

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 Pluorde.
- 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 McCroty 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

Wednesday, March 8, 1933.

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

Prayer by the Rev. Mr. Haggett of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 534, L. D. 800: An act defining certain powers of industrial banks.

S. P. 535, L. D. 799: Resolve providing for a pension for Laura Witham of Lisbon.

S. P. 278, L. D. 804: An act relative to State aid to academies.

S. P. 154, L. D. 166: An act to increase the legal speed of commercial vehicles.

S. P. 287, L. D. 464: An act relating to disclosure proceedings.

S. P. 43, L. D. 27: An act to prevent the maintaining of a black list in industry.

From the Senate: Report of the committee on Banks and Banking on bill an act to amend the banking laws by amending Section 57 of the Revised Statutes, S. P. 306, L. D. 518 reporting same in a new draft, S. P. 548, L. D. 805, under same title and that it ought to pass.

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

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

From the Senate: Resolve relating to fishing in Baker Pond, H. P. 556, L. D. 225, which was passed to be engrossed in the House February 28th.

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

In the House that body voted to recommit this resolve to the committee on Inland Fisheries and Game in concurrence.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on bill an act relating to eligibility of members of

city government to certain offices, H. P. 1061, L. D. 490, which was accepted in the House on March 3rd.

Comes from the Senate recommitment to the committee on Legal Affairs in non-concurrence.

In the House that body voted to recommit this resolve to the committee on Legal Affairs in concurrence.

The following remonstrances and petition were received and upon recommendation of the committee on reference of bills were ordered placed on file:

Placed on File

Remonstrance of H. D. Hartt and 37 others of Monticello against re-submission of the prohibitory amendment, H. P. 1533 (Presented by Mr. Tompkins of Bridgewater)

Petition of Roy K. Dennison and 28 others in favor of repeal of bounty on bears, H. P. 1536, (Presented by Mr. Lindsey of East Machias)

Remonstrance of William B. Wilson and 137 others of Webster against the use of seines in taking live bait, H. P. 1537 (Presented by Mr. Holden of Webster)

The SPEAKER: The House has in its possession H. P. 1538, Bill an act to provide for a convention to pass upon the proposed Twenty-first amendment to the Constitution of the United States, handed to the Clerk by the member from Portland, Miss Laughlin. The Chair understands that this bill is received by unanimous consent and that the member from Portland, Miss Laughlin, moves that it be referred to the Committee on Federal Relations and that 500 copies be ordered printed.

The motion prevailed and the bill was so referred and the printing ordered.

Mr. VALLELY of Sanford: Mr. Speaker, I wish to rise and apologize, for my remarks yesterday, to the Honorable member from Presque Isle, Mr. Bennett. It was all done in a joking manner and was so intended.

May I also call the attention of the House to the fact that some of the gentlemen's remarks in his address were also out of order. My remarks were given in a joking way and on the impulse of the moment, while his was a prepared address. May I quote the following from this morning's Kennebec Journal: "No,

Mr. Speaker and members of the House, to the best people, the morally sane and sound members of society, the church members and to many others, the repeal of this law is unthinkable." Does he include Governor Brann and our leader, John Clark Scates, and many more Democrats in his remarks?

The SPEAKER: The Chair hears the explanation of the gentleman from Sanford, Mr. Vallely, and is sure it will be satisfactory to the members of the House. The Chair understood that it was made in a joking manner, otherwise it would have ruled it out of order.

At this time the Chair will read from Reed's Rules, under which the House proceeds in the absence of definite rules in our own body. It would be well if members would pay rather strict attention to this and comply with it. It says "Members must not use harsh expressions about other members, must not impute motives and must always attack arguments and not the men who make them".

We have got along very nicely in the House up to this time. There are a lot of serious matters coming before this body and we should, in accordance with this Rule and in accordance with decency, confine our remarks to the merits of the question under discussion, leaving out all personalities.

One other section of Reed's Rule, the Chair thinks it also well to read at this time and perhaps it has not been always adhered to. It is as follows: "It is not permissible to allude to the action of the other house of the Legislature or to refer to a debate there." The Chair will read more of this section if desired. If anyone wishes to follow the matter up more thoroughly, Reed's Rules, from which I am quoting, are available in the Clerk's office and in the office of the Speaker.

The Chair recognizes the gentleman from Presque Isle, Mr. Bennett.

Mr. BENNETT: Mr. Speaker and members of the House—

The SPEAKER: The Chair understands that the gentleman rises to a point of personal privilege and he may proceed.

Mr. BENNETT: Mr. Speaker, I wish to accept, first of all, the apology of the gentleman from Sanford, Mr. Vallely. I would like to say further that the affair that occur-

red in the House corridor last Friday was carried out in a friendly way. We did not mean anything by that and what the papers have said about it was simply a misunderstanding. The affair was immediately settled between the so-called combatants, a sort of framed affair. It was over the osteopath bill on which we differed and thought we would just see if we could not get our pictures on the front page along with royalty. You will notice that in the Press Herald there is the incoming President and his lady in large pictures and just below and a little to one side the outgoing President and his lady, who are retiring from the field. And you will notice that the pictures grow smaller as they go away from Washington. In the center are our Honorable Governor, Mr. Brann, and his Lieutenant, Rudy Vallee. Then at the bottom you will see the gentleman from South Portland, Mr. Richardson and myself. (Laughter) We were there with royalty and felt rather proud of it. We did not mean anything by the so-called scuffle. It was all in good fun and we hope that the legislators and people of the State, and all over New England, where we have been advertised, will accept it as such. (Applause)

Mr. RICHARDSON of South Portland: Mr. Speaker and members of the House: I wish to take exception to the remarks of the gentleman from Presque Isle (Mr. Bennett). If he wished to get his name and his picture in the paper, that was all right, but he took an awfully poor way of doing it, to my mind. I was sitting down and he grabbed me by both wrists and held me and threatened to punch me. The only reason why he didn't was because my foot hit him in the stomach and pushed him away. I take exceptions to his remarks. It was not in a friendly manner. (Laughter and applause)

Reports of Committees

Mr. Lord from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act regulating the Quality and Purity of Ice Cream" (H. P. No. 1086) (L. D. No. 574).

