenlason, wishes to ask a question of the gentleman from York, Mr. Goodrich.

Mr. FENLASON: Mr. Goodrich, were you ever in the insurance business?

The SPEAKER pro tem: The gentleman from York may answer if he desires.

Mr. GOODRICH: No, sir.

Mr. FENLASON: Did you know that Wadleigh Drummond was the Union Mutual attorney?

The SPEAKER pro tem: The gentleman will please address the Chair.

Mr. FENLASON: I would like to ask through the Chair if the gentleman knew Wadleigh Drummond was the Union Mutual attorney?

The SPEAKER pro tem: The gentleman from Anson, Mr. Fenla-

son, asks through the Chair of the gentleman from York, Mr. Goodrich, if he knew Wadleigh Drummond was the Union Mutual attorney. The gentleman may answer if he desires.

Mr. GOODRICH: I knew him only as director of the company.

Mr. FENLASON: I would like to ask through the Chair if the gentleman realized he was one of the directors of the Union Mutual Company.

The SPEAKER pro tem: The gentleman may answer if he desires.

Mr. GOODRICH: I am not quite sure I understand his question.

Mr. FENLASON: I would like to ask if you realize the man from whom you got the information was a director of that company, the Union Mutual?

Mr. GOODRICH: I did.

Mr. FENLASON: Thank you.

Mr. BRIGGS of Caribou: Mr. Speaker and members of the Legislature: I have been trying to look at this question from the point of view of general business. It seems to me that we are suffering from one of these restrictive measures which we are somewhat apt to pass in Maine. I believe it is our duty, as members of the Legislature, to see that the streams of business in our State flow free, and I wish to support the motion to recede and concur with the Senate in this matter.

Mr. TOMPKINS of Houlton: Mr. Speaker, I am opposed to the motion. We have, in this State today, a great deal of opposition—a great deal of competition—to our local merchants through chain stores. We have a great deal of opposition to our local merchants through these vendors. Now we have another class of chain competition—we have the chain banks, and yet another class of competition, we have the chain insurance agents. If we are so particular and careful to protect our grocery men and our other merchants doing business in our towns who pay the taxes and the up-keep of the government, if we are so careful of their interests, it seems to me that we should also extend the same consideration to our insurance agents who live in the State of Maine. I am opposed to this motion.

Mr. McCART: Mr. Speaker, there is one feature of this mat-

ter Mr. Fenlason brought out and which was referred to by the gentleman who has just spoken, Mr. Tompkins, that this is class legislation. I say that failure to pass it is class legislation. We do not say to the A & P stores you cannot bring southern potatoes in here and sell them cheaper than our Aroostook farmers can. No, we let them bring them in and sell them. And we have automobile salesmen coming in here and selling in Maine. We do not say you cannot sell cars in this State because we have got Maine salesmen. We say come ahead and sell them; you have got a right to do business. Now why should we not let them come in and sell insurance? Is the insurance agent any different breed of business man from what we have here? I believe it is a business proposition and if we are going to let others do business, why not let the insurance agents do business?

Mr. Fenlason was granted permission to speak a third time.

Mr. FENLASON: Mr. Speaker, if a man comes into the State and sells an automobile or any other article, he does not have to, and no one asks him, to service that automobile until it becomes worn out. Any man who comes into the State—and I speak with some authority, as I claim to be the only life insurance man in the House—I claim that if a man comes into this State and sells a policy and jumps out, that the local agent has got to service that policy as long as there is a claim free of any cost to anybody, and he has got to do it courteously.

They say why can't these men come in here and write life insurance? Why can't they come in and write fire insurance? Am I any better or any worse than any other insurance agent just because I do not write it? Why pick on me? The fire insurance men on that committee are represented in this House, all reputable men and friends of mine, and they asked me not to attach an amendment whereby it would include all insurance, and I heard I was going to be taken care of if I did not do it. They said it would ruin their business. Is your business any better than mine? I have never interfered with the fire insurance men. I put insurance on my own home and give the business to the fire in-

insurance man. I am a straight life insurance man, and if these letters I have read from these gentlemen do not speak louder than one man in Portland or one company in Portland and express the views of men who are distributed over the State of Maine, then I have nothing more to say.

The life insurance men, representing their companies, expressed themselves through those letters and kept away from this lobby. Did the proponents of the bill do the same thing? No—they left it to you and to me to see that they were taken care of. I just appeal to this House and ask them if they think the proponents of this bill have done the same thing, or have they lobbied night and day?

The SPEAKER pro tem: Is the House ready for the question?

Mr. BOWERS of Portland: Mr. Speaker, I think the statements of the gentleman from Anson, (Mr. Fenlason) regarding life insurance and fire insurance cannot be reconciled. The fact that fire insurance men do not want this thing to apply to them is very sound and sensible. When an adjustment is made on life insurance, the adjustment is made after the undertaker comes along, but when an adjustment is made on fire insurance, a place may have to be examined four or five times, and if the policy was held by a Massachusetts broker, it would be a burden on the Massachusetts broker to come down here and go back and forth. So I cannot see a bit of comparison or any need to bring that into this question. The fact is, when you stop to realize, in January, three different meetings were held in Portland, where they called together the life insurance men and asked them what they thought of this bill, and the vote was 14 to 5 in favor of it. The fact is that Mr. M. H. Neale whom the gentleman from Eastport (Mr. McCart) spoke of, has 138 men registered—I believe he has more men registered than all the letters Mr. Fenlason has read put together. He also has a representative in the town where Mr. Fenlason lives. I do not believe a man who has as many representatives as that would want any piece of legislation to go through unless he thought it was fair and just.

In the first place, coming back to

the point of common sense, no man can come down here and sell you insurance unless he is a friend of yours. Take my own instance: I have promised five years ahead a man I like to give my insurance to him, and I am going to tell you right now that there is not a living man outside the State who can come in here and take a pot shot at me and walk off with my insurance. I do not believe they can do it with one of these gentlemen.

We have an institution in Portland—and all of us try to boost our Maine institutions, at least should—that asks for this bill. The fact is that they had this hearing and no one appeared in opposition to the bill, and the committee reported ought to pass, and then it comes along and stops here. I believe every one of these letters have been solicited. It is funny they did not appear at the committee hearing. I am in favor of the motion of the gentleman from Eastport, Mr. McCart, and I hope it prevails.

Mr. Fenlason was given permission to speak a fourth time.

Mr. FENLASON: The gentleman says he believes every one of these letters was solicited. As a matter of fact, three of them were solicited; the rest of them were unsolicited, and that is the truth. Now if that number of men represented by that number of letters did not have an opportunity to come in here—I told the House the other day it was my fault—I wasn't at the hearing myself and I apologized for it, or tried to—all these letters came to me unsolicited. I never saw over three men who are represented on those letters.

The SPEAKER pro tem: Is the House ready for the question?

Mr. BIDDLE of Portland: I dislike very much, Mr. Speaker, to rise and oppose a good friend and neighboring gentleman such as Mr. Fenlason, but I feel that I must. From the fact that Mr. Fenlason himself is illogical; he does not carry this matter to its logical conclusion. Mr. Fenlason sells insurance for a company down in Massachusetts, or in Pittsburgh, or some other place out of the State. If he carried his reasoning to its logical conclusion, he would be selling life insurance for the Union Mutual Company because that is the only company in the State that sells life insurance, so he could not

logically sell insurance for a company outside the State, because his interest would be to protect the interests of the State in any business that was carried on in the State. As far as I can see, it is absolutely illogical.

Let us see how this matter works out. Last summer I had occasion to feel I might like to buy some life insurance. At the time I was in a state adjacent to Maine. I telephoned to a friend of mine connected with one of the companies from which he has a letter here this morning, deploring this measure. I telephoned to him and asked him if he could sell me life insurance. He said he would be right up to see me. I was in New Hampshire at the time. Everything seemed to be all right, but when it came to actually selling me and signing the policy, he said "You will have to come with me down to Maine in order that you may sign that and do business with me." I said "Why is that?" He said "We have no reciprocity between New Hampshire and Maine in the matter of selling life insurance. That man never sold me life insurance. Maine could have had the business; I was anxious to give the Maine man the business. If Maine had had this law on the books at that time, that particular policy could have been sold to me, a Maine man, by a Maine man, and Maine would have gotten the business, small as it was, to be sure. I rather imagine there are a number of instances of that kind, of which this is typical, where Maine men are losing business. Mr. Fenlason himself is losing business because of the fact he cannot do a thing such as I mention.

I talk with some authority myself. I have sold life insurance. I have had a license to sell life insurance in four states, and I can say that Mr. Fenlason has no need to be afraid of the go-getter life insurance agent. The go-getter will never bother Mr. Fenlason. The man who sells policies in a big way does not come to the small town, or small place, or even the fairly large town. He sells insurance in a big way, sells policies in a big way. That is the only thing he is interested in. He would not bother Mr. Fenlason or 99.99 per cent of the insurance agents in Maine. In fact, it would be just the reverse, because it

would give them the opportunity of getting business which they do not now get.

Mr. BURKETT of Portland: Mr. Speaker, I spoke on this measure briefly the other day, and I do not plan to take any time this morning. In the discussion this morning, it seems to me that the reciprocal provision of this act has been somewhat lost sight of. I will read this part of the bill: "And provided, further, that a non-resident may only be so licensed in this State to act as an agent for a foreign life insurance company if under the laws of the State of his residence, residents of Maine may be licensed to solicit and write life insurance in such other state." In other words, the act does not open the doors wide open for every life insurance agent to come into Maine; it simply says that if you will let our agents come into your state and sell insurance, we will extend the same right to you or agents from your state who come in here. Now that reciprocal provision is in line with other statutes in our state. It is what we are trying to do in our motor vehicle licensing and registration. It is absolutely no new policy we are adopting here, and it is in line, as I say, with the established policy of our State in similar matters.

Mr. McLOON of Rockland: Mr. Speaker and members of the House: I think this matter of competition has been overstretched. As I understand it, the Life Insurance Writers' Association, or the majority of them, are in favor of this bill. They must necessarily have considered the matter of competition. If they do not fear it, I do not know why we should fear for them. I do not believe that the New York salesman is coming down here and out-smart the Maine Yankee. He may get somebody interested, and after he has gone, the local agent will reap a golden harvest. One thing is sure: If he comes down here, he has got to spend considerable money, and the State of Maine will get the benefit from that.

The SPEAKER pro tem: Is the House ready for the question? The question is on the motion of the gentleman from Eastport, Mr. McCart, that we recede and concur

with the Senate on bill an act relating to life insurance agents and brokers, House Paper 631, Legislative Document 53', which was indefinitely postponed in the House on March 26th, came from the Senate, passed to be engrossed in non-concurrence.

Mr. FENLASON: Mr. Speaker, it is not my motion?

The SPEAKER pro tem: No, the motion to recede has precedence. All those in favor of the motion of the gentleman from Eastport, Mr. McCart, that the House recede and concur with the Senate will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had, Seventy-three having voted in the affirmative and 46 in the negative, the motion prevailed.

Mr. Fenlason then offered House Amendment A and moved its adoption.

House Amendment A to House Paper 631.

Amend said bill by striking out the word "life" wherever it occurs in said bill.

Mr. McCART: Mr. Speaker, I have no further interest in this bill, but I simply want to say that this amendment is in direct violation of an agreement made by the Life Underwriters with the Casualty and Fire Underwriters in Portland, and is offered by a small minority of Life Underwriters in the hope that the Fire Underwriters will come in and attempt to defeat the bill.

Mr. FENLASON: Mr. Speaker, I rise to state that there was no agreement made one way or the other, and I know what I am talking about.

Mr. JACK of Lisbon: Mr. Speaker, I am interested in the proposition now. It applies to all insurance companies, as amended—that is, if the amendment goes through, it applies to all insurance, does it not?

The SPEAKER pro tem: The amendment states "strike out the word 'life'" and that would apply to all insurance. The gentleman is correct.

Mr. JACK: I would like to ask through the Chair of Mr. McCart if he writes fire insurance.

The SPEAKER pro tem: The gentleman from Lisbon, Mr. Jack, inquires of the gentleman from

Eastport, Mr. McCart, if he writes fire insurance.

Mr. McCART: I will say that I practice law and nothing else.

Mr. JACK: I would like to ask through the Chair if his office writes insurance.

The SPEAKER pro tem: The gentleman may answer if he desires.

Mr. McCART: I will say that I am in a law office and not in an insurance office.

Mr. JACK: That is satisfactory.

One gentleman got up here and said he would like to see somebody come in from the western states and out-smart the Maine Yankee. If his memory will go back to yesterday, he will find where two gentlemen came in from Illinois and out-smarted the Maine Yankee to the extent that while they are paying 8½ mills on taxation, the rest of the citizens pay 44.28 per cent. (Laughter) I have not got so much confidence today in the Maine Yankee as I had yesterday. (Laughter)

Now you go up into Boston, and you walk around and nearly break your neck looking up into the heavens at those big buildings, and wonder how they exist, and the same thing in New York. You do not see a great multitude piling in and out, but they are there and they exist, and here is the secret of it: The outlying states—their business all goes in. I know what I am talking about. I have been in the insurance business thirty years in addition to practicing law. (Laughter) And even though I am a lawyer, I could be loyal to the rest of the citizenship of Maine irrespective of that fact.

Now I told some gentleman here as soon as this big stuff got by—and the big stuff got by yesterday—you would see certain gentlemen show their teeth, which we covered up until they got by and got the votes. I think Mr. Fenlason will realize I am correct; still, I think you are going to vote to support Mr. Fenlason.

