

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**ERRATA:**

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

## ERRATA

- Page 73—An act to empower the County Commissioners of Hancock County to construct a highway and raise money for the same (S. P. 35, L. D. 11)—Should be (S. P. 35, L. D. 9)
- Page 75—Ordered, that there be printed one thousand additional copies each of L. D. No. 28, H. P. No. 39, and L. D. No. 10, H. P. No. 37—should be L. D. 10, S. P. No. 37.
- Page 105—Resolve in favor of the town of Prescott. (H. P. No. 282)—Should be town of Trescott.
- Page 106—Second resolve in favor of the town of Dixmont (H. P. 401)
- Page 114—Resolve to reimburse the town of Solon for support of Mrs. Ernest Cousins having no known settlement in the state.—Should be Salem.
- Page 120—Resolve to reimburse Hamlin Plantation for support and burial expenses of Ephrem Picard, a State Pauper (H. P. No. 895)—Should be (H. P. No. 805)
- Page 128—Resolve in favor of the town of Atkinson (H. P. No. 876)—Should be (H. P. No. 976)
- Page 129—Second resolve in favor of the town of Cornish to be deleted.
- Page 152—Resolve in favor of E. G. Hodgkins of Carmel, H. P. 364, L. D. 197—should be H. P. 364, L. D. 203.
- Page 152—An act relating to health certificates for teachers and janitors S. P. 207, L. D. 295—Should be S. P. 207, L. D. 395.
- Page 153—An act relating to inland fish and game wardens; powers, duties and service of processes, S. P. 193, L. D. 597—Should be S. P. 193, L. D. 397.
- Page 163—Bill "An Act relating to Stamping of Registered Boilers" (H. P. No. 1132)—Should be (H. P. No. 1131)
- Page 163—Bill "An Act relating to Towns and Town Officers" (H. P. No. 1136)—Should be (H. P. No. 1135)
- Page 184—"An act relating to motor vehicles carrying passengers for hire over regular routes" (S. P. 92, L. D. 105)—Should be (S. P. 92, L. D. 104)
- Page 193—An act relating to motor vehicle lights S. P. 217, L. D. 598—Should be S. P. 217, L. D. 398.
- Page 202—(Presented by Mr. Stevens of Pownal)—Should be Mr. Stover.
- Page 246—An act relating to Board of Censors of Maine Pictures—should read Moving Pictures.
- Page 259—Resolve opening Jaquity Pond in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 260—Ordered, that there be printed 500 more copies of H. P. 1082, L. D. 571—Should be H. P. 1083, L. D. 571.
- Page 267—Resolve in favor of John E. Parker of Windsor, for State pension (H. P. 90, L. D. 672)—Should be (H. P. 99, L. D. 672)
- Page 273—Resolve opening Jacquith Pond, in Brownville, to ice fishing—Should be Jaquith Pond.
- Page 315—(H. P. No. 552) (L. D. No. 231) Resolve relating to rabbit hunting in Vinalhaven—Should be (H. P. No. 552) (L. D. No. 221)
- Page 321—An Act relating to partition of real estate (S. P. 327, L. D. 833)—Should be (S. P. 327, L. D. 533)
- Page 341—An Act permitting Dennis Plourde to Dump Sawdust in Wallagrass Stream—Should be Dennis Fluorde.
- Page 343—(H. P. No. 39) (L. D. No. 776)—Should be (H. P. No. 739 (L. D. No. 776)
- Page 343—(H. P. No. 1476) (L. D. No. 778)—Should be (H. P. No. 1486) (L. D. No. 778)
- Page 358—An act to grant a new charter to the city of Rockland, S. P. 486, L. D. 788—Should be S. P. 486, L. D. 798.
- Page 383—An act to amend the banking laws by amending Sec. 91, of Chap. 57 of the Revised Statutes—Should be marked S. P. 548, L. D. 805.
- Page 417—An Act to provide for School Expenses in Towns having a Valuation of Less than \$200,000.00—Should be marked (H. P. 588, L. D. 235)
- Page 437—"An Act to amend Sections 48 to 54 of Chapter 28 of the Revised Statutes" (S. P. 353)—Should read Sections 48 to 51.
- Page 440—Resolve in favor of Henry McCrotty of Farmingdale (H. P. 1502, L. D. 810)—Should be Henry McGroty.
- Page 442—Resolve regulating ice fishing in Tacoma Lakes (H. P. 1465, L. D. 736)—Should be (H. P. 1465, L. D. 756)

**HOUSE**

Thursday, March 2, 1933

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

Prayer by the Rev. Mr. Porter of Gardiner.

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 Public Buildings and Grounds

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Report of the committee on Inland Fisheries and Game on bill an act relating to fishing in Little Jim Pond in Franklin County, S. P. 50 reporting a resolve under title of Resolve regulating the fishing in Little Jim Pond in the county of Franklin S. P. 434, L. D. 768 and that it ought to pass.