Same gentleman from same Committee reported same on Bill "An Act relating to Bounty on Bears" (H. P. No. 762) (L. D. No. 376).

Same gentleman from same Committee reported same on Bill "An

Act relating to Bounty on Crows" (H. P. No. 1022) (L. D. No. 470).

Same gentleman from same Committee reported same on Bill "An Act relative to Closed Season on Bears" (H. P. No. 691) (L. D. No. 375).

Mr. Dunn from same Committee reported same on Bill "An Act to declare certain Domestic Bred Rabbits Domesticated" (H. P. No. 83).

Mr. Lindsey from the Committee on Claims reported same on Resolve in favor of Edwin T. Clifford (H. P. No. 779).

Mr. Rounds from same Committee reported same on Resolve in favor of the city of Eastport for the care of William Price (H. P. No. 797).

Mr. Devereux from same Committee reported same on Resolve in favor of the city of Eastport (H. P. No. 796).

Same gentleman from same Committee reported same on Resolve to reimburse the town of Whitefield for support of Richard Kensell of Alna, a Veteran of the World War and his family (H. P. No. 902).

Mr. Haggett from same Committee reported same on Resolve in favor of the town of Clifton (H. P. No. 771).

Same gentleman from same Committee reported same on Resolve to reimburse the town of Unity for support of the family of Fred H. Jones, a Veteran of the World War (H. P. No. 113).

Same gentleman from same Committee reported same on Resolve in favor of Daniel J. Bradley of New Limerick (H. P. No. 543).

Same gentleman from same Committee reported same on Resolve in favor of Maud K. Sheldon and children, for damage to property by reason of Change of Location of State Highway (H. P. No. 584).

(Tabled by Mr. Farris of Augusta, pending acceptance of report).

Mr. Hall from the Committee on Education reported ought not to pass on Bill "An Act authorizing Suspension of State Normal Schools" (H. P. No. 587) (L. D. No. 175).

Mr. Cook from same Committee reported same on Bill "An Act to Forbid School Committees employing Relatives as Teachers" (H. P. No. 589) (L. D. No. 236).

Same gentleman from same Committee reported same on Bill "An Act to provide for School Expenses in Towns having a Valuation of Less than \$200,000.00.

Mr. Sterling from the Committee on Inland Fisheries and Game reported same on Resolve relating to Fur-bearing Animals and Game Birds in Cumberland County (H. P. No. 1033) (L. D. No. 440).

Mr. Crowell from same Committee reported same on Bill "An Act relating to Beaver" (H. P. No. 44) (L. D. No. 31) as legislation is inexpedient.

Mr. Burgess from same Committee reported same on Bill "An Act relating to Non-resident Hunting Licenses" (H. P. No. 1098) (L. D. No. 582).

Same gentleman from same Committee reported same on Bill "An Act permitting the Taking of Live Bait with Seines" (H. P. No. 430) (L. D. No. 149) as legislation is inexpedient.

Same gentleman from same Committee reported same on Bill "An Act relating to Closed Time on Squirrels" (H. P. No. 1032) (L. D. No. 439).

Mr. Smith from same Committee reported same on Bill "An Act relating to Open Season on Partridge" (H. P. No. 1096) (L. D. No. 581).

Mr. Ashby from the Committee on Interior Waters reported same on Bill "An Act empowering Frederick A. Furbish of Mt. Vernon in the county of Kennebec, to erect and maintain piers, piles and booms in the Belgrade Stream" (H. P. No. 609).

Same gentleman from same Committee reported same on Resolve permitting Frederick A. Furbish to build a Pier in the Belgrade Stream (H. P. No. 839).

Mr. Hill from the Committee on Judiciary reported same on Bill "An Act Creating Cause of Action for Loss of Use of Motor Vehicles" (H. P. No. 1099) (L. D. No. 646).

Mr. Goudy from same Committee reported same on Bill "An Act relating to Parking of Vehicles on Highways" (H. P. No. 1045) (L. D. No. 446).

(Tabled by Mr. Scates of Westbrook pending acceptance of report).

Mr. Goudy from the Committee on Judiciary reported same on Bill "An Act relating to Commercial Use of State Owned Property" (H. P. No. 1115) (L. D. No. 624).

Mr. Eldridge from same Committee reported same on Bill "An Act relating to the Powers and Duties of Guardians" (H. P. No. 1109) (L. D. No. 618).

Same gentleman from same Committee reported same on Bill "An Act relating to Absent Voting" (H. P. No. 615) (L. D. No. 170).

Same gentleman from same Committee reported same on Bill "An Act relating to Contributory Negligence" (H. P. No. 215) (L. D. No. 121).

Mr. Farris from same Committee reported same on Bill "An Act relating to Permits for Owning Firearms" (H. P. No. 1101) (L. D. No. 583).

Same gentleman from same Committee reported same on Bill "An Act relating to Distribution of Assets" (H. P. No. 1315) (L. D. No. 650).

Same gentleman from same Committee reported same on Bill "An Act relating to Liability to Guest Riders" (H. P. No. 214) (L. D. No. 120).

Mr. Fernald from same Committee reported same on Resolve proposing an Amendment to the Constitution relating to Vacancies in the Legislature (H. P. No. 1102) (L. D. No. 643).

Same gentleman from same Committee reported same on Bill "An Act providing for consulting Medical Examiners" (H. P. No. 1125) (L. D. No. 634).