Talk about chain stores, my brother from Houlton (Mr. Tompkins) pointed out what is going on in Maine. The whole financial system and structure of the country is collapsing. I think Brother Boody, the other day, called your attention to the fact that nobody could buy—they had nothing to buy with; they haven't. You let four

boys go out and play marbles, and one gets all the marbles. What happens? There is no more game. (Laughter) There is your financial situation in the country today, in the hands of four per cent. How is anyone else going to do any business? I will guarantee to you that if they will divide that up, there will be some business done right off, because they will start in to get it back. (Laughter)

Now I am in favor of protecting Maine's institutions and Maine's agents. I know how they do it—the big business is all going out of the State. Take your mills,—they will have one agent in Maine, covering the whole territory. Maine's business is being written by Massachusetts agents. They do it right in my town, and then we wonder why we cannot exist. It is only when it comes to the clinch we lay down. I hope we are not going to lay down on this.

The SPEAKER pro tem: The question before the House is on the adoption of House Amendment A. Is the House ready for the question? All those in favor of the adoption of House Amendment A will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had, 48 voting in the affirmative and 48 in the negative.

The SPEAKER pro tem. Forty-eight having voted in the affirmative and 48 in the negative, the Chair must cast the deciding vote. The Chair votes no.

Mr. JACK: Mr. Speaker, I move the indefinite postponement of the bill and amendment.

The SPEAKER pro tem: The amendment fails of adoption; the Chair cast the deciding vote. The amendment is lost. Now the gentleman from Lisbon, Mr. Jack, moves that the bill as amended be indefinitely postponed.

Mr. JACK: Mr. Speaker, the amendment failed, so I assume the only thing before the House is the bill now, and I move the indefinite postponement of the bill.

A viva voce vote being doubted,

A division of the House was had, Sixty-eight having voted in the affirmative and 49 in the negative, the motion to indefinitely postpone the bill prevailed.

From the Senate: An act relating to taxation of shares of stock of trust and banking companies, H. P. 711, L. D. 233, which was finally passed in the House March 24 and passed to be engrossed February 19, and which was recalled to the Senate by Joint Order.

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

In the House, on motion by Mr. Pitcher of Waterville, that body voted to reconsider its action whereby this bill was passed to be enacted, and on further motion by the same gentleman it voted to reconsider its action whereby it was passed to be engrossed.

On further motion by the same gentleman, the House voted, by a viva voce vote, to concur with the Senate in the adoption of Senate Amendment B.

Thereupon Senate Amendment A was indefinitely postponed in concurrence, and the bill was passed to be engrossed, as amended by Senate Amendment B, in concurrence.

On motion by Mr. Burkett of Portland, it was voted that when the House has completed its work this morning, it recess until two o'clock this afternoon.

Orders

Mr. Jack of Lisbon presented the following order and moved its passage:

Ordered, that the Kennebec Journal be requested to publish in full in its issue of April 2 the debate in the House yesterday, March 31st, on bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes, H. P. 995, L. D. 677, and also the debate on bill an act relative to tax on gasoline, Legislative Document 749, H. P. 1117, and the yea and nay vote on each act.

Mr. JACK: Mr. Speaker, I notice in the paper this morning that these debates are left out. I want to see just how powerful this proposition is. I understand the Kennebec Journal is one of the so-call-

ed chain newspapers. We have already recognized the fact that these people are so powerful that we cannot tax them. Now I want to see if they can suppress free speech in Maine.

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

Reports of Committees

Final report of the committee on County Estimates.

Read and accepted.

Mr. Burkett from the committee on State Prisons reported ought to pass on bill an act to abolish the Board of Prison Commissioners. H. P. 1159, L. D. 802.

Mr. BURKETT of Union: Mr. Speaker, I would like to say that this has been taken care of now by the Code bill, and I move the indefinite postponement of this report.

The motion prevailed.

First Reading of Printed Bills and Resolves

(H. P. 1440) (L. D. 1053) An act relating to taxation of corporate franchises.

Passed to Be Engrossed

(H. P. 1117) (L. D. 749) An act relative to tax on gasoline.

(H. P. 1437) (L. D. 1049) An act relating to fees for organization of corporations.

(H. P. 1438) (L. D. 1047) Resolve creating an Old Age Pension Recesse Committee.

(H. P. 1439) (L. D. 1048) Resolve in favor of the towns of Mexico and Rumford.

(On motion by Mr. Burkett of Portland, a viva voce vote being taken, the rules were suspended and the members permitted to smoke for the rest of the session.)

Passed to Be Enacted

(S. P. 82) (L. D. 94) An act relative to the stamping of beaver skins.

(S. P. 270) (L. D. 983) An act relating to military and naval reservists.

(S. P. 271) (L. D. 984) An act to clarify the payment of military accounts.

(S. P. 307) (L. D. 987) An act to create a Game Sanctuary, in the town of Hope, Knox County, to be known as the Gribbel Game Preserve.

(S. P. 355) (L. D. 378) An act re-

lating to taking of land by State Highway Commission.

(S. P. 527) (L. D. 846) An act relating to fees for registration of trailers.

(S. P. 589) (L. D. 989) An act to protect cod and other ground fish in waters off coast of Lincoln and Sagadahoc Counties.

(H. P. 1391) (L. D. 966) An act relating to chauffeurs.

Finally Passed

(S. P. 158) (L. D. 985) Resolve in favor of the town of Jonesport.

(S. P. 189) (L. D. 991) Resolve appropriating money for the construction and equipment of a Nurses' Home for the Bangor State Hospital.

(S. P. 272) (L. D. 902) Resolve in favor of the Western Maine Sanatorium for employees' building.

(S. P. 557) (L. D. 857) Resolve in favor of the State Library.

(S. P. 591) (L. D. 993) Resolve relating to rights of the States in the nomination and election of United States Senators.

(S. P. 594) (L. D. 988) Resolve in favor of the town of Washburn.

(S. P. 605) (L. D. 1015) An act relating to subordinate officers of the Senate.

(H. P. 1413) (L. D. 1016) An act relating to subordinate officers of the House of Representatives.

The following report was taken up out of order under suspension of the rules:

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on bill an act regarding the practice of any healing art of science (H. P. 1105) (L. D. 683) reporting that the Senate recede and concur with the House in recommitting the bill to the Committee on Public Health.

(Signed)

Messrs. BIDDLE of Portland
WRIGHT of Bath
JACK of Lisbon Falls
Committee on part of
House.

CROSBY of Penobscot
STORY of Arrostook
GREENLEAF of Andros-
coggin

Committee on part of
Senate.

Was read and accepted and sent up for concurrence.

Orders of the Day

The SPEAKER pro tem: The

Chair lays before the House, tabled and today assigned, the first item majority report ought not to pass and minority report ought to pass of the committee on Pensions on bill an act to provide for a system of non-contributory old age pensions, H. P. 899, L. D. 345, tabled March 30 by Mr. Edwards of Bethel, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. EDWARDS: Mr. Speaker, I am sorry to have delayed this report at all. Our committee was favorable to this bill but they did not seem to know where the money was coming from. We might have passed yesterday a measure that would help take care of these old age pensions by taxing these power and electric companies. Had we done so we would have sufficient funds to pay all pensions. I hope the Legislature will give this full consideration and thought before voting on it.

Mr. JACK of Lisbon: Mr. Speaker, I have not dug into this proposition to any great extent, but I call your attention to the fact that something has got to be done, as is being done in other states, for the care of aged people outside of the old fashioned poor farm about which there is nothing particularly edifying. A man may be poor and still be a human being. I find we are spending \$57,000 for animal industry, but when it comes to human beings that is another story. I do not imagine we are going to do anything today on the old age pension proposition; but there is a future and let's see what we are already doing. Someone might think that this was something new, what had never been considered, was not practiced in Maine. As a matter of fact the blind are getting \$112,-906.55 by the way of pensions, and that is right; that is just; I believe in that. Teachers' pensions, \$124,-221.45. Apparently that is all right. Pensioning State employees, \$14,-036.51, and apparently that is all right. Special pensions, \$1,200. I don't know to whom that applies, but I assume it is all right. Pensioning prison officials, \$937.50, I don't know just how they got in there but they are there and I assume it is all right. Retired Justices of the Supreme Judicial

Courts and Superior Courts, \$20,-129.46. The total is \$273,431.47.

You see we are already in the proposition, and as to whether or not some people are drawing pensions who do not need them, I do not know, but I assume there are some people drawing pensions who have got a good deal more money than some of the poor on the poor farms of the State of Maine.

I am simply speaking for the purpose of calling your attention to what we are doing, and to what I believe we must do and will do when we follow other states. Now with the brains of this country, I believe it is possible to figure out some scheme, non-contributing or contributing, at least contributing by those who are at the stage of life when they can contribute. But what about those who have passed that point? I do not believe in poor farms. I do not believe that because a man is unfortunate enough, on account of ill health or other misfortune, he should be carted off to a place where you would not keep a good dog, at least if you think as much of your dog as I do mine, to mix and mingle perhaps with non compos mentis individuals and things like that. I am simply speaking for the purpose of calling your attention to these facts and figures that I have dug out.

Mr. WARD of Limestone: Mr. Speaker, a short time ago we passed a resolve creating an old age pension recess committee, House Paper 1338, L. D. 1047. I am a member of that Pension Committee, and this bill that we are now taking up was gone over thoroughly by that committee. I think that committee had as much sympathy for the aged as anybody, but it being such a large question, your committee thought the only way to get at it correctly was by an old age pension recess committee and so the majority of us reported ought not to pass, and I move that the majority report be accepted.

Mr. EDWARDS: Mr. Speaker, four years ago there was a committee appointed, costing the State between six and seven thousand dollars, to have that Recess Committee go over the same things they would have to go over the present time. It is useless to go over this whole thing again. We

have facts and figures and they are not likely to change very much from four years ago until this time. To kill this pension bill there was put in this clause providing for this Recess Committee and that is all in the world it was put in for.

Mr. BREWSTER of Wells: Mr. Speaker, I would like to say a few words in support of the old age pension bill. It may be the impression at the present time that it would not be possible to pass it at this late hour in the session. I think it was brought out in the committee by Dr. Tyson that there are several people in his institution whose minds are somewhat affected, but who if they had a little pension to carry them along for the remainder of their days, would not be there. It was my privilege to build a town building for the poor in my home town where the condition was really pitiable. The town of York is noted for taking care of its poor, but there are people there who ought not to be there. I have in mind particularly one woman who, through some unfortunate misfortune, had lost her property. Now if she could have had a little pension it would have helped her along and it was quite humiliating for her to have to be there. There were others in that same condition. Sooner or later the State of Maine will have to wake up to the fact that they must provide in some way for these people who are along in years. Everyone of us must realize that we are growing older, especially when we draw the comb through our hair—at least I do; and I hope that sometime some sort of an old age pension will be adopted in the State of Maine.

Mr. SMITH of Vinalhaven: Mr. Speaker, I want to go on record as favoring this old age pension, and I hope the House will accept the minority report, ought to pass.

Mr. MORSE of Oakland: Mr. Speaker, I have had the honor of serving on the Pensions Committee for the past three sessions. I have heard a great deal about the old age pension, and as House chairman of that committee I feel that I ought to say a few words in regard to the bill, No. 345, you will find it in your files. Under section two "The Governor with the advice and consent of the Council shall ap-

point a chairman and four other persons as members of the Board of Old Age Pensions. They shall serve for a term of four years, except that of the first five persons appointed, the chairman and one other shall be appointed to serve for a period of four years, one for three years, and one for two years, and one for one year. The members of the board shall receive five dollars per day while actually engaged in the business of the board and their necessary expenses incurred in the performance of their duties."

"The Board of Old Age Pensions shall have the power to appoint such deputies, agents, investigators, clerks, and other employees as the work of the board may require and as the Legislature may provide."

Under this bill the age was 65 years instead of 70, and the pensioners were to receive one dollar a day or such additional sum in the case of persons who are ill as may be necessary to provide for their adequate maintenance and care. It also provides for money for the burial of the old age pensioner, and, as someone has said, it carried no appropriation.

Again, in 1927, we created a committee to investigate the matter of old age pensions and they reported to the Legislature of 1929. On this board served such men as Grube Cornish, the head of the Welfare Department and C. O. Beals, the Commissioner of Labor. They made a thorough canvass of the State of Maine and every city and town in our State. They found 1980 persons in immediate need of assistance. That would cost the State of Maine about \$712,700. They also found 2524 aged people, passed the age of 70, who would require assistance within a few years. Now in this people the age is fixed at 65, and it would cost the State of Maine the first year probably over half a million dollars and the second year probably a million dollars.

After due consideration, your committee thought it advisable to pass a recess order, creating a committee to investigate the matter in regard to old age pension. That order called for the appointment of a committee by the Governor and Council at a small expense.

I have been into this old age pension question in several states

in our Union and foreign countries, and I find that in foreign countries—the most of them—there is a contributory law. Now this style of pension or insurance will take care of the younger people but the older people must be taken care of in some other manner. Personally I believe in an old age pension, contributory pension, but there must be some scheme worked out to take care of the people passed seventy years of age. Under this Recess Committee I think the Governor will appoint, perhaps, the head of the department, and we can work out a scheme, or they can, in regard to an old age pension and report to the next Legislature. It will not be an expensive committee for the State of Maine and I am in favor of accepting the majority report, ought not to pass.

Mr. ALLEN of Sanford: Mr. Speaker, I am heartily in favor of an old age pension of some kind, and as there is a bill going through for a Recess Committee I am wondering whether or no it would not be a pretty good idea for this House to give to this Recess Committee that is to be appointed our moral support, showing them that we are as a Legislature in favor of some form of old age pension. We have had quite a number of these recess committees. They make their reports, the reports are accepted and placed on file and that is the end of it. Now if we could only just give these people some kind of an idea that we are in favor of something, show to the people of the State of Maine that we want something of this sort—and I would like to make a motion if it is in order that we take a rising vote on it, those of us who feel that we should have an old age pension of some kind or other. Mr. Speaker, would this be in order?

The SPEAKER pro tem: There is a motion before the House, do you mean just the sentiment of the House?

Mr. ALLEN: That was my idea, Mr. Speaker.

Mr. SCATES of Westbrook: I would ask the gentleman to state a day when we should have the old age pension.

Mr. ALLEN: I will vote for it right this minute, my boy.

Mr. STERN of Biddeford: Mr.