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

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

From the Senate: Report of the committee on Inland Fisheries and Game on bill an act relating to fishing in Tee Pond in Jim Pond Town in the county of Franklin S. P. 144 reporting a resolve under title of Resolve regulating the taking of salmon in Tee Pond in Jim Pond Town in the county of Franklin. S. P. 442, L. D. 766, and that it ought to pass.

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

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

**Senate Bills in First Reading**

S. P. 441, L. D. 767: Resolve regulating ice fishing in Sweet's Pond, or Porter Lake in the towns of New Vineyard and Strong in the county of Franklin.

S. P. 443, L. D. 765: Resolve re-

stricting the taking of smelts in Panther Pond, in the county of Cumberland.

S. P. 445, L. D. 763: Resolve relative to the rules and regulations on the fishing for white perch in Little River in the towns of Old Orchard Beach and Scarborough in the counties of York and Cumberland.

S. P. 446, L. D. 774: Resolve regulating the fishing in Soper Brook, Jordan Pond and Duck Pond in Township 3, Range 11 and 4, Range 11, W. E. L. S., county of Piscataquis.

S. P. 447, L. D. 772: Resolve relative to opening of Dole's Pond and Boyd's Pond in the town of Limington in the county of York.

S. P. 448, L. D. 758: Resolve regulating the fishing in Milliken's Mill Pond in the town of Old Orchard Beach in the county of York.

S. P. 449, L. D. 759: Resolve regulating the length of trout in lakes and ponds in York county.

S. P. 450, L. D. 760: Resolve to regulate fishing in Lone Pond in the town of Waterboro in the county of York.

S. P. 451, L. D. 761: Resolve relative to the open session on brooks in the town of York in York county.

S. P. 458, L. D. 762: Resolve providing for a State pension for Melissa M. Bailey of Portland.

S. P. 459, L. D. 775: Resolve providing for a State pension for Hattie A. Harris, Auburn.

From the Senate: Report of the committee on Ways and Bridges on resolve suspending certain acts which require expenditure of tax money on the construction of new highways, S. P. 37, L. D. 10, reporting a bill under title of "An act to create and allocate a general highway fund for State Aid and Third Class highway construction and to temporarily suspend certain Statutes, S. P. 457, L. D. 727 and that it ought to pass.

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

In the House:

Mr FRIEND of Skowhegan: Mr. Speaker, I move the acceptance of the report of the committee in concurrence. This bill is a compromise Kitchen-Friend bill and has received the unanimous report of the committee and of the leaders of both parties in this House. It is a very fair and just bill and I cer-

tainly hope that it receives your support at this time. I would like to yield the floor to Mr. Farris of Augusta.

The SPEAKER: The Chair recognizes the gentleman from Fort Fairfield, Mr. Ashby.

Mr. ASHBY of Ft. Fairfield: Mr. Speaker, the gentleman from Skowhegan, Mr. Friend, got ahead of me. In view of the fact that I do not think that the House is ready for this report at the present time and would like to study it a little more, I was going to move that the same be tabled and specially assigned for Tuesday morning next. If the gentleman from Skowhegan (Mr. Friend) will withdraw his motion I believe it would be a courtesy to the House to allow this to be done.

The SPEAKER: The Chair understands that the gentleman from Fort Fairfield (Mr. Ashby) moves to table this until next Tuesday. Is the Chair correct?

Mr. ASHBY: Yes, Mr. Speaker.

The SPEAKER: The motion is not debatable. The pending question is the motion of the gentleman from Fort Fairfield, Mr. Ashby, that this report and the accompanying bill lie on the table and be specially assigned for next Tuesday morning, pending the acceptance of the report. All those in favor will say aye; contrary minded no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Skowhegan, Mr. Friend, that the ought to pass report of the committee be accepted in concurrence. Is this the pleasure of the House? All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the motion to accept the report in concurrence prevailed.

On motion by Mr. Farris of Augusta, the rules were suspended and the bill had its three several readings at this time and was passed to be engrossed in concurrence.

#### Senate Bills in First Reading (Continued)

S. P. 186, L. D. 769: An act relative to the pollution of waters of Chase's Pond.

S. P. 176, L. D. 668: An act relating to fur farms.

S. P. 327, L. D. 533: An act relative to partition of real estate.

S. P. 334, L. D. 540: An act relating to autopsies on unclaimed bodies.

S. P. 88, L. D. 773: Resolve providing for a State pension for Katherine L. Prescott of Wilton.

S. P. 233, L. D. 771: An act relating to police pensions in the city of Portland.

From the Senate: Report of the committee on Judiciary reporting ought to pass on resolve proposing amendment to the Constitution to authorize the use of voting machines in elections, S. P. 286, L. D. 463.

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

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

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on resolve relative to nuisances, S. P. 159, L. D. 209.

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

In the House, on motion by Mr. O'Connor of Bangor, tabled pending acceptance of the report in concurrence.

From the Senate: Ordered, the House concurring, that the Superintendent of Buildings be authorized to furnish accommodations for Blank and Stoller to be used in taking photographs of members of the Legislature and other officials.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: Bill an act to provide for a Constitutional Convention to pass on the proposed twenty-first amendment to the Constitution of the United States, S. P. 488.