Mr. Tompkins from same Committee reported same on Bill "An Act relating to Certified Copies of Records of Murder Trials" (H. P. No. 1124) (L. D. No. 633).

Same gentleman from same Committee reported same on Bill "An Act relating to the Powers and Duties of Guardians" (H. P. No. 1110) (L. D. No. 619).

Mr. Chase of Limington from the Committee on Labor reported same on Bill "An Act to create an Unemployment Insurance Commission, to create an Employers' Mutual Unemployment Insurance Company, to provide for Payments to Men out of Work, and to establish a System of Unemployment Insurance" (H. P. No. 1074) (L. D. No. 495).

Mr. Chase of Sebec from the Committee on Legal Affairs reported same on Bill "An Act relating to Itinerant Vendors" (H. P. No. 1141) (L. D. No. 658).

Mr. Chase of Baring from same Committee reported same on Bill "An Act relating to the Tenure of Office of the Chief Engineer of the Fire Department of the city of

Portland" (H. P. No. 863) (L. D. No. 381).

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

Mr. Leathers from the Committee on Pensions reported ought not to pass on Resolve providing for an increase in State Pension for Harry J. Bean of Augusta (H. P. No. 891)

Mr. Dow from same Committee reported same on Resolve in favor of Hiram Norton (H. P. No. 906)

Mr. Richardson from same Committee reported same on Resolve in favor of Caroline Francis of Dover-Foxcroft, an Indian woman (H. P. No. 910)

Mr. Hawkes from same Committee reported same on Resolve providing for a State Pension for Atwell F. Nash of Washington (H. P. No. 895)

Mr. Friend from the Committee on Salaries and Fees reported same on Bill "An Act relating to Clerical Assistance of the Justices of the Supreme Judicial Court" (H. P. No. 1151) (L. D. No. 690)

Reports read and accepted and sent up for concurrence.

Mr. Fogg from the Committee on Inland Fisheries and Game on Resolve relating to Fishing in Great Pond in Belgrade Chain of Lakes (H. P. No. 434) (L. D. No. 153) reported same in a new draft (H. P. No. 1532) under same title and that it "Ought to pass"

Same gentleman from same Committee on Resolve regulating Fishing in Day Mountain Pond (H. P. No. 744) (L. D. No. 411) reported same in a new draft (H. P. No. 1533) under title of "Resolve regulating Fishing in Day Mountain Pond in the town of Temple" and that it "Ought to pass."

Mr. Friend from the Committee on State Lands and Forest Preservation on Resolve authorizing Release of State's Interest in certain lands (H. P. 661,) reported same in a new draft (H. P. 1534) under title of "Resolve authorizing the Sale and Conveyance of State's Interest in certain lands" and that it "Ought to pass."

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

Mr. Bartlett from the Committee on Claims reported "Ought to pass" on Resolve in favor of Charles Hadley of West Sumner (H. P. No. 807)

Mr. Friend from the Committee

on State Lands and Forest Preservation reported same on Resolve authorizing Release of State's Interest in certain land (H. P. No. 660)

Same gentleman from same Committee reported same on Resolve authorizing the Forest Commissioner to Lease an Island (H. P. No. 928)

Reports read and accepted and the resolves ordered printed under the Joint Rules.

Mr. Crowell from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Trapping Muskrats in Sourdabscook Stream" (H. P. No. 551) (L. D. No. 142)

Mr. Sterling from same Committee reported same on Bill "An Act relative to Partridge or Ruffed Grouse" (H. P. No. 689) (L. D. No. 359)

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

Passed to be Engrossed

(S. P. No. 103) (L. D. No. 211) An act relating to teachers' retirement.

(S. P. No. 207) (L. D. No. 395) An act relating to health certificates for teachers and janitors

(S. P. No. 208) (L. D. No. 277) An act relative to the conveyance of pupils.

(S. P. No. 216) (L. D. No. 795) An act to confer additional rights and powers upon East Branch Improvement Company.

(S. P. No. 485) (L. D. No. 792) An act relating to bids for supplies to institutions.

(S. P. No. 486) (L. D. No. 798) An act to grant a new charter to the city of Rockland.

(H. P. No. 730) (L. D. No. 337) An act to authorize the continuation of rules and regulations of the Commissioner of Inland Fisheries and Game.

(H. P. No. 1509) (L. D. No. 319) An act regulating the use of outboard or inboard motors on Kennebec Stream in the county of Franklin.

(H. P. No. 1510) (L. D. No. 318) An act validating the existing form of government of the city of Eastport.

(H. P. No. 1511) (L. D. No. 820) An act imposing penalty for false representations made to the Overseers of the Poor, and requiring information by Treasurers of Deposit Companies.

(H. P. No. 1512) (L. D. No. 821) An act relating to polling places in town of Sanford.

(H. P. No. 1514) (L. D. No. 322) An act relating to stamping of registered boilers.

(S. P. No. 164) (L. D. No. 794) Resolve to repeal a resolve providing for a State pension for Charles Brown.

(S. P. No. 166) (L. D. No. 793) Resolve to repeal a resolve providing for a State pension for Nellie Buck.

(H. P. No. 560) (L. D. No. 144) Resolve regulating fishing for pickerel in Oxford and York counties.

Passed to be Enacted

(S. P. No. 155) (L. D. No. 165) An act relating to registration of women voters.

(S. P. No. 173) (L. D. No. 664) An act relative to fishing for gain and hire prohibited; exceptions, penalty.

(S. P. No. 214) (L. D. No. 278) An act relating to the taking of testimony.

(S. P. No. 218) (L. D. No. 702) An act to amend an act to incorporate the Guilford and Sangerville Water District.

(S. P. No. 220) (L. D. No. 399) An act to authorize the Treasurer of State to make payment of the share of the State in the reconstruction of Cascade Bridge in the town of Old Orchard Beach.