Speaker, ladies and gentlemen: I think an old age pension should be adopted by the Legislature. I am sincerely for that bill and I do not like to play politics. I told the committee I was in favor of that bill, but they did not seem to have the money. So we had an understanding that the majority report should be accepted and a Recess Committee appointed to work on it. I have the history, I have the facts, I have the justice on my side and I do not want politics in it. Neither do our unfortunates. There should be no party when it comes to a bill like this, and I ask all the friends of that bill to vote to accept the majority report and let the Recess Committee do its duty, and perhaps in two years we may have an old age pension law in this State. My request to you, ladies and gentlemen, is to accept the majority report. As I have said we want no politics in this, and I think the Recess Committee will work for a proper bill and will not work to kill it.

Mr. PERHAM of Paris: Mr. Speaker, I have received more letters on the old age pension matter than on any other matter, and I believe that some day we should have an old age pension, although I believe that it must be a combination of a contributory pension along with some special provision for the older people who are so old now that they cannot contribute. I am in favor of this Recess Committee.

Mr. BURKETT of Portland: Mr. Speaker, I am very glad that the gentleman from Biddeford, Mr. Stern, has spoken on this matter. I think the members of this Legislature owe him a debt of gratitude for the untiring work he has done on this bill and in connection with this pension legislation. Like the gentleman from Paris (Mr. Perham) I have received a mass of letters on this subject, some of them nitiable in the extreme. Eventually, of course, we have got to do something on this pension legislation; it is inevitable. I wish there was some way, but the rules of the House do not permit it, that the suggestion of the gentleman from Sanford (Mr. Allen) could be carried out. I refer to his suggestion that a rising vote be taken to show the sentiment of the members in regard to the ultimate

passage of some legislation along these lines.

Mr. JACKSON of Bath: Mr. Speaker, I crave for the indulgence of the House at this late hour to make just a word of explanation. I want to endorse what the gentleman from Portland, Mr. Burkett, has said that every member of this House owes the gentleman from Biddeford, Mr. Stern, a debt of gratitude for the hard work he has done and the money he has spent on this matter. The situation is simply this: Mr. Stern presented a bill for a non-contributory old age pension to this Legislature. I have been interested in this matter for several years, realizing what other states have done must soon be done by the State of Maine if we wish to sustain the reputation and character of our State.

After a few weeks of the Legislature had elapsed, I felt that, under the financial stress and economy wave going over this session, the passage of a non-contributory old age pension would be well nigh hopeless. To that end, after talking the matter over with the Governor and the heads of the two bodies and the State Auditor, I presented an order calling for the appointing of a Recess Committee to study this thing in its various phases, including the bills of other states, and try to profit by the mistakes other states have made. Governor Roosevelt said in his inaugural address in New York that such a law must be provided. The state legislature of Connecticut is right now in the throes of passing such a bill. It was my idea to study this matter carefully and be able to present to the next Legislature a bill that would be well nigh perfect, profiting by the mistakes that other states have made. My friend on my left, Mr. Brewster, apparently had the same idea. He introduced a resolve covering the same subject. The Brewster resolve and the Jackson order were practically the same. His resolve called for the appointment of this Recess Committee by the Governor; mine called for it by the President of the Senate and the Speaker of the House. In other respects they were alike.

I should have been very glad indeed to have supported my friend Stern in a bill which was non-con-

tributory had the Brewster resolve or the Jackson order failed to pass the committee. Now the committee reported ought not to pass on the Stern bill and ought not to pass on the Brewster resolve. As a matter of fact no credit belongs to me. The committee has seen fit to take some of the features of the Brewster resolve and some of the features of my order and reported it out in a new draft. The credit of the wording of this bill belongs to Mr. Brewster as much as to me. The gentleman from Portland (Mr. Burkett) has said that this House owes the gentleman from Biddeford (Mr. Stern) a vote of thanks, and I hope they will not fail to appreciate the work he has done. Certainly it is appreciated by those who happen to know about it. I am very glad to endorse the motion made by the gentleman from Sanford, Mr. Allen.

Mr. VILES of Madison: Mr. Speaker, I wish to ask through the Chair whether the motion of the gentleman from Sanford cannot be by a yea and nay vote so that it may be on record of the House vote so they can see for themselves.

Mr. PATTERSON of Freeport: Mr. Speaker, I do not think there is any occasion for a yea and nay vote on this question, about which I think we all feel the same. The only thing at the present time is to finance these matters, and I think the motion without the yea and nay vote is enough.

Mr. ALLEN: Mr. Speaker, I do not think it necessary to take a yea and nay vote. I think we know the feeling of the House pretty well and I am pretty well satisfied.

Mr. VILES: Mr. Speaker, I withdraw my motion.

Mr. BURKETT of Union: Mr. Speaker, as a member of the Pension Committee, I will say that we had quite a lengthy hearing on the old age pension matter. If you could have heard the able manner in which Mr. Stern presented that case, you would endorse the proposition he has made to have a Recess Committee appointed. It has been brought out by the Three Quarter Century Club that we have over fifty thousand people in the State of Maine around the age of seventy-five. If you bring that down to sixty-five, of course there

will be a great many more. If you should allow them one hundred dollars apiece, if you should allow them ten dollars a month, it would cost the State five million dollars. Now are we prepared, have we any set-up, to take care of that five million dollars, or have we anything to take care of one million dollars? I think the old age pension has got to come, but until we have some set-up, or until there is some way shown to take care of it, I say that we are going to be in a state of chaos. I endorse everything that Mr. Stern has said and he certainly has put up a very able argument in relation to this bill. I would be in favor of a Recess Committee.

Mr. SCATES of Westbrook: Mr. Speaker, under our social and economic condition an old age pension is absolutely necessary. There is nothing more sad in life than to see some aged person who is facing the setting sun and has to depend on charity or go to the poor-house. Now I am willing to accede to the wishes of my friend from Sanford (Mr. Allen). I am willing to have it put off until two years from now if there is really to be an honest and determined effort to enact an old age pension law.

Mrs. MOREY of Lewiston: Mr. Speaker, I move the previous question.

The SPEAKER pro tem: The lady from Lewiston, Mrs. Morey, moves the previous question. As many as are in favor of the Chair entertaining the previous question will rise and stand in their places until counted and the monitors have returned the count.

A sufficient number arose.

The SPEAKER pro tem: The question now before the House is shall the main question be now put? As many as are in favor of the Chair putting the main question now will say aye; those opposed will say no.

A viva voce vote being taken, the motion that the main question be now put prevailed.

The SPEAKER pro tem: The question before the House is the acceptance of the majority report ought not to pass, made by the gentleman from Limestone, Mr. Ward. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the

motion to accept the majority report, ought not to pass prevailed.

The SPEAKER pro tem: The gentleman from Sanford, Mr. Allen, now moves the House take a standing vote to get the sentiment of those in favor of some sort of an old age pension. Those in favor of an old age pension will please rise and remain standing until counted and the monitors have returned the count.

One hundred and thirty-three voted in the affirmative and none in the negative.

Mr. BURKETT of Union: Mr. Speaker, I move if it be in order that we call it an unanimous vote.

A viva voce vote being taken, the motion prevailed.

The SPEAKER pro tem: The Chair now lays before the House under the rule the first unassigned matter, Senate report ought not to pass of the committee on Judiciary on bill an act to change the fiscal year for the registration of motor vehicles and licensing of motor vehicle operators, S. P. 47, L. D. 27, tabled by Mr. Jackson of Bath, March 23, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Jackson of Bath, the report was accepted.

The SPEAKER pro tem: The Chair lays before the House the second unassigned matter, Senate report ought not to pass of the committee on Judiciary on bill an act relating to registration and taxation of motor vehicles, S. P. 436, L. D. 575, tabled March 23 by Mr. Jackson of Bath, pending acceptance of the report; and the Chair recognizes that gentleman:

Mr. JACKSON: Mr. Speaker, I move the acceptance of this report and will say in explanation that these matters are both taken care of in another bill.

Thereupon the report was accepted.

The SPEAKER pro tem: The Chair lays before the House the third unassigned matter majority report ought not to pass and minority report ought to pass of the committee on State Prisons on bill an act relating to prison labor, H. P. 994, L. D. 437, tabled March 24 by Mr. Bowers of Portland, pending acceptance of either report; and

the Chair recognizes that gentleman.

Mr. BOWERS: Mr. Speaker, I move that the minority report ought to pass be accepted, and I will say at this time that this deals with a very serious problem. We have in our institution at Thomaston 241 men at the present time, 175 of whom are probably loafing right now. We are working about thirty on the farm and in the woodworking shop about ten or fifteen. It is a difficult problem to get work for these men. This bill that I have introduced is in no way compulsory. It reads like this: "The warden of the State Prison may pay wages of from five to fifteen cents per day to the prisoners for work performed by them for the benefit of the State, to be credited to them and paid over at the expiration of their sentence, or on their parole and to be paid out of the monies realized from their labor."

Under this bill, if in effect today, they would not receive any money at all because we are getting no returns from their labor. The new warden has definite plans that he hopes to put in effect soon so that he will have some industry there that will take away some of the burdens of maintaining that institution.

There has never been much legislation favorable to criminals. Somehow we fail to take into consideration anything except that they have broken our laws and have been caught. We use the same method of treating them today that we did fifty years ago, and I want to say this, although I know there is a tremendous objection to paying prisoners money, paying them any wages, although I cannot see how five to fifteen cents a day could be considered wages. I would think the American Federation of Labor would throw up its hands in disgust if you used the word "wages" as applied to such a nominal sum. I think that if this bill went through it would help a great many men who now return to prison soon after their discharge because they have no funds with which to rehabilitate themselves in the business world after serving a sentence of from five to ten years. Out of 241 men at Thomaston at

the present time about two hundred of them are men who will sometime return there. These men are turned loose after serving their sentence, as the law stands today. If they happen to live more than a hundred miles away from the prison they do not have funds enough to return to their homes. If they have employment more than one hundred miles away they do not have funds to return to that employment. We have rectified that somewhat by two pieces of legislation which you passed earlier in the session, allowing them funds enough to reach the place of their conviction, if within the State, or to their home town, if within the State, or to a place where they will have employment. That is not enough. Very few men come out of prison with any definite employment awaiting them. By this bill, if they received the sum of five cents a day from their labors, they would have fifteen dollars accruing at the end of a year. If they happened to be efficient in their work, they would have a greater return and would possibly have forty-five dollars awaiting them. I believe that if this bill went through, it would cost the State nothing but it would be a humanitarian act and would save a great many men who are "up against it" after they have served their sentences.

Thirty states of the forty-nine today pay prisoners sums ranging from five cents to a dollar and a quarter a day. I have been in communication with forty-five wardens and every one of them is in favor of such an arrangement as this. Our present warden is in favor of it. I believe that the minority report ought to be accepted and I hope you will accept it.

Mr. CARLETON of Portland: Mr. Speaker, I am on that committee and this is a matter that we went into thoroughly. There are a great many prisoners in Thomaston, and, if this minority report is accepted and they can get five, ten or fifteen cents a day, we are going to have a mess down there. You cannot employ all those people and if you pay a part of them five to fifteen cents a day and the others are locked up in their cells, unemployed and not earning anything, there is going to be dissatisfaction. I hope that the minority report will not prevail.

Mr. OLIVER of Bath: Mr. Speaker and members of the Legislature: I signed this report and I want to tell you why I signed it. We have had some criticism of the management of the prison in years gone by. There is now a man there in whom I believe everybody has confidence. He is not in favor of this bill, and I, for one, do not want to put any obstacles in his way. I think that we should give him a free hand and let him run it as he sees fit. Then, if he makes a mistake, it is up to him. I hope that the members will vote to accept the majority report.

Mr. LITTLEFIELD of Monroe: Mr. Speaker and members of the House: I am also on the State Prison committee, and, while I have sympathy for the men in that place, I do not think it will be for their betterment, or the betterment of the State, to pass the minority report. A few years ago they were paid twenty-five cents a day for good behavior and that was taken away. Just this last week we had a riot down there in the State prison and I saw by the paper that the very next day the warden went through the prison and took away from the prisoners all the money they had in their possession so they would not have it to gamble with. Now are we going to pass a bill to give them some more money with which to gamble? I am in favor of the majority report, ought not to pass.

Mr. HOBBS of Hope: Mr. Speaker, I am in favor of the majority report. It seems to me that it is quite an inducement for some of our unemployed to commit a crime and go to State Prison where they will be properly cared for. They will get their support and be paid fifteen cents a day. It would only be a question of time, perhaps a year or two, when we will have to build a new State Prison which will mean quite a bit for the State. I am opposed to it.

Mr. BOWERS: Mr. Speaker, I don't think I ever heard a more asinine statement than that fifteen cents a day will attract a man to go to prison and I leave it to anybody with common sense. When you deprive a man of his freedom, you deprive him of a priceless gift.

As for this upset which Mr. Littlefield refers to, if he reads the

bill he will see that the money does not go to the prisoner, it remains in the hands of the warden to be paid to the prisoner at the expiration of his sentence or on his parole.

As to the argument of Mr. Carleton, I put the word "may" instead of "shall" so that the warden may use his discretion. I know that the warden would not pay prisoners down there or be foolish enough to start anything that would cause any trouble. I think that this minority report ought to be accepted.