Comes from the Senate, referred to the committee on Federal Relations, and a motion to reconsider that action withdrawn.

In the House:

The SPEAKER: The members will notice that there has been some mistake in printing the Calendar. It should be as read by the Clerk. In the Senate this bill was referred

to the committee on Federal Relations, a motion in the Senate to reconsider having been made and withdrawn. Is it now the pleasure of the House that this bill be referred to the committee on Federal Relations in concurrence?

Thereupon the bill was so referred in concurrence.

From the Senate: Bill an act relative to speed of passenger busses, H. P. 1047, L. D. 448, which was passed to be engrossed in the House on February 22nd,

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

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

The SPEAKER: Does the gentleman desire Senate Amendment A read?

Mr. TOMPKINS: Yes, I would like to have it read.

(Senate Amendment A read by the Clerk.)

Mr. TOMPKINS: Mr. Speaker, I ask unanimous consent to withdraw my motion.

Unanimous consent to withdraw the motion was granted.

Thereupon the House voted to reconsider its action of February 22 whereby this bill was passed to be engrossed.

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

From the Senate: Resolve regulating fishing in Long Pond or Crescent Lake, H. P. 209, L. D. 115, which was passed to be engrossed in the House on February 15,

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Ellis of Rangeley, it was voted to recede and concur with the Senate in the indefinite postponement of this resolve.

The following remonstrance was received and upon recommendation of the committee on reference of bills was ordered placed on file:

Remonstrance of Chester E. Huston and 28 others of Saco against the resubmission of the Prohibitory Amendment. (H. P. 1505) (Presented by Mr. Tompkins of Bridgewater)

### Orders

On motion by Mr. Walker of Rockland, it was

Ordered, that there be printed 500 additional copies of bill an act to grant a new charter to the city of Rockland, S. P. 486, L. D. 788.

Mr. Nevers of Patten presented the following order and moved its passage:

Ordered, the Senate concurring, that the committee on Claims be requested to return to the House, H. P. 371, resolve relating to the case of Thomas W. Pluard.

The order received passage and was sent up for concurrence.

Mr. Dow of Livermore presented the following order and moved its passage:

Ordered, the Senate concurring, that the committee on Claims be requested to return to the House H. P. 815, resolve to reimburse town of Livermore for hospital treatment of Archie Millett.

The order received passage and was sent up for concurrence.

### Reports of Committees

Mr. Rounds from the Committee on Claims on Resolve appropriating money to pay the claim of Louis Lipsitz Estate against the State of Maine (H. P. No. 773) reported that same be referred to the 87th Legislature.

Same gentleman from same Committee reported "Ought not to pass" on Resolve in favor of Albert Twitchell of Oxford (H. P. No. 145).

Mr. Lindsey from same Committee reported same on Resolve to reimburse the city of Old Town for support of persons having no known settlement in the State (H. P. No. 768).

(On motion by Mr. Hickey of Old Town, the report and accompanying resolve were tabled, pending acceptance of the report).

Mr. Gallagher from the Committee on Education reported ought not to pass on Bill "An Act to restrict School Expenditures in Towns to Funds Definitely Appropriated therefor" (H. P. No. 590) (L. D. No. 247).

Same gentleman from same Committee reported same on Bill "An Act to provide Free Tuition at the University of Maine for citizens of Maine" (H. P. No. 1026) (L. D. No. 474).

Mr. Chase of Baring from the Committee on Legal Affairs reported same on Bill "An Act to Simplify

the Charter of the City of Lewiston" (H. P. No. 882) (L. D. No. 351).

Mr. Quine from same Committee reported same on Bill "An Act relating to Town Council and Manager Form of Government for the town of Presque Isle" (H. P. No. 639) (L. D. No. 190).

(On motion by Mr. Bennett of Presque Isle, the report and accompanying bill were tabled pending acceptance of the report).

Miss Martin from the Committee on Legal Affairs reported ought not to pass on Resolve relating to Lucerne-in-Maine (H. P. No. 124) (L. D. No. 78).

Mr. Sargent from same Committee reported same on Bill "An Act to Incorporate the Maine Fraternal Beneficiary Corporation" (H. P. No. 878) (L. D. No. 314).

Mr. Plummer from same Committee reported same on Bill "An Act to amend the Charter of the South Portland Sewerage District" (H. P. No. 874) (L. D. No. 285).

Mr. Chase of Sebec from same Committee reported same on Bill "An Act relating to Eligibility of Members of City Governments to certain offices" (H. P. No. 1061) (L. D. No. 490).

Mr. Chase of Baring from same Committee reported same on Bill "An Act to extend Authority for the Merging of Pine Grove Cemetery of Portland, Maine, with Evergreen Cemetery of Portland, Maine" (H. P. No. 636) (L. D. No. 295).

Mr. Young from the Committee on Salaries and Fees reported same on Bill "An Act relating to Superintending School Committees" (H. P. No. 1153) (L. D. No. 567).