(S. P. No. 225) (L. D. No. 690) An act relating to taking of land for park purposes by Parsonsfield Kezar Falls Village Corporation.

(S. P. No. 336) (L. D. No. 689) An act relating to Plant Railroads and definition thereof.

(S. P. No. 422) (L. D. No. 698) An act regulating the taking of shell fish in the town of Harpswell.

(H. P. No. 122) (L. D. No. 72) An act relating to appointment of Town Road Commissioners.

(H. P. No. 547) (L. D. No. 158) An act relating to fishing in Stanley Ponds in Hiram and Porter.

(H. P. No. 571) (L. D. No. 146) An act relating to the compensation of the Treasurer of the University of Maine.

(H. P. No. 576) (L. D. No. 721) An act relating to the State Trust Fund.

(H. P. No. 591) (L. D. No. 237) An act relating to Superintending School Committees.

(H. P. No. 653) (L. D. No. 193) An act to grant additional powers

to North East Harbor Water Company.

(H. P. No. 690) (L. D. No. 360)
An act relating to fish and game culture.

(H. P. No. 698) (L. D. No. 365)
An act relative to the taking of eels, suckers, hornpouts, yellow perch and alewives; permits for same.

(H. P. No. 848) (L. D. No. 345)
An act relating to registration of voters.

(H. P. No. 855) (L. D. No. 349)
An act with reference to dividends.

(H. P. No. 866) (L. D. No. 310)
An act to amend the charter of the Mutual Fire Insurance Company of Saco, Maine.

(H. P. No. 1025) (L. D. No. 473)
An act to provide a penalty for circulating false reports concerning Banks, Loan and Building Associations and Insurance Companies.

(H. P. No. 1035) (L. D. No. 442)
An act relating to criminal costs.

(H. P. No. 1040) (L. D. No. 460)
An act relative to the proof and determination of foreign law.

(H. P. No. 1043) (L. D. No. 478)
An act relating to the admissibility of accounts in evidence in civil proceedings.

(H. P. No. 1044) (L. D. No. 445)
An act relating to election returns in plantations.

(H. P. No. 1058) (L. D. No. 489)
An act relating to applications for registration of motor vehicles.

(H. P. No. 1079) (L. D. No. 719)
An act relating to the property of extinct or disbanded Congregational and Christian Churches, Parishes or Societies.

(H. P. No. 1212) (L. D. No. 612)
An act relating to fees for jurors.

(H. P. No. 1233) (L. D. No. 641)
An act to validate a loan negotiated by the city of Lewiston.

(H. P. No. 1390) (L. D. No. 699)
An act relating to the taking of smelts.

(H. P. No. 1394) (L. D. No. 704)
An act permitting small town polls to close at five o'clock in regular elections.

Finally Passed

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

(S. P. No. 88) (L. D. No. 773)
Resolve providing for a State pension for Katherine L. Prescott of Wilton.

(S. P. No. 106) (L. D. No. 726)
Resolve relating to ice fishing in Peters Pond.

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

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

(S. P. No. 434) (L. D. No. 768)
Resolve regulating the fishing in Little Jim Pond, in the county of Franklin.

(S. P. No. 441) (L. D. No. 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. No. 442) (L. D. No. 766)
Resolve regulating the taking of salmon in Tee Pond in Jim Pond Township in the county of Franklin.

(S. P. No. 443) (L. D. No. 765)
Resolve restricting the taking of smelts in Panther Pond, in the county of Cumberland.

(S. P. No. 445) (L. D. No. 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. No. 446) (L. D. No. 774)
Resolve regulating the fishing in Soper Brook, Jordan Pond and Duck Pond in Townships 3, Range 11, and 4, Range 11, W. E. L. S., county of Piscataquis.

(S. P. No. 448) (L. D. No. 758)
Resolve regulating the fishing in Milliken's Mill Pond in the town of Old Orchard Beach in the county of York.

(S. P. No. 449) (L. D. No. 759)
Resolve regulating the length of trout in lakes and ponds in York County.

(S. P. No. 450) (L. D. No. 760)
Resolve to regulate fishing in Lone Pond in the town of Waterboro in the county of York.

(S. P. No. 451) (L. D. No. 761)
Resolve relative to the open season on brooks in the town of York in York County.

(H. P. No. 56) (L. D. No. 706)
Resolve providing for an increase in State pension for Lester Patten, of Hermon.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 223) (L. D. No. 707)
Resolve providing for a State pension for Georgia M. Sproul, of Liberty.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 377) (L. D. No. 139)

Resolve relating to fishing in Noyes Pond

(H. P. No. 381) (L. D. No. 216)

Resolve relating to fishing in Cold Stream Pond.

(H. P. No. 382) (L. D. No. 217)

Resolve regulating fishing in Shallow Pond.

(H. P. No. 383) (L. D. No. 708)

Resolve providing for a State pension for Arria S. Sargent, of Auburn.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 388) (L. D. No. 709)

Resolve providing for an increase in State pension for Horatio Lawrence of Pittston.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 389) (L. D. No. 712)

Resolve providing for a State pension for Ida S. James of Randolph.

(Tabled by Mr. Carleton of Portland, pending final passage).

H. P. No. 393) (L. D. No. 710)

Resolve providing for a State pension for Emma J. Brown of Belfast.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 431) (L. D. No. 150)

Resolve relating to fishing in Matthews Pond in the towns of Hebron and Oxford.

(H. P. No. 432) (L. D. No. 151)

Resolve relating to fishing in Rum Brook.

(H. P. No. 433) (L. D. No. 152)

Resolve relating to fishing in Sandy Stream.

(H. P. No. 435) (L. D. No. 154)

Resolve relating to fishing in Pleasant Pond.

(H. P. No. 440) (L. D. No. 692)

Resolve in favor of Somerset Farmers' Co-operative Telephone Company of Norridgewock.