Mr. MORSE of Oakland: Mr. Speaker, in 1925 I was a member of the Maine Legislature and I had the honor of serving on the State Prison committee. The gentleman from Portland (Mr. Bowers) speaks about the conditions there fifty years ago. Fifty years ago I was in the Maine State prison (Laughter), not as a convict because I was only nine years of age, but my father served as warden. I have been in close touch with the Maine State prison since I was nine years of age. I had an uncle who was deputy warden there for eighteen years, in those times when they had bread and water and there was a dungeon. There was no heating plant, very poor beds in the cells, no lights but kerosene lamps, a bucket brigade and they carried their slops from the cells to the outer yard and dumped them through a hole in the wall. When I went down there in 1925 as a member of the committee on State Prison I found the best heating plant in the State of Maine, electric lights in every cell, nice mattresses, plenty of reading matter—one of the finest institutions in the State of Maine. At that hearing at that time we had a very lengthy discussion in regard to the payment of prisoners, and I found on investigation that back in 1870 they did pay the prisoners in our Maine State prison a compensation, which was discontinued on the advice of the State prison inspectors, they called them at that time. When we were down there we found that the prisoners were well fed; in fact at that time we had the menu of the Maine State prison on the desks of every member of the House and Senate, and there were several members of the House who said "why, they have better food

down there than they do at the Augusta House, and we would like to go down there and live." (Laughter)

Mr. BURKETT of Union: Mr. Speaker, as a member of this prison committee, I believe that the Maine State prison is a corrective institution, and we think that there are too many flowers, too many privileges, at the present time. The warden was not very favorably impressed as I heard him talk in regard to paying the prisoners. He said we could do it if we wanted to. I had a prisoner come up to my place a while ago after he was out on parole and he told me that his sentence was pretty nearly completed. I said, "What are you going to do when you get out?" He said, "I am going to do something to get back again." Why should we furnish them with money and with flowers and so many pleasures? They really have privileges that the laymen cannot get and why should we hand them flowers every day and make them out as angels and all those things? It is beyond my comprehension.

The question was called for.

The SPEAKER pro tem: The question is on the acceptance of the minority report, ought to pass, on bill an act relating to prison labor. All those in favor of accepting the minority report will signify it by saying aye; those opposed no.

A viva voce vote being taken, the motion to accept the minority report failed of passage.

On motion by Mr. Burkett of Union, it was voted to accept the majority report, ought not to pass.

Mr. PERHAM of Paris: Mr. Speaker, I would like to take from the table the 26th and 27th unassigned matters.

The SPEAKER pro tem: Under suspension of the rules the gentleman from Paris, Mr. Perham, moves to take from the table the 26th and 27th unassigned matters.

The motion prevailed.

Mr. PERHAM: Mr. Speaker, on Monday night I was not present in the House because I happened to be obliged to attend a court inquiry case as a witness. Yesterday morning I skipped school and was called back into court yesterday afternoon to finish my witnessing.

Therefore, I was left with no time to make any check up with the Legal Affairs committee. I notice in one of these reports that have come in there is a mistake. I wish to recommit both of these reports to the Legal Affairs committee, not because of any trouble nor to gain any advantage myself but merely that a mistake may be corrected. Then it can be brought back into the House tomorrow and we can take up this matter of Sunday recreation, to be or not to be, and can either accept or reject as seems fitting to the members of the House. I feel that in absolute fairness the members of the House should allow this recommitment, and I move that both of these matters be recommitted to the committee on Legal Affairs for correction.

Mr. BLAISDELL of Franklin: Mr. Speaker, there is nothing on the matter of recommitment that I could say just at this moment; but if the House will be good enough to hold in abeyance for just a moment while the assistant clerk, Mr. Pease, is conferring with Senator Crosby, who is chairman of our committee to determine whether or not yesterday the Legal Affairs committee filed its final report, I would be obliged. I imagine that the Assistant Clerk will be back here in just a half a minute and the committee on Legal Affairs would not care to have it recommitted if it has filed its final report.

Mr. PERHAM: Mr. Speaker, I am willing to give the gentleman that privilege.

(House at Ease)

Mr. BLAISDELL: Mr. Speaker, I am now informed by the Assistant Clerk of the House that the final report of the committee on Legal Affairs has been filed and accepted in the Senate. Consequently I feel it my duty, as Chairman of that committee on the part of the House, to resist having this matter go back as the committee would not care to reorganize for the purpose of taking a matter up again which it feels has been given all the discussion that the committee has in hand to give.

The SPEAKER pro tem: Does the gentleman from Paris (Mr. Perham) wish to withdraw his motion?

Mr. PERHAM: Mr. Speaker, I will state that after the remarks of

the gentleman, I will withdraw my motion and attempt to correct the mistake by an amendment to be offered by me either this afternoon or tomorrow in order that when we vote on this question, the people who are in favor of the bill may know what they are voting on. Therefore, I move that both bills be retabled.

The motion prevailed.

Mr. SARGENT of Brewer: Mr. Speaker, I move that we recess.

A viva voce vote being doubted, A division of the House was had, Seventy-five voting in the affirmative and 24 in the negative, the motion prevailed, and after the reading of the notices by the Clerk, the House recessed until 2 P. M.

AFTER RECESS (2 P. M.)

Papers from the Senate out of order and under suspension of the rules.

Papers from the Senate disposed of in concurrence.

(At this point Mr. Jack of Lisbon assumed the Chair, amid the applause of the House.)

From the Senate: Final report of the committee on

Judiciary
Legal Affairs
Mines and Mining
Taxation

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on bill "An act providing for sentences and imposition thereof" (H. P. 1192) (L. L. 777), reporting that it is unable to agree.

(Signed)

Messrs. CROSBY of Penobscot
SOUTHARD of Kennebec
HOLMAN of Franklin

—Committee on part of Senate.

SARGENT of Brewer
OLIVER of Bath

TOMPKINS of Bridgewater

—Committee on part of House.

Came from the Senate read and accepted.

In the House, on motion by Mr.

Sargent of Brewer, read and accepted in concurrence.

Senate Bills in First Reading

S. P. 618, L. D. 1045: Resolve in favor of the trustees of Hebron Academy.

(Given its third reading under suspension of the rules and passed to be engrossed.)

S. P. 627: An act to apportion Representatives to Congress.

(Given its third reading under suspension of the rules and passed to be engrossed.)

S. P. 631: Resolve to apportion one hundred and fifty-one Representatives among the several counties, cities, town, plantations and classes in the State of Maine.

(Given its second reading under suspension of the rules and passed to be engrossed.)

S. P. 628: Resolve dividing the State into Executive Councilor Districts.

(Given its second reading under suspension of the rules and passed to be engrossed.)

S. P. 292, L. D. 1050: Resolve to improve the State Aviation Field at Augusta.

(Given its second reading under suspension of the rules and passed to be engrossed.)

S. P. 326, L. D. 1051: Resolve making an improvement to the State Aviation Field at Augusta.

((Given its second reading under suspension of the rules and passed to be engrossed.)

S. P. 397, L. D. 471: An act relating to State Geologist.

(Given its third reading under suspension of the rules and passed to be engrossed.)

From the Senate: Report of the committee on State Prison reporting ought to pass on bill an act to determine the use to which prison or convict made goods may be put in this State.

Comes from the Senate, report read and accepted, and the bill passed to be engrossed.

In the House, read and accepted in concurrence, and the bill received its three several readings under suspension of the rules.

Mr. HOLBROOK of Vanceboro: Mr. Speaker, I move that the bill be tabled. In explanation I will say that there seems to be a mistake in the bill.

A viva voce vote being taken, the bill was tabled pending passage to be engrossed in concurrence.

From the Senate: Majority report of the committee on Judiciary reporting ought to pass on bill an act to amend the primary election law providing for the nomination of candidates for county office by convention, S. P. 72, L. D. 49, the report being signed by the following members: Messrs. Murchie of Washington—of the Senate; Messrs. Varney of Berwick, Burkett of Portland, Tompkins of Houlton, Snow of Bluehill, McCart of Eastport—of the House.

Minority report of same committee reporting ought not to pass on same bill.

Report was signed by the following members: Messrs. Weeks of Somerset and Aldrich of Sagadahoc—of the Senate; Authier of Sanford and Farris of Augusta—of the House.

Comes from the Senate the majority report accepted and the bill passed to be engrossed.

In the House, on motion by Mr. Bennett of Presque Isle, a viva voce vote being taken, the reports were tabled, pending acceptance of either.

From the Senate: Report of the committee on Agriculture reporting ought to pass on bill an act relating to the weight of bread, S. P. 502, L. D. 732.

Comes from the Senate, report read and accepted, and the bill and Senate Amendment A indefinitely postponed.

In the House, on motion by Mr. Farris of Augusta, a viva voce vote being taken, that body voted to concur with the Senate in the indefinite postponement.

From the Senate: Bill an act to change the closed time on deer in the northern counties, H. P. 1387, L. D. 958, which was passed to be engrossed as amended by House Amendment A in the House March 27.

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

In the House:

Mr. BRIGGS of Caribou: Mr.

Speaker, this amendment is a matter of great interest to the county of Aroostook which comprises almost one-fifth of the total area of the State of Maine. The old law provided for the opening of the deer hunting season on October 15th which is plenty late enough in Aroostook county as there is practically no hunting in December and very little in the last week of November. This amendment to the new law, which provides for an open season in the State of Maine commencing October 22nd, we amended in the House excepting Aroostook county, and allowing the open season there to begin October 15. It is clearly the right of Aroostook county that it should have its open season at least a week ahead of the other counties in the State because winter comes in the north country more than ten days ahead of sections even one hundred and fifty miles south. Furthermore, the most of the deer hunting in Aroostook county is in the northern section, along the Fish River waters, the Allegash, Upper Aroostook and Upper St. John. Those waters in most years are closed entirely to canoeing and boating by the 15th or 20th of November. If this amendment fails, it will certainly react to the detriment of this great county.

For this reason, Mr. Speaker, I move the indefinite postponement of the bill in order that the old law which is on the Statute books at the present time may prevail.

Mr. BENNETT of Presque Isle: Mr. Speaker, I wish to second the motion of the gentleman from Caribou, Mr. Briggs.

A viva voce being taken, the House voted to indefinitely postpone the bill in non-concurrence.

On motion by Mr. Holbrook of Vanceboro, it was voted to take from the table bill an act to determine the use to which prison or convict made goods may be put in this State; and on further motion by the same gentleman, a viva voce vote being taken, the bill was passed to be engrossed.

From the Senate: Bill an act relating to identification of criminals. H. P. 209, L. D. 119, which was passed to be enacted in the House,

March 26th and passed to be engrossed March 20th.

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

In the House that body voted to reconsider its action whereby this bill was passed to be enacted and its action whereby it was passed to be engrossed.

Senate Amendment A read.

Thereupon it was voted to adopt Senate Amendment A in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

From the Senate: Resolve for screening certain lakes and ponds in the State, H. P. 1423, L. D. 1039, which was passed to be engrossed in the House March 31st.

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

In the House, Senate Amendment A read.

Thereupon it was voted to reconsider the action of the House whereby this resolve was passed to be engrossed, the House adopted Senate Amendment A in concurrence, and the resolve as so amended was passed to be engrossed in concurrence.

From the Senate: Resolve creating a Recess Committee to study the needs and requirements of aviation and its development, H. P. 417, L. D. 1027, which was passed to be engrossed in the House March 31st.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. BIDDLE of Portland: Mr Speaker, I move that we insist and ask for a committee of conference, and my reason is this: This report came to this House, the unanimous report of the committee ought to pass. A hearing was held so that anyone who opposed the bill could be there. Opposition to the bill is really not very strong. The bill provides for an expenditure of money, to be sure, but in another bill the people who are asking for this thing are giving back to the State at least twice as

much as they are here asking for. For that reason, I desire to insist on our former action and ask for a committee of conference, and I believe it should prevail.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, I second the motion of the gentleman from Portland, Mr. Biddle. In view of the growth of aviation in the State, all parties concerned admit that there should be more legislation connected with it but no one seems to know just what that legislation should be. Consequently the committee decided that a Recess Committee was necessary so that the next Legislature may act intelligently. Therefore, I hope that the motion of the gentleman from Portland (Mr. Biddle) will prevail.

The SPEAKER pro tem: The motion is that the House insist and that a committee of conference be appointed. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed; and the Chair appointed as such committee on the part of the House, Messrs. Biddle of Portland, Ashby of Fort Fairfield, and McLoon of Rockland.

Reports of Committees

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

Mrs. Day from the Committee on Education reported ought not to pass on resolve in favor of Calais Academy, Washington County (H. P. 528) as it is covered by other legislation.

(Tabled by Mr. Eaton of Calais pending acceptance of report.)

Mr. Sterling from the Committee on Inland Fisheries and Game reported ought not to pass on bill an act opening Lake Moxie, in Somerset County, to ice fishing (H. P. 814) (L. D. 338).

Mr. Friend from the Committee on Ways and Bridges reported same on resolve in favor of the town of Mariaville (H. P. 252) and accompanying petitions.

Reports read and accepted and sent up for concurrence.

Mr. Friend from the Committee on Ways and Bridges reported ought to pass on bill an act relating to a road in the town of Mariaville (H. P. 674).

Report read and accepted and

the bill ordered printed under the Joint Rules.

Passed To Be Engrossed

(Out of order and under suspension of the rules)

(H. P. 1440) (L. D. 1053) An act relating to taxation of corporate franchises.

Report of Committee

(Out of order and under suspension of the rules)

Mr. Rogers from the Committee on Inland Fisheries and Game reported ought to pass on bill an act to establish a Game Preserve in the city of Lewiston, Androscoggin County, and Monmouth, Kennebec County (H. P. 538) (L. D. 171).

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned.

(At this point Speaker Merrill assumed the Chair, and Mr. Jack retired, amid the applause of the House).

On taking his seat on the floor, Mr. Jack said as follows: "Ladies and gentlemen, you will have a good deal more charity for the Speaker if you get up there once." (Laughter and applause).

The SPEAKER: The Chair lays before the House under orders of the day the fourth unassigned matter, House report ought to pass of the committee on Legal Affairs on bill an act to permit the city of Auburn to pension present and former members of its Fire Department, H. P. 836, L. D. 318, tabled by Mr. Jacobs of Auburn, March 25, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Jacobs the report was accepted, and on further motion by the same gentleman, the bill had its two several readings.

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

House Amendment A.

Amend said bill by striking out all after the enacting clause and substituting therefor the following: "The city of Auburn may pension such former chiefs of its Fire Department as have served twenty-five years therein and have reached the age of sixty-five years at the time of the passage of this act, as

the City Council may determine, and such pensions shall not exceed five hundred dollars a year and shall be payable at such times as said City Council may vote."