Mr. White from the Committee on Taxation reported same on Bill "An Act to Impose an Excise Tax on Fuel Oil" (H. P. No. 1171) (L. D. No. 615).

Mr. Mack from same Committee reported same on Bill "An Act providing for the Levy of an Excise Tax on Sales of Manufactured Tobacco Products" (H. P. No. 1173) (L. D. No. 608).

(On motion by Mr. Bennett of Presque Isle, the bill and accompanying report were tabled pending acceptance of the report).

Mr. Mack from the Committee on Taxation, reported ought not to pass on Bill "An Act relating to Tax on Radios" (H. P. No. 1067) (L. D. No. 493).

Same gentleman from same Committee reported same on Bill "An

Act relating to the Sale of Tobacco and Tobacco Products and Imposing an Excise on Dealers therein" (H. P. No. 1164) (L. D. No. 611).

(On motion by Mr. Walker of Rockland the bill and accompanying report were tabled pending acceptance of the report).

Mr. Bailey from the Committee on Salaries and Fees on Bill "An Act relating to Fees of Sealers of Weights and Measures" (H. P. No. 162) (L. D. No. 92) reported that legislation thereon is inexpedient as subject matter is covered by another bill.

Reports read and accepted and sent up for concurrence.

Mr. Rounds from the Committee on Claims on Resolve in favor of Daniel Mahar of Bangor (H. P. No. 818) reported same in a new draft (H. P. No. 1501) under same title and that it "Ought to pass."

Mr. Lindsey from same Committee on Resolve in favor of Henry McGroty of Farmingdale (H. P. No. 777) reported same in a new draft (H. P. No. 1502) under same title and that it "Ought to pass."

Mr. Goudy from the Committee on Judiciary on Bill "An Act relating to Actions by or against Executors and Administrators" (H. P. No. 1052) (L. D. No. 483) reported same in a new draft (H. P. No. 1503) under same title and that it "Ought to pass."

Mr. Lancaster from the Committee on Public Utilities on Bill "An Act relating to Boothbay Harbor Water Company" (H. P. No. 128) (L. D. No. 75) reported same in a new draft (H. P. No. 1504) under same title and that it "Ought to pass."

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

Mr. Devereux from the Committee on Claims reported "Ought to pass" on Resolve in favor of Ernest C. Brown of Gorham (H. P. No. 1389) (L. D. No. 694).

Mr. Crowell from the Committee on Inland Fisheries and Game reported same on Resolve relating to Ice Fishing in Long Pond (H. P. No. 749) (L. D. No. 256).

Reports read and accepted and the Bills and Resolves having already been printed, the Bills read twice under suspension of the rules, the Resolves read once under suspension of the rules, and tomorrow assigned.

Mr. Sterling from the Committee on Inland Fisheries and Game reported ought to pass on Bill "An Act



repealing the Bounty on Porcupines and Hedgehogs" (H. P. No. 374) (L. D. No. 214)

(On motion by Mr. Mace of Aurora, the bill and accompanying report were tabled pending acceptance of the report)

Mr. Mack from the Committee on Taxation reported ought to pass on Bill "An Act relating to Reports to Towns of Excise Tax Payments" (H. P. No. 1170) (L. D. No. 561)

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

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act for the Taxation of Billboards and the regulation and control of Outdoor Advertising" (H. P. No. 37) (L. D. No. 23)

Report was signed by the following members:

Messrs. Jackson of Cumberland, Towle of Kennebec, Weymouth of Penobscot, White of Crystal, Mason of Mechanic Falls, Piper of Bangor, Sterling of Caratunk, Mack of Veazie, Walker of Rockport.

Minority Report of same Committee reporting "Ought to pass" on same bill.

Report was signed by the following member:

Mr. Blanchard of Wilton.

Mr. MACK of Veazie: Mr. Speaker, there probably has been no bill presented to the Committee on Taxation that has received more careful consideration and attention than the "Billboard Bill," so called. When the matter of the regulation of billboards was agreed upon by the proponents and opponents of billboard legislation, it removed from the Committee on Taxation any consideration whatsoever of beautification of highways or of any of the other ramifications the billboard legislation might lead into

It simply devolved upon the committee on Taxation to pass upon whatever taxation would be for the good of the greatest number of people in the State of Maine. A careful reading of this particular bill will show you, gentleman and ladies, that there is no provisions whatsoever in it for a man who operates a farm and must advertise his wares. There is a provision in there that to do this particular thing he has to pay a license fee which would be prohibitive. So, after careful consideration of the

bill and after careful consideration of all the information that was passed on to us at this particular hearing, we presumed to pass this bill out in a nine to one decision of the committee as a bill that should not pass at this Legislature. Now I do not believe anyone who has billboards would object to a fair and reasonable regulation tax, and that would do the people of the State of Maine some good. This particular bill, as it is written at the present time, will certainly work a hardship on those who are not in position to go out and lease land and hire someone to erect billboards. Therefore, I move you that the majority report of the committee be accepted.

On motion by Mr. Tompkins of Houlton, the bill and reports were tabled, pending acceptance of either report.