(H. P. No. 552) (L. D. No. 221)

Resolve relating to rabbit hunting in Vinalhaven.

(H. P. No. 558) (L. D. No. 226)

Resolve relating to fishing in George Durgin Pond.

(H. P. No. 559) (L. D. No. 227)

Resolve relating to fishing in Big King and Bartlett Lakes.

(H. P. No. 565) (L. D. No. 231)

Resolve regulating fishing in Cambolasse Pond.

(H. P. No. 740) (L. D. No. 254)

Resolve regulating the taking of muskrats on Massacre Pond in Scarborough

(H. P. No. 775) (L. D. No. 738)

Resolve in favor of the Kennebec

Journal Company for printing Public Laws of the State of Maine.

(H. P. No. 806) (L. D. No. 739)

Resolve in favor of Gerald Lund.

(H. P. No. 987) (L. D. No. 750)

Resolve providing for an increase in State pension for Kate Bird, of Farmingdale.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 991) (L. D. No. 740)

Resolve providing for a State pension for Fred E. Stevens of Chelsea.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1388) (L. D. No. 693)

Resolve in favor of Henry Moor, of Township No. 28.

(H. P. No. 1395) (L. D. No. 713)

Resolve providing for a State pension for Rufus V. Libby, of Thomaston.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1396) (L. D. No. 714)

Resolve providing for a State pension for Ida G. Reed, of Pittston.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1397) (L. D. No. 715)

Resolve providing for an increase in State pension for Grace Griffin, of Auburn.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1398) (L. D. No. 716)

Resolve providing for a State pension for Eleanor C. Ryder, of Newport.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1415) (L. D. No. 720)

Resolve in favor of procuring testimonials for the purpose of marking the unmarked graves of the soldiers of the Revolutionary War.

(H. P. No. 1418) (L. D. No. 741)

Resolve in favor of Bion M. Rhoades, of Topsfield.

(H. P. No. 1421) (L. D. No. 743)

Resolve regulating fishing in Heald Ponds.

(H. P. No. 1461) (L. D. No. 753)

Resolve authorizing negotiations for screening the outlet of Eastern Grand Lake.

(H. P. No. 1463) (L. D. No. 754)

Resolve regulating the fishing in Parlin Stream.

(H. P. No. 1464) (L. D. No. 755)

Resolve regulating the fishing in Bog Brook, in Minot and Mechanic Falls.

(H. P. No. 1465) (L. D. No. 756)

Resolve regulating ice fishing in Tacoma Lakes.

Passed to be Enacted

(Emergency Measure)

S. P. 134, L. D. 135: An act decreasing the subsidy contributed by the State relative to education.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire membership of this body. All those in favor of the passage of the bill to be enacted will rise and stand in their places until counted and the monitors will make and return the count.

A division being had,

One hundred and thirty-four voting in the affirmative and none in the negative, the bill was passed to be enacted.

On motion by Mr. Sterling of Caratunk, under suspension of the rules, the House voted to reconsider its action whereby H. P. 554, L. D. 223, resolve relating to fishing in Blakslee Lake was passed to be engrossed.

On motion by the same gentleman, House Amendment A was offered as follows:

House Amendment A to H. P. 554, L. D. 223, resolve, relating to fishing in Blakslee Lake.

Amend said resolve by inserting after "B. K. P. W. K. R." in the third line the words "Somerset County."

Thereupon House Amendment A was adopted and the resolve as amended by House Amendment A was passed to be engrossed.

On motion by Mr. Sterling of Caratunk, the House, under suspension of the rules, voted to reconsider its action whereby H. P. 555, L. D. 224, resolve relating to fishing in Baker Stream, was passed to be engrossed.

On motion by the same gentleman House Amendment A was offered as follows:

House Amendment A to H. P. 555, L. D. 224, resolve, relating to fishing in Baker Stream.

Amend said resolve by inserting after "B. K. P. W. K. R." in the first line the words "Somerset county".

Thereupon House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed.

Finally Passed—continued

H. P. 766, L. D. 711: Resolve providing for the payment of certain amount due exhibitors at the Maine State Agricultural Society in 1932 on account of State stipend.

On motion by Mr. Farris of Augusta, it was voted to take up out of order Senate Paper 457, L. D. 727, an act to create and allocate a General Highway Fund for State Aid and Third Class highway construction, and to temporarily suspend certain Statutes; and on further motion by the same gentleman under suspension of the rules, the House voted to reconsider its action whereby this bill was passed to be engrossed.

Thereupon the same gentleman offered House Amendment A and moved its adoption as follows:

House Amendment A to S. P. 457, L. D. 727, entitled an aid to create and allocate a General Highway Fund for State Aid and Third Class highway construction, and to temporarily suspend certain Statutes.

Amend said bill by inserting after the title thereof, and before the enacting clause, the following words: 'Emergency Preamble.'

Whereas, many people are out of work throughout the state, thus placing a heavy burden upon many local communities, and

Whereas, an early beginning on the road program will help to relieve this situation to a large degree, and

Whereas, many town meetings will be held shortly at which action should then be taken to take proper advantage of the conditions of this bill, and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of Sec. 16 of Article XXXI of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore,

Further amend said bill by inserting at the end thereof the following words:

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

Mr. FARRIS: Mr. Speaker, I wish to say that this amendment is offered to help this bill along and not to retard it. The leaders in the House, also the Ways and Bridges

committee, feel that this should be made an emergency matter so that it will take effect and benefit from it be derived immediately.

Mr. SCATES of Westbrook: Mr. Speaker, I second the motion of the gentleman from Augusta, Mr. Farris.

The SPEAKER: Is it now the pleasure of the House that House Amendment A, offered by the gentleman from Augusta, Mr. Farris, and seconded by the gentleman from Westbrook, Mr. Scates, be adopted?