A viva voce vote being taken, the amendment was adopted and tomorrow assigned for the third reading of the bill.

The SPEAKER: The Chair lays before the House the fifth unassigned matter House report ought not to pass of the committee on Judiciary on bill an act relating to the weight of commercial vehicles, H. P. 1090, L. D. 664, tabled March 25th by Mr. Burkett of Portland pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BURKETT of Portland: Mr. Speaker, I yield to the gentleman from Durham, Mr. Clement, whose bill this is.

Mr. CLEMENT: Mr. Speaker, for the purpose of offering an amendment I would like to substitute the bill for the report.

A viva voce vote being ordered, nobody answered.

The SPEAKER: Well, it seems to be a tie vote. Under such circumstances, the Speaker, I suppose, is in duty bound to break the tie. (Laughter) All those in favor of substituting the bill for the report will say aye; those opposed no.

A viva voce vote being taken, the House voted to substitute the bill for the report.

On motion by Mr. Clement, under suspension of the rules the bill had its two several readings and that gentleman presented House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 1090, bill an act relating to the weight of commercial vehicles.

Amend said bill by striking out the words "twenty six thousand" and inserting in place thereof the words, "twenty-four thousand."

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

The SPEAKER: The Chair lays before the House the sixth unassigned matter, House report ought not to pass of the committee on Taxation 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 March 25th by Mr. Boody of Windham, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Boody, a viva voce vote being taken, the House voted to accept the report ought not to pass.

The SPEAKER: The Chair lays before the House the seventh unassigned matter House report ought not to pass of the committee on Sea and Shore Fisheries on bill an act relating to the destruction of fish in East Machias waters, H. P. 764, tabled March 25th by Mr. Jack of Lisbon, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. JACK: Mr. Speaker, I yield to the gentleman from Brooklin, Mr. Ford.

On motion by Mr. Ford, a viva voce vote being taken, the report ought not to pass was accepted.

Mr. PERHAM of Paris: Mr. Speaker, this morning I took from the table the 26th and 27th unassigned matters, and, after some discussion, we felt that instead of recommitting these to the committee on Legal Affairs they could be taken care of by an amendment. Before offering the amendment I wish to state—

The SPEAKER: Will the gentleman state his motion?

On motion by Mr. Perham, it was voted to take from the table, under suspension of the rules, the 27th unassigned matter.

Mr. PERHAM: Mr. Speaker, in order that I may be able to offer the amendment I would first move that the minority report, ought to pass in a new draft be accepted.

A viva voce vote being taken, the motion prevailed.

Mr. PERHAM: Mr. Speaker, I wish now to present House Amendment A. I do not wish it adopted at this time but I would like to have it tabled and have the motion for acceptance voted on tomorrow. After presenting House Amendment A I will have delivered to each member of the House a copy of it so that when the matter is taken up tomorrow

no one will be in doubt as to what the amendment is.

The SPEAKER: The Chair will inform the gentleman that the bill is not in condition to have an amendment offered at this time.

Mr. PERHAM: I move that the bill have its first two readings at this time.

Thereupon, under suspension of the rules the bill had its two several readings.

On motion by Mr. Perham, a viva voce vote being taken, the amendment was tabled without reading.

The SPEAKER: The Chair lays before the House the eighth unassigned matter House report ought not to pass of the committee on Ways and Bridges on bill an act to transfer to maintenance of highways the funds now appropriated by special road resolves, H. P. 1003, L. D. 611, tabled March 25 by Mr. Scates of Westbrook, pending acceptance of the report; and the Chair recognizes the gentleman from Lincoln, Mr. Lowell.

On motion by Mr. Lowell, a viva voce vote being taken, the report ought not to pass was accepted.

The SPEAKER: The Chair lays before the House the 9th unassigned matter bill an act relating to city committees, S. P. 473, L. D. 715, tabled March 25, by Mr. Duquette of Biddeford, pending third reading; and the Chair recognizes that gentleman.

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

House Amendment A to Senate Paper 473, entitled "An act relating to city committees."

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: "Section one of chapter one hundred ninety-nine of the private and special laws of eighteen hundred ninety-nine, as amended by chapter ninety-eight of the private and special laws of nineteen hundred seventeen, is hereby further amended by striking out all of said section and inserting in place thereof the following:

'Sec. 1. Modified to conform to primary law. Any political party in the city of Biddeford, entitled to

choose delegates to the state convention of such party, shall at the caucus named to choose such delegates to said state convention, elect its city committee, and committees chosen at other times shall have no power or authority for calling any ward or city caucuses. The committee so chosen shall hold office for the term of two years from the date of their election.'

A viva voce vote being taken, the amendment was adopted, and on further motion by the same gentleman the bill had its third reading and was passed to be engrossed.

The SPEAKER: The Chair lays before the House the tenth unassigned matter, House report ought not to pass of the committee on Public Utilities on bill an act relating to excess earnings of public utilities, H. P. 1169, L. D. 750, tabled March 25 by Mr. Boody of Windham, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Boody, a viva voce vote being taken, the report, ought not to pass, was accepted.

The SPEAKER: The Chair lays before the House the 11th unassigned matter, bill an act to re-establish the town line between the towns of Hancock and Lamoine, H. P. 65, L. D. 42, which was passed to be engrossed in the House on March 11th as amended by House Amendment A, came from the Senate, House Amendment A indefinitely postponed and the bill passed to be engrossed as amended by Senate Amendment A in non-concurrence, tabled on March 26th by the gentleman from Bar Harbor, Mr. Shaw, pending reconsideration; and the Chair recognizes that gentleman.

Mr. SHAW of Bar Harbor: Mr. Speaker, I now move, that the bill and amendment be indefinitely postponed.

The SPEAKER: The gentleman from Bar Harbor, Mr. Shaw, moves that the bill and amendment be indefinitely postponed.

Mr. GRAVES of Mt. Desert: Mr. Speaker—

Mr. SHAW: Mr. Speaker, I assumed I had the floor.

The SPEAKER: The gentleman

made the motion and should have sat down and cannot hold the floor by remaining standing.

Mr. GRAVES: Then I yield to the gentleman from Bar Harbor, Mr. Shaw.

The SPEAKER: The gentleman from Mt. Desert, Mr. Graves, yields the floor to the gentleman from Bar Harbor, Mr. Shaw.

Mr. SHAW: Mr. Speaker and members of the House: the amendment put on by the Senate is, in substance, to pay to the town of Hancock \$100 a year for twelve years. This is to be paid annually. This would give the town of Hancock approximately \$600 over and above what their bridge bond indebtedness is. If I recall correctly, we figured up the bridge bond indebtedness for this part of the town of Hancock which is known as Marlboro and which is under discussion, to be about \$600. Now it is the opinion of the Attorney General that they cannot evade this bridge bond indebtedness. I am satisfied that they have got to pay it regardless of whether they go to Lamoine or stay in Hancock. This will give the town of Hancock approximately \$50 a year for twelve years. Now the town of Hancock does not want this; they want that proportionate part known as Marlboro to be kept in Hancock.

I want to state to the members of the Legislature the facts in this case. This part of Hancock known as Marlboro has been in Hancock for the past sixty years. In 1875 the town of Lamoine appropriated \$500 with which to contest taking over this part known as Marlboro, and at that time they did not want it. The town of Hancock wanted them to do it at that time, but they did not want it. But now they come up here and say they do want it. What is the answer to that? The answer, to my mind, is obvious. This little piece has become valuable. It is composed of two hundred acres of mostly shore property. They are moving down in there, building cottages and building camps, and it is becoming more valuable, and if it runs twelve years, it will be much more valuable than it is now, and it is worth much more than the meagre amount of \$50 a year to any town. I do not care whether it is Hancock or Lamoine.

Now it seems to me that this is a local matter down there, and that the majority of the members of this Legislature have not had a chance to be properly informed in regard to the tax. In view of that, I believe that they should consider the committee's report. They put out a majority report of eight to two that this bill should not pass, and that the town of Hancock should not be divided. I further believe that it is against the policy of this Legislature, and I think the record will bear me out, to divide towns. I admit that geographically, perhaps, it probably does belong to Lamoine, but is that fact alone enough for this Legislature to set that off and give to the town of Lamoine, for fifty dollars a year?

Perhaps some of the members of this Legislature think I have been a little too earnest in my endeavors in this matter, but I submit to you, if you will bear in mind the facts of this case, and vote on the merits, I believe you will not divide the town of Hancock and set that part over to the town of Lamoine. I ask, Mr. Speaker, when the vote is taken, that it be by a division of the House.

Mr. GRAVES: Mr. Speaker and members of the House: I think we have gone into this matter in the fullest detail. We have covered about everything on this division, and perhaps we have covered some things which we should not have covered, and I earnestly hope that the motion of the gentleman from Bar Harbor (Mr. Shaw) does not prevail.

Mr. BLAISDELL of Franklin: Mr. Speaker, I want to take but just a moment of your time, because I believe the Legislature at this hour and at this late date should be very jealous of the time it has left because there is a lot of work to be done.

I cannot help but compliment my friend from Bar Harbor, Mr. Shaw, for the diligence, perseverance and effort he has put into this matter. He has not been neglectful of anything, and he has taken advantage of everything possible and served his district with credit in an effort to save that particular part of Marlboro to Hancock, but I want to call your attention to the fact that you have gone all through this matter, fought it all out, and

have heard it all, and your minds are made up on this subject; consequently no more time ought to be given to it. After the fight we had before on this matter, the two towns have both learned what action the House has taken, and they have settled themselves down into the normal procedure of life, and many things done in the last scrap between Hancock and Lamoine have been forgotten, and I do not think they ought to be brought up again. I think you have all made up your minds what you ought to do, and I hope you will not vote to indefinitely postpone.

The SPEAKER: The question before the House is on the motion of the gentleman from Bar Harbor, Mr. Shaw, that the bill and both amendments be indefinitely postponed. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had. Thirteen having voted in the affirmative and 76 in the negative, the motion to indefinitely postpone failed of passage.

Mr. GRAVES: Mr. Speaker, I move that we concur with the Senate in the adoption of Senate Amendment A.

The SPEAKER: Is it the pleasure of the House to reconsider its action whereby this bill was passed to be engrossed in the House? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

Thereupon, the House voted to reconsider its action whereby it adopted House Amendment A, and voted to indefinitely postpone House Amendment A; and further voted that the House concur with the Senate in the adoption of Senate Amendment A.

Mr. McCART: Mr. Speaker, I wish to offer House Amendment B and move its adoption.

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

Mr. McCART: May I inquire the reason, Mr. Speaker?

The SPEAKER: The House having adopted Senate Amendment A.

Mr. McCART: May I have Senate Amendment A read. I think it was

read before I came in, Mr. Speaker.

Senate Amendment A was read by the Clerk.

Mr. McCART: Mr. Speaker, I feel I am a little dense, and, if the House will permit me, I would like to move that the matter be tabled, and I will take it off within half an hour.

A viva voce vote being taken, the motion to table failed of passage, and the bill, as amended by Senate Amendment A, a viva voce vote being taken, was passed to be engrossed.

The SPEAKER: The Chair lays before the House the 12th unassigned matter, an act to extend the free employment service, H. P. 839, L. D. 321, tabled on March 25 by Mr. Carleton of Portland, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. CARLETON: Mr. Speaker, with the approval of Mr. Beals of the Department of Labor and Industry, in order to prevent the creation of additional divisions of the department, the sum of \$6,000 has been added to the department's appropriation to carry out the provisions of this and additional labor department measures.

I now wish to move the indefinite postponement of this measure as unnecessary, as the Committee on Appropriations and Financial Affairs, as well as Mr. Beals, feel it would be better to leave the expenditure of this fund entirely in the hands of the Department of Labor.

Mr. BIDDLE of Portland: Mr. Speaker, I move to let this matter lie on the table until a little further examination can be made of matters connected with it.

A viva voce vote being taken, the motion to retable failed of passage; and on motion by Mr. Carleton, a viva voce vote being taken, the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House the 13th unassigned matter, bill an act relating to retired employees of the State, H. P. 1015, L. D. 548, tabled on March 27 by Mr. Burkett of Portland, pending assignment for third read-

ing; and the Chair recognizes that gentleman.

Mr. BURKETT of Portland: Mr. Speaker, if it be in order at this time, I wish to offer House Amendment A, and move its adoption. I will say for the benefit of the members of the House that Legislative Document 548 provides, in the section under discussion: "Sec. 20. The superintendent and board of trustees of any state institution and the head of any state department may recommend the retirement from active service and the placing upon a pension roll, any employee who has been employed in any state institution or department of this state, with a good record for the term of twenty-five years or more."

Now the first part of this amendment takes care of a situation that might arise where a man was working in a department of the State and that department was changed or abolished, or the man was promoted from one department to another, so that his term of service would not be interrupted and his total length of service would count to his credit.

The second part provides that a man who has been employed by the State for twenty years and has reached the age of seventy is eligible under the act for a pension, if the State decides to give it to him, and it is intended to take care of one or two situations where men have gone to work for the State late in life and worked twenty years and arrived at the age of seventy years.

The SPEAKER: The Clerk will read the Amendment.

House Amendment A to House Paper 1015, Legislative Document 548.

Amend House Paper 1015, Legislative Document 548, by inserting after the word "by" in the second line of Section 1 thereof, the words "inserting after the word 'any' in the fifth line thereof, the words 'one or more of the', by changing the words 'institution' and 'department' in said fifth line to the plural, by."

Also by inserting before the word "or" in the sixth line of said section, the words "or has attained the age of seventy years and had been

so employed with a good record for twenty years”;

Also by inserting after the word “any” in the sixteenth line, the words “one or more of the” and by changing the words “institution” and “department” in said sixteenth line, to the plural;

Also by inserting after the word “more” in the seventh line, the words “ or has attained the age of seventy years and has been so employed with a good record for twenty years.”

Mr. MORSE of Oakland: Mr. Speaker, I move that the bill and amendment lie on the table.