Mr. MACK: Mr. Speaker, I do not believe the Chair heard the contrary vote on the motion to table. It was quite audible in this part of the House.

The SPEAKER: The Chair understands that the gentleman from Veazie, Mr. Mack, doubts the vote as declared by the Speaker, on the motion of the gentleman from Houlton, Mr. Tompkins, that these two reports lie on the table, the pending question being the motion of the gentleman from Veazie, Mr. Mack, to accept the majority report. All those in favor of the motion of the gentleman from Houlton, Mr. Tompkins, that these reports and accompanying bill lie on the table will rise and stand until counted, and the monitors will make and return the count.

A division of the House was had, Thirty-five voting in the affirmative and 61 in the negative, the motion to table failed of passage.

The SPEAKER: The pending question is the motion of the gentleman from Veazie, Mr. Mack, that the majority report, ought not to pass, of the committee on Taxation be accepted. Is there any further debate? All those in favor of the motion will say aye; contrary minded, no.

A viva voce vote being taken, the majority report, ought not to pass, was accepted.

Mr. MACK: Mr. Speaker, I now move that this bill have its first two readings at this time.

The SPEAKER: The ought not to pass report of the committee having

been accepted, the bill is no longer before the House.

Mr. TOMPKINS of Houlton: Mr. Speaker, as the gentleman of the committee on Taxation does not apparently understand this bill, I move that we reconsider our vote whereby we accepted the ought not to pass report.

The SPEAKER: The Chair understands the gentleman from Houlton, Mr. Tompkins, to move that the House reconsider its action just taken whereby on the motion of the gentleman from Veazie, Mr. Mack, the majority report of the committee on Taxation, ought not to pass, was accepted. Is this the pleasure of the House? All those in favor will say aye; contrary minded, no.

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

#### Passed to Be Engrossed

(H. P. No. 880) (L. D. No. 355)  
An act to grant a new charter to the city of Ellsworth.

(S. P. No. 190) (L. D. No. 725)  
An act relating to the West Bath Game Preserve.

(S. P. No. 215) (L. D. No. 717)  
An act to authorize the Old Town Herbert Gray School District to refund any of its bonds falling due in the years 1933 and 1934.

(S. P. No. 337) (L. D. No. 541)  
An act relating to abolishment of grade crossings.

(S. P. No. 440) (L. D. No. 718)  
An act relating to admission to Normal Schools.

(H. P. No. 574) (L. D. No. 173)  
An act relating to the Permanent School Fund.

(H. P. No. 699) (L. D. No. 266)  
An act relating to closing of Attean Pond to Ice Fishing.

(On motion by Mr. Lancaster of Canaan, the bill was recommitted to the committee on Inland Fisheries and Game).

(H. P. No. 739) (L. D. No. 776)  
An act relative to raising the water of York Pond situate in the towns of Eliot and York.

(H. P. No. 1485) (L. D. No. 777)  
An act to improve rural school teaching.

(S. P. No. 63) (L. D. No. 731) Resolve authorizing payment of accident compensation to Leon P. Sheppard.

(S. P. No. 80) (L. D. No. 729) Resolve in favor of Lawrence Hahn.

(S. P. No. 106) (L. D. No. 726)

Resolve relating to ice fishing in Peters Pond.

(S. P. No. 163) (L. D. No. 730) Resolve authorizing the Governor to convey certain land in Petersburg, Virginia, to the United States.

(S. P. No. 191) (L. D. No. 722) Resolve providing for a survey of proposed Game Preserve in Hancock County.

(S. P. No. 192) (L. D. No. 724) Resolve relating to fishing in DeMyers Brook.

(S. P. No. 199) (L. D. No. 728) Resolve in favor of A. L. Dennison of Wilton.

(S. P. No. 433) (L. D. No. 723) Resolve in favor of Fort Knox.

#### Orders of The Day

The SPEAKER: Under Orders of the Day, the Chair understands that the gentleman from Brewer, Mr. Sargent, moves that the House reconsider its action of yesterday whereby it passed to be enacted S. P. 160, L. D. 164, an act to provide a Town Council and Manager Form of Government for the town of Washburn in the county of Aroostook; and the Chair understands that the same gentleman now moves that the House reconsider its action whereby this bill was passed to be engrossed.

On motion by Mr. Sargent, the House reconsidered its action whereby this bill was passed to be enacted; and on further motion by the same gentleman the House reconsidered its action this bill was passed to be engrossed; and on further motion by the same gentleman the bill was recommitted to the committee on Legal Affairs.

On motion by Mr. Mack of Veazie, under suspension of the rules, it was voted to take up the second tabled and unassigned matter, being Joint Order, relative to statement from Commissioner of Education on school funds, tabled by that gentleman, March 1, pending passage in concurrence.

On further motion by Mr. Mack, the order was passed in concurrence.