The amendment was adopted and the bill as amended by House Amendment A was passed to be engrossed.

The Chair lays before the House the first matter tabled and today assigned House report ought not to pass, committee on Temperance, on bill an act to permit the manufacture and sale of non-intoxicating malt beverages; to derive revenue therefrom and to create a legal definition of the term 'saloon,' H. P. 38, L. D. 22, tabled on March 1 by the gentleman from Lewiston, Mr. Audet, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. AUDET: Mr. Speaker and members of the House: As you will see by the title of this bill, it was presented with the best intentions. First of all, I had in mind the interests of the State financially and morally. We all know that in countries where people are using and drinking what we call non-alcoholic liquor, the same as beer or wine, that you very seldom see the abuse of liquor. I had in mind the idea that probably we could interest the people of Maine in such a law. I had in mind that I probably could interest the majority of the members of this House in something that the people of Maine will certainly benefit by, but, the Temperance committee says "No; the people of Maine must keep on drinking re-distilled denatured alcohol so they will get alcoholized more quickly." The minority party members of that committee knew they had something greater in mind.

As you see by the title of the bill, it would permit the manufacture and sale of non-intoxicating malt beverages. We all know that there is at this time sold in all the drug stores, confectionery stores, and grocery stores a certain beverage,

malt brewed, which they call a near beer. This has one-half of one per cent of alcoholic content. I believe there is no law in the State of Maine by which you can stop the sale of such beverages. It is against the statutes of Maine, and it is sold openly. So this bill was presented in order that the sale of that beer would be legalized.

Now, without any question, we all know that in the very near future Congress, by the recommendation of our new President, is going to enact some kind of a law to increase the percentage of alcoholic content of beer. It has been talked 3.2 or 3.5 per cent, which will be called a non-intoxicating liquor. If this law passes Congress, if this law receives approval from the Supreme Court of the United States, and if a law is passed whereby this beer is non-intoxicating, how are you going to stop its sale in Maine? You will see that beer sold the same as you see today the one-half of one per cent beer sold in every store. It will be the same old story for Maine. Instead of having some kind of regulation where we can put our hands onto liquor traffic, it will be sold everywhere without revenue either for the State or for the local towns or cities, and God only knows how much we need it.

Now I want to impress this question upon this House here. Naturally, it is something that I greatly believe in. I am seeing the failure of prohibition, and any man or woman who is fair and sincere will say that after a trial of seventy-five years if prohibition could not produce anything better than what we have in Maine today, I do not believe we should keep it any longer. But, by seeing the actions of yesterday, I now see that a majority of the members of this House do not understand the responsibility that they have towards the public at this time. They are taking absolutely the same action that was taken in Congress a year ago. Let the election of last November be a lesson from the people of the United States. I can see in this assembly today many of us who, when we go back home before the people of Maine, will be told that the people are self-governing and if we do not carry out their wishes here, somebody else will come here next session to do something else. We spend our time enacting a few laws to stop fishing in lakes, or pay bounty on bears, or

squirrels, or something of that kind, while the people of Maine, as well as of this country, demand action.

As a minority party member, I do not believe we should take up the time of this House, because I know very well where the majority stands at this time. When we go as far as calling on God to save the State of Maine, as we heard in this House yesterday, I think that we should recognize that we are either Christian or non-Christian, and if you do believe in Christianity, you will find the first public action by Christ was to turn water into wine, so he was not a prohibitionist.

Now, Mr. Speaker, I do not think I will go any further with this question, and I will move you the indefinite postponement of this bill. (Applause)

The SPEAKER: The gentleman from Lewiston, Mr. Audet, moves that this bill House paper 38, Legislative document 22, be now indefinitely postponed. All those in favor of the motion will say aye; contrary minded, no.

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

The Chair lays before the House the first matter tabled and unassigned, House order relative to ten per cent contribution from salary of Ralph Sterling, tabled on February 28 by the gentleman from Augusta, Mr. Farris, pending passage; and the Chair recognizes that gentleman.

Mr. FARRIS: Mr. Speaker, I have no objection to the passage of this order, but it seems to me unnecessary. If any member wants to give the State some money, it can do it by going down to the State Treasurer's office, or they can donate it to the Department of Public Welfare; it is not necessary to create an order in this House. I do not like the language of the order. It looks as though the State was unable to meet its responsibilities and was an object of charity. For that reason I am going to move the indefinite postponement of the order.

The SPEAKER: The gentleman from Augusta, Mr. Farris, moves that House order relative to ten per cent contribution from salary of Ralph Sterling be indefinitely postponed.

Mr. STERLING of Caratunk: Mr.

Speaker I move that this order lie on the table.

The SPEAKER: The Chair understands the gentleman from Caratunk, Mr. Sterling, moves that this order lie on the table. All those in favor will say aye; contrary minded, no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Farris, that this order be now indefinitely postponed. All those in favor will say aye; contrary minded, no.

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

The Chair lays before the House the second matter tabled and unassigned, Senate report ought not to pass, committee on Judiciary on bill an act to require the payment of a license fee from certain peddlers, S. P. 325, L. D. 530, tabled on March 1 by the gentleman from Portland, Mr. Rounds, pending acceptance of report in concurrence; and the Chair recognizes that gentleman.

Mr. ROUNDS: Mr. Speaker, this is purely a taxation measure, and I would move to have it committed to the committee on Taxation.

A viva voce vote being taken, the motion prevailed.

The Chair lays before the House the third tabled and unassigned matter, House report ought not to pass committee on Legal Affairs on bill an act providing pensions for call firemen in Augusta, H. P. 879, L. D. 315, tabled March 1 by the gentleman from Augusta, Mr. Farris, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Farris, the bill and accompanying report were referred to the committee on Pensions.