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

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

The SPEAKER: The Chair lays before the House the 14th unassigned matter, bill an act to increase the salary of the sheriff of Somerset County, S. P. 576, L. D. 912, tabled on March 27 by Mr. Farris of Augusta, pending third reading; and the Chair recognizes that gentleman.

Mr. FARRIS: Mr. Speaker, I move that the bill have its third reading.

Mr. VILES of Madison: Mr. Speaker, is this bill debatable?

The SPEAKER: Does the gentleman give a reason for wishing to reconsider?

Mr. VILES: I do not want to reconsider; I want it to be indefinitely postponed.

The SPEAKER: The bill will still be in condition to make that motion after its third reading.

Thereupon, the bill was given its third reading.

Mr. VILES: Mr. Speaker, I fail to see why this salary should be increased in Somerset County. I have been in most of the towns in Somerset County, and I fail to find anyone up there in favor of raising this salary. I wonder who has to pay the salaries of these county officials? I have asked several people who do help to pay them, and they are not in favor of it; they are very strongly against

it. I always thought, before they were willing to raise salaries in any county, they would have a county get-together. They failed to do so in Somerset County.

If this job is so strenuous that our high sheriff cannot attend to it, he had better resign and let somebody do it who can do the job. At this time, in this period of depression, when common laborers are not able to earn enough to buy the bare necessities for their little families, to my mind, it is not a time for increasing the salaries of wealthy and well-paid officials. I now move the indefinite postponement of the bill.

Mrs. CARTER of Fairfield: I second the motion made by Mr. Viles, Mr. Speaker.

Mr. FENLASON of Anson: Mr. Speaker, being a member of that delegation, I am with Mr. Viles as far as raising salaries go, but the delegation did have a meeting and that was discussed. Now part of the delegation, not including the Senate, is favorable to a \$100 raise. I think the sheriff gets \$1,400. He has had a fingerprint machine added to the jail, and he has worked on it until he has perfected it and does his own finger-printing. Henry Crowell advised a raise in salary of \$600—that is what he had in mind. I asked John Healy about it, if he deserved it, and John said he certainly did—that he would not want the job at any price. It seems that the sheriff has about two times and a half the amount of work today that he did when he took the job, and while I am not going to tell you what to do, I think what I have said ought to go into the record, because those things exist.

Mr. VILES: Mr. Speaker, I have always predicted, and I still believe that there are just as big whales in the ocean as have ever been caught, and if this man cannot do the job, he can give it up and resign, or else he can do other work. I think anyone who gets a salary is mighty lucky today. I move the indefinite postponement of the bill. On top of the whole thing Mr. Speaker, he was not drafted into this office, he was not forced into it, and I understand, since his last election—and if I am wrong, I will stand corrected—he has appointed his wife deputy sheriff.

The SPEAKER: The gentleman from Madison, Mr. Viles, moves the

indefinite postponement of this bill. All those in favor say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House the 15th unassigned matter, House Report ought not to pass, committee on Public Health, on bill an act relating to meeting of board of veterinary examiners, H. P. 1022, L. D. 550, tabled on March 27 by Mr. Farris of Augusta, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Farris, a viva voce vote being taken, the ought not to pass report was accepted.

The SPEAKER: The Chair lays before the House the 16th unassigned matter, House Report ought not to pass, committee on Public Health, on bill an act to provide for a board of examiners of chiropractors to consist of the Commissioner of Health and two other persons, H. P. 858, L. D. 340, tabled on March 27 by Mr. Bowers of Portland, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BOWERS: Mr. Speaker, I move that the bill be substituted for the report.

A viva voce vote being taken, the motion failed of passage; and the House voted, by a viva voce vote, to accept the report of the committee, ought not to pass.

The SPEAKER: The Chair lays before the House the 17th unassigned matter, House reports, majority ought not to pass, and minority ought to pass in new draft on resolve proposing an amendment to the Constitution relative to the authority of the Legislature to impose a tax on incomes, H. P. 998, L. D. 440, new draft being entitled resolve to provide a commission to study the problems of taxation, H. P. 1431, tabled on March 27 by Mr. Jack of Lisbon, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. JACK: Mr. Speaker, I yield the floor to Mr. Potter of Bangor.

The SPEAKER: The gentleman from Lisbon, Mr. Jack, yields the

floor to the gentleman from Bangor, Mr. Potter.

Mr. POTTER: Mr. Speaker and members of the House: When this bill was tabled last week, the printing was not ordered, and I move that it be retabled pending printing.

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

The SPEAKER: The question before the House is on the acceptance of either report.

Mr. HUSSEY of Augusta: Mr. Speaker and members of the Eighty-fifth Legislature: The majority of the Committee on Taxation has seen fit to report out that this new draft should not receive a passage. The Taxation committee is a very reliable and responsible committee, and I do not see any reason why we should not accept the majority report. I also think that it would be a reflection upon the members of this House in showing us that we, as a House, are not able to take into consideration among ourselves the needs and problems of this State as regards taxation.

For the past three months we have had some very able arguments both pro and con on the problem of taxation, and I think we all thoroughly understand it. I believe it would be an added burden upon our financial structure to have a commission to study the problems of taxation, and I move that the report of the majority of the committee be accepted.

The SPEAKER: The gentleman from Augusta, Mr. Hussey, moves the acceptance of the majority report.

Mr. POTTER: Mr. Speaker, I think I have to admit I am not an expert in getting bills out of committees. This bill was submitted early in the session, and has been held in committee and otherwise has been kept from coming into the House until the present time. This bill had to do in the first place with a constitutional amendment which was sponsored by the State Grange last fall, and it is a well-known fact that our State is very much in need of a reform in the way of taxation. No reform has been made in our tax laws in recent years.

The total amount of taxable property in the State, according to

the State Assessors' books is \$757,289,579 for the last year. I am credibly informed that if our tax laws were brought up to date that we should have approximately as much property that is now escaping taxation as there is property taxed.

There are more than twenty states in the Union that have some sort of tax reform. There is a wide-spread demand that we have some reform in this State. Our farmers are being taxed off the earth, as it were, as well as many of the rest of us. It is common knowledge that all of our neighboring states have had some sort of tax reform, and it would seem to me that it is time this State took some steps along that line.

Investigation and inquiry seems to indicate that an income tax is the one which most of the states have adopted, some sort of an income tax, and this state has done nothing along that line. I received a telegram this morning which came from the Commissioner of Agriculture stating that Vermont had adopted a tax bill including an income tax and an intangible property tax. This is the last state in the northeast to have adopted something of that kind except Maine. We alone stand in the line of no tax reform. It would seem to me, in view of these other states having taken action along this line, it is time Maine did something also.

It was first thought that a constitutional amendment would be the only thing asked for, as that was desired, but the committee on taxation refused to accept this and made a bill in a new draft, and this is the bill that has been laid on the table and kept there up to this time. When this bill was first reported in, it was delivered to the Clerk's office a week ago last Thursday, and the Chairman requested that it be held until the first of the week. The Chairman came in Monday morning and called the bill back from the committee's hands, and it came out with this minority report ought to pass, signed by two of the members. All the others signed the majority report that it ought not to pass.

The real producers, the fellows

who get down to work, to dig and sweat for a living, do not need daylight saving time. They are asking that something be done here in the way of tax reform, and I believe that they should have a square deal, and that something should be done along that line to lighten the burden of the farmers and the common laborer as well as others.

The first principle of government is justice. We want to restore, not destroy. The basic industry of our State is in grave danger. Abandoned farms everywhere should be evidence enough of this deplorable condition. Taxes have more than doubled in the last few years, and are still going up. It would seem to me that in the face of all these conditions that something should be done to relieve the poor fellow. I move, Mr. Speaker, that the minority report ought to pass be accepted.

Mr. HUSSEY: Mr. Speaker, I wish to take a few moments to say I am not opposed to any reform in taxation. We are surely in need of reform, but I do not think it is necessary that a Commission be set up to study the needs. I think we are perfectly capable ourselves to decide right here on the floor what we are to do, and there is no reason at all why any member should not have brought in some reform and put it before this Legislature. I do not see the need of a Commission.

Mr. ADDITON of Auburn: Mr. Speaker and members of the Eighty-fifth Legislature, I am not going to take up much of your time, but I want to say just a few words. It has seemed to me since I have been here this winter that any measure that has been presented in the interests of the common people has been stepped on, and that other matters have gone through with a bang. I wonder how many of you people here are aware that when the roosters crow on the farms of the United States, in the morning, they are blowing the factory whistle of the greatest industry in the world? The steel industry, oil trusts, and railroads are not to be compared to this great farm factory, and all the gold and silver which has been discovered since Columbus discovered

America would not buy the farms of this country alone. There is more money invested in agriculture than in all the manufacturing industry and transportation companies combined, and yet it seems that we have a comparatively small representation in our State Legislature and in our Halls of Congress.

There are about two thousand people a year leaving the rural sections of our State, and many of our rural towns have decreased their population one-half or more in the last fifty years. Now as you good people have motored around over the State in your automobiles, you have undoubtedly noticed that our hillsides are dotted with deserted farms. Have you ever thought why? One thing, the older people have passed on to another and better world, and the younger generation have been unwilling to carry on in that meagre and economical manner in which their forefathers had done. In other words, they have felt that they have a right to live more like their city cousins, but they have found they have been unable to carry this on and clothe and feed and educate their children and pay the abominable taxes which have been imposed upon them.

In this country there are something like 30,000,000 people who are furnishing the raw material, clothing and food for 117,000,000. I think you are aware that about 90 per cent of the great men and women of this country have come from the farms. But how long is it going to be before there will be nobody left on the farms? Something has got to happen sooner or later. It seems to me, whenever any matter has come up here in the interest of the common people, that wealth has been arraigned against them.

When this bill, or the original bill, came before the Committee on Taxation, those of you who were present realized that the Associated Industries were represented there, and they said they were too poor to have any increase in taxation. The banks were represented, and that big corporation, the Central Maine Power Company,—their representatives were there—and they claimed that they were not able to pay more taxes. There was one

gentleman present at that hearing who spoke and who tried to belittle the idea that the great group of people wanted a measure of this kind. He said he did not think they did, and he was a member of the Grange.

Now, Mr. Speaker and ladies and gentlemen, twenty-five years ago the city people could not get into this organization, and the lawyers at that time could no more enter the Grange than a camel could pass through the eye of a needle, but, afterwards, as they said themselves, the Grangers became more generous and liberal-minded, and admitted these people. At that time, twenty-five years ago, there were quite a good many measures passed through the House in this State through the influence of the Grange, but since that time we have been unable to do anything. One reason for this is so many of the city members have opposed us, and a great many of them have joined this organization solely for their political advancement. I do not wish to be misunderstood, Mr. Speaker and ladies and gentlemen, because we have good and loyal members coming from the cities; we have some in this House—we have a sister here from the city of Lewiston who ably and loyally represents her city and party and the Grange, and she represents them well too.

Another thing, as that same gentleman said, the trouble with the rural people is that they had too many luxuries. Now I told that gentleman the other day, and I will tell any of you, if you will come to my place when the traveling gets better, I will take you in my automobile and show you through country towns and show you whether they are enjoying too many luxuries or not. When I asked that gentleman what the luxuries were that they were enjoying that should be cut out, he said automobiles and radios. I think you will agree with me that automobiles have practically become a necessity. I will admit that radios are something of a luxury, but have not the rural people the right to have some of the luxuries? I wish, Mr. Speaker, and members of this House, that every one of you could have had a radio last Sunday

and have listened in at the services of the Thirteen Club in the city of Portland, where he stressed a square deal. Mr. Speaker and ladies and gentleman, that is all we have asked; it is all we ask now—a square deal for the farmers.

Mr. POTTER: Mr. Speaker, I move that the Clerk read this resolve so the people will understand what it is all about, as it has not been printed.

Resolve read by the Clerk, as follows:

Resolve to Provide a Commission to Study the Problems of Taxation.

Resolved: That the governor, by and with the consent of the council, be and hereby is authorized and empowered to appoint a commission consisting of five members, not more than three of whom shall be taken from the same political party, whose duty it shall be to inquire into the present system of raising revenue for the state, county and municipal expenses, and to provide, if possible, for a more equal, just and equitable system of taxation on all kinds of property in this state, for the purpose of state, county and municipal expenses; and to provide, if possible, for a better and more complete system of assessment and collection of taxes in this state.

There is hereby appropriated the sum of two thousand dollars to pay the expenses of this inquiry. They shall report to the governor and council by bill or otherwise on or before the first day of November, nineteen hundred thirty-two; and the governor shall cause the report and recommendations of said commission to be printed and distributed at the state's expense, three copies of which shall be sent by mail, or otherwise, to each member of the present legislature at their proper residence; and one thousand copies of said report and recommendations shall be provided for the use of the public, or, to the use of the next legislature of this state. The governor may in his discretion cause such report to be printed in sufficient quantity to procure sufficient copies for general distribution among the taxpayers of the state.

Mr. LOWELL of Lincoln: Mr. Speaker, I just want to say this:

That I heartily approve of and will support the motion of the gentleman from Bangor.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Hussey —

Mr. PERHAM of Paris: Mr. Speaker, at the first of the session there was a lot of talk in regard to the income tax. The next matter that came to our attention was this, that an income tax could not properly be brought before this Legislature unless the constitutional amendment was taken up first. Then this constitutional amendment proposition went before the committee, and now we have, as a last result, a commission to study taxation, and that, I am surprised to say, comes out with a majority report against it. Now I am against the motion of the gentleman from Augusta, Mr. Hussey. We all know today the trend of the Nation is towards the amassing of wealth, and I might add also the concealing of the intangible property which cannot be taxed. That is not a fair proposition for the State as a whole, for the reason that justice demands equality in the distribution of the tax. Real estate, whether it is on the farms, or whether it is the average owner of buildings, throughout our State, is taxed as far as it can stand. We see no chance for expenses to decrease in the future. If anything, they will possibly increase.