On motion by Mr. Wright of Bath, it was voted to take from the table report of the committee on Inland Fisheries and Game on bill an act relating to fishing in Little Jim Pond in Franklin County, S. P. 434, L. D. 768, reporting that it ought to pass, tabled by that gentleman earlier in the day; and on further

motion by the same gentleman the report, ought to pass, in a new draft under title of Resolve regulating the fishing in Little Jim Pond in the county of Franklin, S. P. 434, L. D. 768, was accepted in concurrence.

Thereupon, under suspension of the rules, on motion by Mr. Wright, the resolve had its first reading and tomorrow assigned.

On motion by Mr. Wright of Bath, it was voted to take from the table report of the committee on Inland Fisheries and game on bill an act relating to fishing in Tee Pond in Jim Pond Town in the county of Franklin, S. P. 144, reporting that it ought to pass, tabled by that gentleman earlier in the day; and on further motion by the same gentleman the report ought to pass, in new draft under title of Resolve regulating the taking of salmon in Tee Pond in Jim Pond Town, in the county of Franklin, S. P. 442, L. D. 766, was accepted in concurrence.

Thereupon under suspension of the rules, on motion by Mr. Wright, the resolve had its first reading and tomorrow assigned.

The SPEAKER: The Clerk has called the attention of the Speaker to the fact in this resolve the name of Jim Pond Town is given in one place as "Jim Pond Town in the county of Franklin" and in another place as "Jim Pond Township." Can anyone inform the Chair the correct name of this town or township.

Mr. STERLING of Caratunk: I think it should be Jim Pond Township.

The SPEAKER: The Clerk will make the correction as a clerical error.

The SPEAKER: As the first matter tabled and specially assigned today, the Chair lays before the House, House report ought to pass in new draft of the committee on Inland Fisheries and Game on bill an act closing Worthley Pond to ice fishing, and also closing said Worthley Pond to all except fly fishing, H. P. 687, L. D. 357, new draft H. P. 1462, tabled on February 24 by the gentleman from Portland, Mr. Rounds, pending the acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Rounds, the report was accepted, and the new

draft ordered printed under the Joint Rules.

The SPEAKER: As the second matter tabled and specially assigned for today, the Chair lays before the House the ought not to pass report on the committee on Claims on resolve in favor of Jay Robbins of McKinley, H. P. 12, tabled on February 24, by the gentleman from Portland, Mr. Rounds, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Rounds, the report, ought not to pass, was accepted.

The SPEAKER: As the third matter tabled and specially assigned for today, the Chair lays before the House Senate report, ought not to pass, of the committee on Claims on resolve in favor of William Sansom of Rockland, S. P. 98, which came from the Senate report accepted, and which was tabled February 24 by the gentleman from Rockport, Mr. Walker, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Walker, the report, ought not to pass was accepted in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Sargent.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the eighth unassigned matter, bill an act to provide for the surrender by town of Drew of its organization, H. P. 1486, L. D. 778, tabled by that gentleman, March 1, pending second reading; and on further motion by the same gentleman the bill had its second reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the ninth unassigned matter, bill an act relating to Ogunquit Beach District, H. P. 1487, L. D. 779, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the bill had its two several readings and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the tenth unassigned matter, resolve in favor of Herbert Mc-

Daniel of Somerville, H. P. 428, L. D. 780, tabled by that gentleman, March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the eleventh unassigned matter, resolve providing for an increase in State pension for Olive E. Brann of Augusta, H. P. 649, L. D. 781, tabled by that gentleman, March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the twelfth unassigned matter, resolve providing for a State pension for Harrison B. Bowley, Jr., of Rockport, H. P. 897, L. D. 782, tabled by that gentleman, March 1, pending first reading; and on further motion by the same gentleman, the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the thirteenth unassigned matter, resolve providing for an increase in State pension for Harry E. Troop of Pittston, H. P. 889, L. D. 783, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the fourteenth unassigned matter, resolve providing for a State pension for Addie L. Wakefield of Saco, H. P. 900, L. D. 784, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer it was voted to take from the table the fifteenth unassigned matter, resolve providing for a State pension for Frank C. Davis of Jefferson, H. P. 901, L. D. 785, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the sixteenth unassigned matter, resolve providing for a State pension for Nellie E. Hatch of Monmouth, H. P. 911, L. D. 786, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the seventeenth unassigned matter, resolve providing for a State pension for Eva E. Binford, of Portland, H. P. 912, L. D. 787, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the eighteenth unassigned matter, resolve providing for a State pension for Clara M. Ware of Pittston, H. P. 918, L. D. 788, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the nineteenth unassigned matter, resolve providing for a State pension for Sidney Potter of Gardiner, H. P. 1488, L. D. 789, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the twentieth unassigned matter, resolve providing for a State pension for Charles Dowling Kidder of Otisfield, H. P. 1489, L. D. 790, tabled by that gentleman March 1, pending first reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the twenty-first unassigned matter resolve providing for a State pension for Joseph B. Pelletier of Winterville Plantation, H. P. 1490, L. D. 791, tabled by that gentleman March 1, pending first

reading; and on further motion by the same gentleman the resolve had its first reading and tomorrow assigned.