The Chair lays before the House the fourth tabled and unassigned matter, House report ought to pass committee on Legal Affairs on bill an act to change the time for holding the annual town meeting of the town of Sanford, York County, Maine, and for other purposes, H. P. 628, L. D. 294, tabled on March 1 by the member from Bangor, Miss Martin, pending acceptance of

the report; and the Chair now recognizes that member.

On motion by Miss Martin the House voted to accept the ought to pass report of the committee; and on further motion by the same member, and under suspension of the rules the bill received its two several readings and tomorrow assigned.

The Chair lays before the House matter, House report ought not to pass of the committee on Taxation on bill an act to extend the gasoline tax laws, H. P. 664, L. D. 197, tabled on March 1 by the gentleman from Newport, Mr. Soper, pending acceptance of the report; and the Chair now recognizes that gentleman.

On motion by Mr. Soper a viva voce vote being taken, it was voted to accept the ought not to pass report of the committee.

The Chair lays before the House the sixth tabled and unassigned matter, House Amendment A to L. D. 802 on bill an act to reduce certain fees of deputy sheriffs for the next two years, H. P. 1399, L. D. 705, tabled on March 1 by the gentleman from Auburn, Mr. Flanders, pending adoption of House Amendment A; and the Chair recognizes that gentleman.

On motion by Mr. Flanders, a viva voce vote being taken, the amendment was retabled pending adoption.

The Chair lays before the House the seventh tabled and unassigned matter, Senate report ought to pass committee on Judiciary on bill an act to incorporate Sandy River Log Driving Company, S. P. 219, which comes from the Senate, report accepted and bill passed to be engrossed, tabled March 1 by the gentleman from Wilton, Mr. Blanchard, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Blanchard the ought to pass report was accepted; and on further motion by the same gentleman, under suspension of the rules, the bill received its two several readings and tomorrow assigned.

The Chair lays before the House the eighth tabled and unassigned matter, House report ought not to pass committee on Taxation on bill

an act exempting horses and dairy cows from taxation, H. P. 1014, L. D. 426, tabled on March 1 by the gentleman from Brunswick, Mr. Morin, pending motion of Mr. Lebel of Brunswick to substitute the bill for the report; and the Chair recognizes the gentleman from Brunswick, Mr. Morin.

Mr. MORIN: Mr. Speaker, I yield to the gentleman from Brunswick, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, do I understand that the question before the House is my original motion?

The SPEAKER: That is right, to substitute the bill for the ought not to pass report of the committee.

Mr. LEBEL: Mr. Speaker, before this motion is taken up, I have a little article printed in the Portland paper relative to farm taxation which I would like to have the Clerk read to the House, if it be in order.

The SPEAKER: The Clerk will read the article suggested by the gentleman from Brunswick, Mr. Lebel, unless there is objection from some member.

The Chair feels, that if the member from Brunswick, Mr. Lebel, wants to read that into the Record, he may be permitted to do so, but the Chair would not feel like asking the Clerk to do it.

Mr. LEBEL: Mr. Speaker, it is my intention to ask unanimous consent of the House to withdraw the bill anyway, I merely wanted to show the sentiment. I do now ask unanimous consent of the House to withdraw this bill.

Thereupon, on motion by Mr. Lebel, the bill was indefinitely postponed.

The Chair lays before the House the ninth tabled and unassigned matter, Senate report ought to pass committee on Judiciary on resolve proposing amendment to the Constitution to authorize the use of voting machines in elections, S. P. 286, L. D. 463, tabled on March 2 by the gentleman from Jonesboro, Mr. Drisko, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Drisko the House voted to accept the ought to pass report of the committee in concurrence; and on further motion by the same gentleman the resolve was given its first reading and tomorrow assigned.

The Chair lays before the House the tenth tabled and unassigned matter, Senate report ought to pass committee on Legal Affairs on bill an act relative to nuisances, S. P. 159, L. D. 209, tabled on March 2 by the gentleman from Bangor, Mr. O'Connor, pending acceptance in concurrence; and the Chair now recognizes that gentleman.

On motion by Mr. O'Connor, it was voted to accept the ought to pass report of the committee in concurrence; and on further motion by the same gentleman the bill had its two several readings and tomorrow assigned.

The Chair lays before the House the eleventh tabled and unassigned matter, House report ought not to pass, committee on Claims on resolve to reimburse the city of Old Town for the support of persons having no known settlement in the State, H. P. 768, tabled on March 2 by the gentleman from Old Town, Mr. Hickey, pending acceptance of the report; and the Chair now recognizes that gentleman.

On motion by Mr. Hickey it was voted to accept the ought not to pass report.

The Chair lays before the House the twelfth tabled and unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to town council and manager form of government for the town of Presque Isle, H. P. 639, L. D. 190, tabled on March 2 by the gentleman from Presque Isle, Mr. Bennett, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Bennett, it was voted to accept the ought not to pass report.

The Chair lays before the House the thirteenth tabled and unassigned matter House report ought not to pass committee on Taxation on bill an act providing for the levy of an excise tax on sales of manufactured tobacco products, H. P. 1173, L. D. 608, tabled on March 2 by the gentleman from Presque Isle, Mr. Bennett, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BENNETT: Mr. Speaker, I hold in my hand here report on the amount of money that the towns

would receive under this bill. I think every member of the House ought to peruse this carefully. For instance, I just want to cite an item. This relieves the property taxpayer a great deal. You know that not all of the citizens are property owners, perhaps half of them do not own anything, and yet they would use tobacco, and pay their proportional part of this tax.

Now in Aroostook County, for 1932, the school fund was \$196,000. Under this tax, estimated for this year, 1933, it is \$157,188, reduced from \$196,480 last year, so you see there is a big reduction to Aroostook County. But under this estimated tax on tobacco we would have \$282,525, or \$75,355 increase for education. As you know, the property tax has decreased this year around twenty per cent. I hope every one of you will get this document from the Educational Department, if it is not already on your desk, and look over carefully every town. You can see your estimated increased tax.