I feel this way—that when an individual today pays a Federal income tax of around \$250 on his income, that no man receiving an income of that sort should have any fear of a State income tax. It certainly seems, to my mind, ridiculous that they should. We all do not like taxes; we admit that, but we must have a fair distribution. I am opposed to the motion of the gentleman from Augusta, Mr. Hussey.

Mr. SHAW of Bar Harbor: Mr. Speaker, I fully appreciate Mr. Potter's attitude in regard to the bill, because I think I have gotten licked on about as many as he has. However, I have been accustomed to taking a licking, and I still can do so. I hesitate to second Mr. Hussey's motion, for the reason that I fear that if I support him,

this bill may not go through on the majority report, but I wish to say that I come from a section where there are a great many summer people, and I know that if an income tax goes through, those people are going to change their residence. They are changing now constantly into the State of Maine for the reason that there is no income tax here, and they can, by declaring a reasonable amount of personal property, become residents. I know that the inheritance taxes we receive from these summer people more than offset the income tax which we might have if this bill goes through.

I want to draw the attention of this Legislature to one estate last year which netted the State almost a million dollars on inheritance tax. I know, through my office, that these people change their residence so they can become residents of Maine for that reason, and in that way we have the advantage of the inheritance tax, but if the income tax goes through, they are going to change their residence to Florida and some other place where they go in the winter, and thus avoid it. I am going to second Mr. Hussey's motion.

Mr. HOBBS of Hope: Mr. Speaker, I want to say just a word or two in opposition to the ought not to pass majority report. I am in favor of the minority report. The gentleman from Bar Harbor says if this bill passes, the summer people would be obliged to move out or won't come to the State of Maine. I want to say if we do not have an income tax or something similar, that a great many residents of the State of Maine will be obliged to get out—that is my idea—the farmers and the common people, if they do not have such protection. About every bill that is going through this Legislature is against the common taxpayer. Now I would like to see something go through here that favors the majority of the people of the State of Maine.

Mr. ADDITON: Mr. Speaker, I am wondering whether it is advantageous to have rich people in our State if the poor people have got to pay their taxes, and I would like to ask, Mr. Speaker, the gentleman from Bar Harbor, through the

Chair what those people are paying taxes on, if he can get us some idea of what they pay in the State of Maine for taxes?

The SPEAKER: The gentleman from Auburn, Mr. Additon, asks the gentleman from Bar Harbor, Mr. Shaw, through the Chair, on what these people are paying taxes. The gentleman may answer if he wishes.

Mr. SHAW: They are paying a tax on their inheritance. If any of these people die in this State, if they are a resident here, they pay an inheritance tax, and they pay it to the State of Maine. If they are a resident of some other State, their inheritance tax is reckoned in the State in which they have their residence. Their property is figured, and their inheritance tax is paid in the State in which they have their residence.

I am in favor of the common people, and I am in favor of the farmer. My father is a farmer. But I believe the inheritance tax will more than offset the income tax, because if we have the income tax, we are going to remove a lot of these summer residents who are making their residence here for the reason they do not have to pay an income tax, and the inheritance tax is only figured after they die.

Mr. SMITH of Bangor: Mr. Speaker, I think we are getting away from the question. All through this session, which is my first session, there has been an accusation of unfairness of the committee on this bill. We knew nothing about it when we came here this afternoon. If my motion will take precedence over the motion of the gentleman from Augusta, I will move to renew Mr. Potter's motion that this lie on the table and that we get the act before us in the morning, which is the appointment of the Commission, and has nothing to do with the income tax, and that may stop the discussion altogether.

The SPEAKER: The gentleman from Bangor, Mr. Smith, moves that this matter lie on the table.

A viva voce vote being doubted,

A division of the House was had,

Sixty-three having voted in the affirmative and 26 in the negative, the motion to table prevailed.

The SPEAKER: The Chair lays before the House the 18th unassigned matter, majority report ought not to pass, minority report ought to pass, committee on Judiciary, on bill an act relating to registration of motor vehicles, S. P. 35, L. D. 8, which came from the Senate, the majority report read and accepted, and which was tabled on March 30 by Mr. Tompkins of Houlton, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion by Mr. Tompkins, a viva voce vote being taken, it was voted to accept the minority report in non-concurrence, and the bill was given its two several readings and tomorrow assigned.

The SPEAKER: The Chair lays before the House the 19th unassigned matter, bill an act to authorize the construction of a wharf in Long Lake at Naples, H. P. 1264, L. D. 805, tabled on March 30 by Mr. Tompkins of Bridgewater, pending passage to be engrossed as amended by Senate Amendment B; and the Chair recognizes that gentleman.

Mr. TOMPKINS: Mr. Speaker, I now yield to the gentleman from Bridton, Mr. Wilbur.

Mr. WILBUR: Mr. Speaker, I move that the House reconsider its action whereby it voted to pass this bill to be engrossed.

A viva voce vote being taken, the motion failed of passage; and on motion by Mr. Farris of Augusta, a viva voce vote being taken, the bill was passed to be engrossed.

The SPEAKER: The Chair lays before the House the 20th unassigned matter bill an act relating to the control of the State Department of Health over plumbing, H. P. 1435, L. D. 1033, tabled on March 30 by Mr. Plouff of Dexter, pending second reading; and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair lays before the House the 21st unassigned matter, resolve in favor of the city of Eastport for the care of William Price, H. P. 1434, L. D. 1044, tabled on March 30 by Mr.

Carleton of Portland, pending assignment for second reading; and the Chair recognizes that gentleman.

Mr. CARLETON: Mr. Speaker, as this matter has been arranged satisfactorily to all, I now move it have its second reading.

Thereupon, a viva voce vote being taken, the resolve was given its second reading and passed to be engrossed.

The SPEAKER: Are there any further matters beyond the 22nd that any member can take from the table?

Mr. HUSSEY of Augusta: Mr. Speaker, I would like to take the 23rd unassigned matter from the table.

The SPEAKER: The gentleman from Augusta, Mr. Hussey, moves to take from the table bill an act to authorize Sherman S. Greenleaf to practice veterinary surgery, medicine and dentistry, H. P. 652, tabled by him March 30th pending third reading.

Thereupon, the matter was taken from the table.

Mr. HUSSEY: Mr. Speaker and members of the Eighty-fifth Legislature: In tabling this matter on March 30th, I did so because I felt an injustice was being done the veterinary surgeons of this State. It was but a few years ago that the Legislature set up a board of examiners to protect the animal industry of this State. They, in turn, thought that they were doing something for the people of the whole State of Maine, and I feel that this Legislature is not giving this bill its due consideration. I think sympathy, partiality, may have entered into the vote on this question. It is a principle which is involved, I hope, since this matter has been tabled, that you have all taken the opportunity to look into it further.

We have a board of examiners of veterinary surgeons which asks that certain requirements should be met before any veterinary or any person can operate on an animal for compensation. I do not see why we should let down the bars to admit one certain person so that he can flaunt this board of examiners.

I believe the committee to which

this bill was referred were not wholly in sympathy with its passage, and might have been influenced in helping out a certain section of the State. I do not believe that this certain section of the State should be given this consideration while all of us others outside of this particular section should have to stand the brunt of criticism if this should go through. I sincerely hope, and I will move, that the minority vote of the committee be accepted.

Mr. WRIGHT of Bath: Mr. Speaker, as a member of the committee on Public Health who signed that report ought to pass, I wish to explain my position. As a principle, I do not believe in allowing any individual to practice who has not conformed with the requirements of any board, no matter what it is. There was, however, a great preponderance of evidence in this particular case which showed that the man had done very good work for a great many years. It also showed that there was no veterinary surgeon who was practicing in that area. It seemed to be purely a local affair, in which a veterinary surgeon was necessary, and it was for that reason I was willing to vote against the principle of allowing anyone to practice who has not taken the proper examination.

Mr. PERHAM of Paris: Mr. Speaker, I am very sorry that on the same afternoon Mr. Hussey and I must lock horns, so to speak, on a couple of matters. Personally, I have the greatest regard for Mr. Hussey, yet it is a matter that directly concerns Oxford County, a matter which every one of the members in the House from Oxford County have been unanimous in backing. I would like to state further, that we have justice on our side.

Speaking in regard to the board of veterinary examiners, I would like to call the attention of the House to the fact that the principal reason why the board of veterinary examiners were given their opportunity to function here in the State of Maine was to protect the people against quacks. That was the original idea behind the board of veterinary examiners. Now please remember this, I have

nothing against the doctors of the State. The doctors perform their functions upon the human being. When it comes to animals, I can go out and operate on as many animals as I want to, and no one stops me. I have not a right to go out and perform operations on my children. It would be absolutely illegal and something which is not done.

This Mr. Greenleaf, a veterinary, has ten years of the best record, perhaps the best of any veterinary in the State. I call attention to the fact that he is recognized as one of the best licensed undertakers in the State, and his veterinary work there, in Northern Oxford County, has been entirely a side line with him, and yet he has performed it in a way that has placed him among the chief men in the State, although he is not a licensed veterinary. You will find half of this State is served by unregistered veterinaries.

Now, gentlemen, it seems too bad that Oxford County must come down here to this Legislature and present this bill and fight it through. We brought twenty of the most reliable men in Oxford County down here who swore by Mr. Greenleaf. Mr. Greenleaf did not pay their expenses; they came down here because he is a man recognized in our county as producing the goods. We want him kept there, and we know if we do not give him the right to stay up there and work, that he has not enough work to do as a licensed undertaker, and that he must move out, and I will bet you dollars to doughnuts any day there is no undertaker in any of these cities who wants Mr. Greenleaf to come in and compete with him on account of his reputation. In this bill Mr. Greenleaf is merely given the right to continue his practice, as he has done for ten years, and when people want him to go out and operate on their animals, he can do so, as long as he lets them know he is not a registered veterinary.

I want to bring one other matter to the minds of this Legislature, not because I know it all, but because it is a fact. In the Veterinary Magazine of March, 1931, it states that veterinary colleges can-

not produce enough veterinarians to replace that profession alone. We shall need during the next ten years an average of college graduates at the rate of 400 a year. The record of the last ten years showed that 134 veterinarians in Yale were graduated, therefore that is conclusive proof that for the next ten or twenty years, at least, we must rely throughout our rural regions upon horse sense veterinarians, that is, men who have horse sense and go out and operate on animals, especially the men who are connected with agriculture,—and I was in my younger days—that a veterinarian is 90 per cent horse sense and 10 per cent education.

Now we passed the majority report, and this thing is up for third reading now, and I feel this way: I am terribly sorry to have to stand up here and speak this way because I feel we are merely asking for justice and nothing else. I may be wrong in my judgment, but I can see no reason why this House as a body should not support the folks in Oxford County. Mind you, within four days' time, a few men went out and brought in a thousand names of our most reputable citizens in fourteen or fifteen towns in Northern Oxford County in support of Mr. Greenleaf being continued in his practice.

I have given you the facts and figures on this situation, and I hope that you support Oxford County as we think we deserve in this matter.

I might state at this time that Mr. Hussey's motion to accept the minority report I believe is out of order, because the majority report has been accepted and the bill is now pending its third reading. I do not know when the motion is in order, but I will move the bill be given its third reading.

Mr. HUSSEY: Mr. Speaker, I have no personal prejudice against this man Greenleaf, but I think we, as citizens of the State, should be protected against—I won't use the name quack, but I will say against men entering into the practicing of this surgery on animals.

I would like to inquire through the Chair of Mr. Perham if he would not state to us why this man Greenleaf does not take the ex-

amination and abide by the decision of the board of examiners.

The SPEAKER: The gentleman may reply if he desires.

Mr. PERHAM: Mr. Speaker, I would like to state this much: Mr. Greenleaf, in his work as an extremely practical man might be in the position of a great many lawyers and other professional men—in fact a great many lawyers would require a lot of study to go ahead and pass a bar examination, in fact some of the poorest lawyers just coming from the schools and colleges would pass a better bar examination than many of our best lawyers, as we speak of lawyers who know their business.

I would like to say this much—that after this matter was presented many of Mr. Greenleaf's friends came here, and we could have had hundreds instead of twenty.

In answer to the gentleman's inquiry as to why he did not take the examination, I will say that Mr. Greenleaf offered to have the board of examiners of veterinaries go up there to Bethel at his own expense, travel all over the region, anywhere they wished, see the things he had done, talk with the people, and then come down here and give him an examination, taking into consideration the actual work he had performed, and they absolutely refused to do it. Now I feel that they did not give him a fair show. We held this thing in the committee —

The SPEAKER: The Chair will have to caution the gentleman to confine himself to answering the inquiry.

Mr. PERHAM: Pardon me, I am answering the best I know how.

The SPEAKER: Is the answer satisfactory?

Mr. HUSSEY: I would like to ask through the Chair if Mr. Greenleaf has ever taken the examination before, that you know of?

Mr. PERHAM: I understand he took one back somewhere in 1922, about nine years ago, and did not pass it.

Mr. HUSSEY: I think that will answer the question.

I would like to say just a few more words on the matter. I understand that this gentleman

has been given the examination before and has been asked to come before the Board and take another one, and, recently, within a period of two months, he has been asked to come before the board, but I understand that he has refused to do that. I also understand—as I said, I haven't any personal prejudice against Mr. Greenleaf—I understand that a question they asked him in the examination was what pasteurized milk was, and he answered that it came from a cow that had been out to pasture. (Laughter)

Well, I do not know this man, but from that answer I should certainly say that I do not believe he could qualify to practice on a dead dog.

The motion that I made was out of order, and I will substitute the motion that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Augusta, Mr. Hussey, moves that this bill be indefinitely postponed.

Mr. WEBSTER of Buxton: Mr. Speaker and members of the House: I am interested in this matter. I am a member of the Public Health committee and during its hearings I had occasion to hear the testimony and to see what was brought out in the hearings. At the same time I have the background of being a farmer and a cattle owner and used to the needs of a farmer and of the cattle and horses owned by him and I am convinced that under the circumstances this man should be allowed to practice.