On motion by Mr. Hills of Northport, the House voted to reconsider its action whereby H. P. 158, L. D. 635, an act to amend the charter of the Northport Wesleyan Grove Campmeeting Association was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed; and on further motion by the same gentleman the bill was recommitted to the committee on Legal Affairs.

On motion by Mr. Ellis of Rangeley, the House voted to reconsider its action of yesterday whereby H. P. 1380, L. D. 685, an emergency measure, an act relating to the shipping and transporting of clams beyond the limit of State during closed time, was passed to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby the bill was passed to be engrossed; and on further motion by the same gentleman the bill was recommitted to the committee on Sea and Shore Fisheries.

On motion by Mr. Rounds of Portland, it was voted to take from the table the sixth unassigned matter, House report ought not to pass of the committee on Public Health on bill an act to amend an act relating to the control of the State Department of Health over Plumbing, H. P. 921, L. D. 319, tabled on March 1 by that gentleman, pending acceptance of the report.

Mr. ROUNDS: Mr. Speaker, this bill provides that we must come down to Augusta if we want to put in a little water pipe, before we can put it in, and then we come back to the plumber. All the time we are paying the plumber. We have a building inspector and we have a plumbing inspector in Portland, and he looks after this whole business, but he can't do anything until he comes down to Augusta and asks them what he can do, whether it be to put in a little piece of water pipe or steam pipe or anything else. It is so in every town and city in the State. Therefore it looks to me as though we are going a little too far when we have a little class legislation for a few plumbers in the

State of Maine. They brought in a bill here last session that would just stop the people from doing their own business at home.

What do the people of Augusta or the Commissioner of Public Health know about what our conditions are in Portland? We have, as I say, a plumbing inspector, and he goes all over this and there has to be a report submitted to him before they can do anything, and all the time we are paying for this man, and then he has got to send it down to Augusta and then they take one-third of the money you pay in Portland, or any other city or town in the State, for doing a little plumbing or repair job.

It seems to me that the bill ought to be substituted for the report. It looks to me as though we ought to legislate for home rule some time, and I think this is one of the times we should look after the people of the State of Maine instead of looking after a few officeholders down here at Augusta, who employ attorneys to come here and fight the bill.

The SPEAKER: The Chair understands the gentleman from Portland, Mr. Rounds, moves to substitute the bill for the ought not to pass report of the committee. All those in favor of the motion to substitute the bill for the unfavorable report of the committee will say aye; contrary minded, no.

A viva voce vote being doubted,

A division of the House was had, Sixty-nine having voted in the affirmative and 16 in the negative, the motion prevailed.

On further motion by Mr. Rounds, under suspension of the rules, the bill was given its first reading.

Mr. BUSHEY of Waterville: Mr. Speaker, I move that this bill be retabled, pending second reading.

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

Mr. PIPER of Bangor: Mr. Speaker, I wonder if the members of the House understand the nature of this bill. I wonder if the gentleman from Portland (Mr. Rounds) understands it. It is an amendment to the present statute, and this is the portion of the present statute that is stricken out. (Reading) "One-third of the amount of such fees shall be paid through the State Department of Health to the State Treasurer to be maintained as a permanent fund and used by the State Department of Health for

the carrying out of the provisions of section 121 and section 121-B." That is stricken from the bill. Then we have the amendment. The rest of it reads: "the remainder shall be paid"—the word "remainder" is stricken out, and we have inserted "the amount of such fees shall be paid to the Treasurer of the city or town, and used exclusively for carrying out the plumbing laws in such cities and towns."

Now that is all the change there is in that bill. Instead of one-third of the amount of such fees being paid to the Department of Health, all of the fees shall be paid to the Treasurer of the city or town and used exclusively for the carrying out of the plumbing laws in such cities and towns.

Mr. ROUNDS: Mr. Speaker, as I said before, I do not know what reason there is in coming down here to Augusta to fix a little water pipe, and then have to pay a plumber. This bill was put in by the plumbers of the State of Maine, and I do not know why we should not have a little home rule at the present time. It looks as though they do not do anything, only approve just this little mite, and then they want one-third of all the money that comes in, and they do nothing for it. On top of it they are coming here, somebody is, and hiring attorneys to come before the committee so as to save it down here at Augusta.

They had an Augusta attorney come here to represent them for this little one-third of the money. The money part of it is not anything to what it costs the citizens of the State if they comply with the law. It is almost ridiculous, the small amount that is paid. You have to wait and have to hire the plumber. You have to hire the Department of Health in the town or city where you are located, and then you have to hire the State Department of Health to O. K. all that has been done before you can start in and do any work on your plumbing, and all the time the plumber's \$1.25 an hour is going on. I move this bill be given its second reading at this time.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Rounds, that this bill have its second reading under suspension of the rules.

Mr. BUSHEY of Waterville: Is it all right, Mr. Speaker, to tell the members of the Legislature what I happen to know about this bill?