I understand from good authority that there are thirty-five graduates of veterinary colleges in the State of Maine, and I ask you gentlemen, if you scatter thirty-five graduates of veterinary colleges over this state, about how far apart would they be, and about how far would a doctor have to travel to get to the place where he must treat a sick animal and how long it would take, and would not the animal probably be dead in a great many cases before he got there. Now I know that there are lots of cases, many of them, where the quick assistance of some one who is used to animals and who can be readily and quickly on the spot,

would save the animal's life. We know that cattle are not worth very much at the present time and if we are obliged to go to the time and expense of getting a veterinary, his bill will be more than the animal is worth. I believe that the motion before the House is the third reading, and I heartily second the motion.

The SPEAKER: The Chair will inform the gentleman that the motion before the House is the motion of the gentleman from Augusta, Mr. Hussey, to indefinitely postpone.

Mr. WEBSTER: Mr. Speaker, I am opposed to that motion.

The SPEAKER: Is the House ready for the question?

Mr. BEARCE of Hebron: Mr. Speaker, I will say that I am opposed to the motion, and I will heartily support the speech Mr. Webster has just made.

Mr. BIDDLE of Portland: Mr. Speaker, the gentleman from Augusta, Mr. Hussey, in his remarks said that Mr. Greenleaf had been asked a question regarding pasteurized milk. Now personally I fail to see what pasteurized milk has to do with veterinary surgery. I would suggest that an examination be given the Veterinary Board instead of Mr. Greenleaf.

Mr. WHITE of Dyer Brook: Mr. Speaker, I rise not to make a speech but to give a little personal experience of an old dirt farmer. We cannot always get these veterinaries and it has been my experience that many times a man who has had life practice with animals, in some cases anyway, is better than the veterinary surgeon. I never employed a veterinary but once. At one time I had quite a valuable colt that was accidentally shot in the pasture through the nose. The nose was torn off, so I decided to have a veterinary. There was one ten miles away from me and I telephoned to him. He was just out of college and he came and looked over my colt and he said: "The best you can do is to take the colt out and finish shooting him." He said "There is nothing that can be done." I asked him what his bill was and he said fifteen dollars. I paid it but I did not like to destroy the colt right then and there. There was a

man I knew of who had a lot to do with horses all his life from a boy up and I sent for him. He came over and he said, "I think we can do something for him." We threw the colt and he sewed up the wound in his nose and told me what he treated it with. I attended the colt, the wound healed up well, and when the colt was three years old, I sold him for two hundred and fifty dollars. I just leave these facts with you as no argument either way. (Laughter)

Mr. WARD of Limestone: Mr. Speaker, out in the rural sections there are a great many places and towns as Mr. Perham has said. There are only a few veterinary surgeons in my county and my county is large, and if we had to depend on them all of the time we would lose many of our horses and cattle. In my section we have a man who does that work. I do not think he is licensed and there is no licensed man within ten miles of us at least, and if we could not employ this man it would work a hardship on us. Our experience has been very similar to that of Mr. White. I know a man who had a sick horse and he had to send to the nearest town and get the licensed veterinary. Perhaps he did a very good job but he made two trips and it cost the man thirty dollars. Up our way we use a lot of heavy horses and many times they are sick and this always comes at times after a horse has been worked hard and fed high. If they stand in the barn three days you have a lot of sick horses. If we had to depend up there on licensed veterinary surgeons we would have to go without a doctor and lose our horses. I certainly hope that the motion of the gentleman from Augusta (Mr. Hussey) will not prevail.

Mr. MELCHER of Rumford: Mr. Speaker, I would like to take up just one minute and it is the first time I have spoken on any measure this session. I am well acquainted with the situation and I feel that I should say just one word. Now this doctor—we call him Doctor up there—has practiced some ten or twelve years and very successfully up there in the woods where there are a great many logging camps that have horses; and it is

mighty convenient to call in some one to doctor those horses when they are sick. It has been a very great convenience to the farmers and the loggers in that section to have some one they can call in and look after their sick horses. If you can possibly get permission for this man to continue there, it will be a great service to us. That is the way I look at it and I feel that he should remain there. I know that he has been very successful.

Mr. WRIGHT of Bath: Mr. Speaker, I do not believe book learning is necessary to make a good doctor, whether he be a medical doctor or a veterinary surgeon. It is a fact that some institutions of learning have tried to have medical schools and have not had the number of patients to practice on. Now the skill of a doctor or a veterinary surgeon depends on the actual work he does, and it seems to me that if this Mr. Greenleaf has been practicing on animals very successfully for ten years that is quite a brief for him whether he can pass the examination or not.

Mr. SMITH of Masardis: Mr. Speaker, neither have I spoken on the floor at this session. I live in a section where we have a great many horses. I have owned horses myself, weighing a ton apiece, several pair of them at times, and a man owning horses always has more or less sickness among them, especially in the spring of the year. Our nearest veterinary is 35 miles from my town, but we have a man there whom we call old Bill Rowe, and I have employed him at times and I have employed a licensed veterinary and I as well as others in town would take old Bill Rowe's judgment over any veterinary we ever had.

Mrs. MOREY of Lewiston: Mr. Speaker, I move the previous question.

The SPEAKER: The member from Lewiston, Mrs. Morey, moves the previous question. As many as are in favor of the Chair entertaining the previous question will rise and stand in their places until counted and the monitors have returned the count.

A sufficient number arose.

The SPEAKER: The question now before the House is shall the

main question be now put? As many as are in favor of the Chair putting the main question now will say aye; and those opposed will say no.

A viva voce vote being taken, the motion that the main question be now put prevailed.

The SPEAKER: Those in favor of the motion to indefinitely postpone will say aye; those opposed no.

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

The SPEAKER: The motion reverts to the motion of the gentleman from Paris, Mr. Perham, that the bill be given its third reading at this time.

Mr. PERHAM: Mr. Speaker, I move that the bill be given its third reading at this time.

The motion prevailed and the bill had its third reading and was passed to be engrossed.

On motion by Mr. Allen of Sanford, it was voted to take from the table the 29th unassigned matter, an act to abolish the common council of the city of Biddeford, H. P. 1934, L. 9. 986, tabled by that gentleman March 31, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Allen, the bill was passed to be enacted.

Passed to Be Enacted

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

(S. P. 363) (L. D. 385) An act relating to trial lists in Aroostook County.

(S. P. 427) (L. D. 533) An act to legalize meetings held by the Sea and Shore Fisheries Commission since the expiration of the terms, for which they were appointed, of one or more of them, and to make valid any findings that they may have rendered as a result of same.

(S. P. 536) (L. D. 839) An act in relation to the salary of the State Auditor.

(S. P. 537) (L. D. 841) An act relating to the salary of the Commissioner of Agriculture.

(S. P. 580) (L. D. 947) An act relating to the excise tax on motor vehicles.

(S. P. 597) (L. D. 1009) An act relating to duties of Superintendents of Insane Hospitals.

(S. P. 600) (L. D. 1008) An act to provide for building a dam across Dead River, in Androscoggin County, to be known as Androscoggin Lake Dam.

A viva voce vote being taken, tabled by Mr. Jack of Lisbon pending passage to be enacted.

(S. P. 603, L. D. 1013) An act authorizing cities, towns and counties to acquire and operate airports and landing fields.

(S. P. 606) (L. D. 1014) An act relative to the Municipal Court at Pittsfield.

(H. P. 1278) (L. D. 831) An act relative to the salary of the State Librarian.

(H. P. 1279) (L. D. 832) An act relative to the salary of the Commissioner of Inland Fisheries and game.

(H. P. 1299) (L. D. 997) An act relative to ice fishing for pickerel.

(H. P. 1406) (L. D. 1000) An act relating to the hunting of water fowl or any other wild bird in Back Bay, so-called, in Portland.

(H. P. 1408) (L. D. 1002) An act authorizing towns to license public dance halls.

(H. P. 1411) (L. D. 1003) An act relating to the construction of State Aid Highways.

(H. P. 1414) (L. D. 1017) An act relating to catching of smelts in fresh water streams.

(H. P. 1415) (L. D. 1018) An act to regulate salmon fishing on the Penobscot River.

(H. P. 1421) (L. D. 1029) An act with reference to the State Highway Police.

Finally Passed

(S. P. 619) (L. D. 1023) Resolve in favor of the Frontier Water Company.

(H. P. 468) (L. D. 1035) Resolve in favor of the State Military and Naval Children's Home.

(H. P. 1409) (L. D. 1005) Resolve for the purpose of grading and constructing a sidewalk on State Street in front of the State House Grounds.

(H. P. 1416) (L. D. 1036) Resolve providing pensions for certain soldiers and dependents of soldiers.

(H. P. 1419) (L. D. 1038) Resolve authorizing Commissioner of Fisheries and Game to settle damages with Charles Huff, of Topsfield.

(H. P. 1427) (L. D. 1041) Resolve in favor of the town of Plymouth.

(H. P. 1428) (L. D. 1042) Resolve

in favor of the town of Durham. (H. P. 1433) (L. D. 1043) Resolve in favor of the town of Shirley, for support of family of Angus A. Green.

(H. P. 1436) Resolve changing the name of Monument Peak on Mt. Katahdin to Baxter Peak.

Mr. Jack of Lisbon presented the following order, out of order and moved its passage:

Be it ordered that fountain pens similar to those furnished the members of this Legislature be provided for the newspaper men regularly assigned to report the sessions of the Eighty-fifth Legislature, and that the cost of the same be added to the general Legislative expense.

The order received passage.

Mr. JACK: Mr. Speaker, I might say that at the first of the session we had a little controversy concerning various items, and to show that there is no ill-feeling between the Legislature and the newspaper men, and in addition to that to show our gratitude for their writing up the mock trial, I think they are entitled to this slight token of our respect.

The SPEAKER: The Chair would suggest that it is a very easy matter to show our gratitude at the expense of the State. (Laughter)

Mr. FARRIS of Augusta: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. FARRIS: I would like to ask, through the Chair, if the gentleman from Lisbon (Mr. Jack) expects to get anything out of this order from the newspapers? (Laughter)

The SPEAKER: The gentleman may answer if he wishes.

Mr. JACK: I will say that the most I ever got out of the newspapers was being called a radical, but they are just as essential as other people. (Laughter)

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

From the Senate: Bill an act to change the closed time on deer in the northern counties (H. P. 1387) (L. D. 958) which was indefinitely postponed in the House earlier in the day in non-concurrence.

Comes from the Senate that body insisting on its former action whereby the bill was passed to be engrossed in non-concurrence, and asking for a Committee of Conference and with the following Conferees appointed on its part:

Messrs. LELAND of Piscataquis GREENLEAF of Androscoggin

BOULTER of York.

In the House, on motion by Mr. Blaisdell of Franklin, that body voted to insist and join in a committee of conference.

The SPEAKER: The Chair will appoint as Conference Committee on the part of the House: Messrs. Briggs of Caribou, Blaisdell of Franklin, and Smith of Masardis.

Paper from the Senate, out of order and under suspension of the rules, disposed of in concurrence.

From the Senate: Report of the Committee on Judiciary on bill an act relating to standard time (S. P. 349) (L. D. 351) reporting same in a new draft (S. P. 612) (L. D. 1027) under same title and that it ought to pass.

Comes from the Senate the report read and accepted, Senate Amendments "A", "B" and "C" read and rejected and the new draft passed to be engrossed as amended by Senate Amendments "D" and "E".

In the House, report accepted in concurrence and the bill had its two several readings.

Senate Amendment A read.

This amendment comes from the Senate indefinitely postponed. In the House that body voted to concur with the Senate in the indefinite postponement of the amendment.

Senate Amendment B read.

Comes from the Senate indefinitely postponed.

In the House, that body voted to concur with the Senate in the indefinite postponement of the amendment.

Senate Amendment C read.

Comes from the Senate indefinitely postponed.

In the House, that body voted to

concur with the Senate in the indefinite postponement of the amendment.

Senate Amendment D read.

Comes from the Senate read and adopted.

In the House that body voted to concur with the Senate in the adoption of the amendment.

Senate Amendment E read.

Comes from the Senate read and adopted.

In the House that body voted to concur with the Senate in the adoption of the amendment.

The rules were suspended and the bill as amended by Senate Amendments D and E had its third reading and was passed to be engrossed in concurrence.

From the Senate: Bill an act to provide provisions for medical and surgical treatment of persons whose resources are insufficient to pay for same, H. P. 931, L. D. 408, which was passed to be engrossed in the House March 31st.

Comes from the Senate the report of the committee on Judiciary reporting ought not to pass accepted in non-concurrence.

In the House, on motion by Mr. Wright of Bath, a viva voce vote being taken, that body voted to insist and ask for a committee of conference.

The SPEAKER: The Chair appoints as conferees on the part of the House Messrs. Wright of Bath, Bennett of Presque Isle and Snow of Bluehill.

Mr. SNOW: Mr. Speaker, I would like to be excused because I signed the majority report.

The SPEAKER: The gentleman is excused and the Chair appoints as the third member on that committee, Mr. Melcher of Rumford.

From the Senate: Bill an act

regulating the transportation of poultry, H. P. 777, L. D. 323, which was passed to be enacted in the House March 30th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, a viva voce vote being taken, that body voted to recede and concur with the Senate in the indefinite postponement of this bill.

Report of committee, out of order, and under suspension of the rules.

Mr. Bennett from the committee on Public Health on bill an act regarding the practice of any healing art of science, H. P. 1105, L. D. 683, reporting same in a new draft, H. P. 1442, under same title and that it ought to pass.

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

The SPEAKER: Are there any other matters that can be taken from the table by any member?

On motion by Mr. Eaton of Calais, it was voted to take from the table resolve in favor of Calais Academy, Washington county, tabled by that gentleman earlier in the afternoon, being House Paper 528.

Mr. EATON: Mr. Speaker, as this matter has been taken care of by other legislation, I move that the report ought not to pass be accepted.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Thomas of Harpswell,

Adjourned until tomorrow morning.