I am a plumber, in the plumbing business in the city of Waterville. A few years back we had to put in an application to the State authorities before we could get a permit in order to do plumbing. The law has been changed. Practically every town and city in the State of Maine has what we call either a health officer or a plumbing inspector. All we are supposed to do is to put in an application in regard to the amount of work or kind of work we are going to do, and get a permit for the work. We do not have to send to Augusta at present. There has been a list of names given us through the Board of Health in Augusta here, giving us a list of all the plumbing inspectors in the State of Maine, therefore all we have to do is see the local inspector in order to get a permit; we do not have to send to Augusta for one in order to put in a small piece of pipe, as stated here this morning.

The only change I see in the law, if this bill is passed, would be that the State would not get one-third of the fees that are paid in for the plumbing inspection. In a good many cases such as I have had in the City of Waterville—the Senior High School building where the architect had failed to comply with the rules and regulations of the plumbing laws of this State, I had to call on the State authority in order to straighten the matter out. We also have difficulty in regard to people installing plumbing in summer residences, at lakes and ponds, and so forth, and I have also had the opportunity of getting the services of the Board of Health, such as Dr. Campbell or some of his assistants, to come down there and straighten the matter out. I do not see how the members of the Board of Health can come down and rule on anything in regard to the plumbing without being recompensed for the work that they do. Therefore, I would like to see this bill indefinitely postponed and comply with the report of the committee.

Mr. BENNETT of Presque Isle: Mr. Speaker and Members of the House. I want to agree heartily with what Representative Bushey, the gentleman from Waterville, has just

said. This bill is not as the gentleman from Portland says, but it is just a division of the fees; they want all the fee to go to the city or town instead of a division of it, one-third to go to the Health Department of the State of Maine; and that fund is simply to be able to hire the sanitary engineer of the State of Maine to go and inspect the plumbing in these different towns if anyone wishes to have him do so.

I was on the committee to help remodel the Houlton jail last year, and the committee accepted the plan laid out by the architect in regard to the plumbing, and when we got that plumbing in we found it would not work, and all we had to do was to appeal to the State Engineer, or the State Inspector of Plumbing, Dr. Campbell, and have him come there and go over the matter, and he fixed it up very satisfactorily.

I move that this bill be indefinitely postponed.

The SPEAKER: The question is on the motion of the gentleman from Waterville, Mr. Bushey, that this bill be indefinitely postponed.

All those in favor will say aye: contrary minded no.

A viva voce vote being taken, the motion prevailed.

Mr. ROUNDS: Does that mean the bill is indefinitely postponed? I did not hear.

The SPEAKER: Yes, Mr. Rounds, that was the action of the House.

Do you doubt the declaration of the vote?

Mr. ROUNDS: I doubt the vote.

The SPEAKER: All those in favor of the motion of the gentleman from Waterville, Mr. Bushey, that this bill be indefinitely postponed will rise and stand in their places until counted and the monitors make and return the count.

A division of the House was had. Fifty-one having voted in the affirmative and 23 in the negative, the motion prevailed and the bill was indefinitely postponed.

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

On motion by Mr. Tompkins, of Bridgewater, it was voted to take from the table the 22nd unassigned matter, House report of the committee on Agriculture on joint order

relative to investigation of poultry department of Highmoor Farm, H. P. 1020, reporting that the same be referred to the committee on Appropriations and Financial Affairs, H. P. 1020, tabled on March 1 by the gentleman from Bridgewater, Mr. Tompkins, pending acceptance of the report.

Mr. TOMPKINS: Mr. Speaker, I now yield to the gentleman from Weston, Mr. Crowell.

Mr. CROWELL: Mr. Speaker, in order that additional data may be presented, I move that this be re-committed to the Committee on Agriculture.

The SPEAKER: The gentleman from Weston, Mr. Crowell, moves that the report be recommitted to the committee on Agriculture.

Mr. CARLETON of Portland: As I understood this bill, Mr. Speaker, the committee on Agriculture stated that if it could be self-supporting the committee was in favor of running the farm, but if not they thought it had better be closed, so I believe that is where that bill is now.

The SPEAKER: The pending motion is that of the gentleman from Weston, Mr. Crowell, that this report be recommitted to the committee on Agriculture. All those in favor will say aye; contrary minded, no.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Flanders of Auburn, it was voted to take from the table the fourth unassigned matter, House report ought not to pass of the committee on Education on bill an act relating to changes in location of any school legally established, H. P. 1088, L. D. 575, tabled on March 1 by the gentleman from Auburn, Mr. Flanders, pending acceptance of the report; and on further motion by the same gentleman the bill and accompanying report were recommitted to the committee on Education.

The SPEAKER: Are there any other tabled and unassigned matters that can be disposed of?

Mr. CARLETON of Portland: Mr. Speaker, may I address the House a moment?

Permission was granted.

Mr. CARLETON: Mr. Speaker,

the list of salaries is now available, or will be, this afternoon at the office of the State Printer in the basement of the State House.

The SPEAKER: The Chair hears the announcement of the gentleman

from Portland, Mr. Carleton, and thanks him for the information.

On motion by Mr. Knight, of Waterford,

Adjourned until ten o'clock tomorrow morning.