Take my town of Presque Isle: We had \$13,056 from the State for education. This year we will have \$10,445. Under this tobacco tax, if it goes through, we will have \$15,927, or an increase of \$5,432 for education. We must relieve the property tax of that much, and so I hope that you will look this over carefully and see if it is not a good bill for the State. Now I move to retable this bill, that the members of the House may have a chance to study this document.

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

The SPEAKER: There is no motion before the House at this time.

On motion by Mr. Mason of Mechanic Falls, a viva voce vote being taken, the bill was indefinitely postponed.

The Chair lays before the House the fourteenth unassigned matter, House report ought not to pass committee on Taxation on bill an act relating to the sale of tobacco and tobacco products and imposing an excise tax on dealers therein, H. P. 1164, L. D. 611, tabled on March 2 by the gentleman from Rockland, Mr. Walker, pending acceptance of the report; and the Chair now recognizes that gentleman.

Mr. WALKER: Mr. Speaker, I move the substitution of the bill for

the report, and I would like to speak on the question. I feel that the sign that has just been given is ominous, and that it presages the decease of this measure, probably, but some recognition of its funeral might be in order.

We members in this House who are Freshmen within its precincts have been looking on and learning from the veterans in legislation. Perhaps this bill, as well as any, might give one of us an opportunity to express himself, whether or not he represents the other seventy-four Freshmen. At any rate, it is recognized by us all that we stand here in very serious times, a group of hard-bitten men who realize a crisis when they see it.

A time more serious confronts us than in 1917. There was never any question of us winning that war. It was just a case of pouring in more men, and munition and transportation and resources, and we knew all the time we could do it. The situation we find ourselves in now is not so clear, and not so certain, and the course is not definite. People do not know whether we are going to win this war or not. I sometimes wonder whether those in positions of leadership have an idea as to the outcome of the conflict. At that time we possessed leadership and courage and resources in abundance. Now we seem to lack leadership and courage. Then we were roused, and now our people are sullen and slack of spirit, and they are licked and downcast and do not know where to look. Without leadership and without program, they are milling around and around the political pen, bleating the only cry they know, "Economy."

Now we must have economy. It would be better if we had had it long ago. But economy is a poor slogan for victory. Economy is a negation, and negatives are not inspiring. They are the refuge of weaklings. The weak, the timid and the despairing say "No" to everything that confronts them. As a boy, I was told by a very good woman to say "No" because of the temptations that surround us in life. I wish I had been taught to say "Yes" more frequently, with more definite affirmation. The strong and successful say "Yes." It seems to me society is just now like Victor Hugo's representation of the man in the quicksand, who with every struggle is buried in deeper, and he says to himself "I

must conserve my strength." What for? He curses and prays and goes into convulsions of effort until at last there is nothing seen but the top of his head with his hair floating in the wind. Now help has to come to that man from the outside and help to society must come through leadership.

It is the function of this body, it seems to me, to furnish something more than representation. Representation is simply the looking glass into which people can look and see themselves, and thus far when the good people of Maine have looked toward Augusta they have beheld only the reflection of their own blanched and fear-stricken faces. We are beginning to wonder if the only word this Legislature knows how to pronounce is "No." No's we must have, and we must pronounce them, but they never get us anywhere. When we are through with our no's, then our work is only just begun.

Ranged before the committee on Taxation at a recent hearing were the highest authorities on education in the State. As experts in that department, they understand its conditions in reference to those of other departments probably as well or better than any other living authority. They are not ignorant of the principles of taxation. They are admittedly among our most public spirited citizens. They advocated these two bills. Opposed to them were a few representatives of dealers in tobacco products. It was the tobacco dealers against the intelligence and trained leadership of our educational system, and the committee decided in favor of the tobacco dealers.

Now fathers and mothers are sitting up nights these days to adjust expenses to reduced incomes. They are cutting everything else to the bone in order to give John and Mary their schooling. Mother goes without new clothes, and Father goes around shabbily dressed, and they move into a cheaper tenement, but schooling for John and Mary they must and will have, and most of us are here today because somebody made such sacrifices for us.

Now what is the State doing with reference to this thing? In 1932 the municipalities cut their tax rate for all purposes two and one-half per cent. In doing this, they cut down the allowance for John and Mary twelve and one-half per cent. To put it another way, the

average of municipal rates for all purposes was reduced by \$2.69 per thousand dollars of valuation. The public schools took a cut of \$1.62 and all other municipal activities a cut of \$1.07. In other words, the reductions were inequitable and unfair, and if the other departments had taken the same cut which the Educationa department took, the tax rate would have been reduced five dollars per thousand instead of \$2.69.

There seems to be a tendency here to commercialize the profession of school teaching. An honorable Senator asked me if a girl would not teach just as well for fifteen dollars a week as for twenty, the idea seeming to be to get them as cheaply as you can. If you pay fifteen dollars a week for thirty-six weeks and take out living expenses for fifty-two weeks, than what have you? About ten dollars a week. In good times we have not allowed commercial profits to these girls who teach school, and in hard times we have no right to drive them to desperation by cold commercialism. In times like this men revert to logic and fly from one extreme to another. Some of these gentlemen are so logical they cannot understand why the education of our children should have any special consideration. They say "Why should I do anything for posterity? Posterity has never done anything for me" is the attitude of these hard boiled top-sergeants who seem to be afraid that the child and the school ma'am may get a little consideration around here.

But let me remind you gentlemen and ladies that logic does not govern vital interests, and the child is a vital interest to tens of thousands of fathers and mothers throughout the State of Maine. There is no logical reason, pure selfish reason, why a man should ever snatch a child from in front of a truck. There is no cold and selfish logic that impels him to do anything for future generations. There is nothing in logic which would impel him to revere his parents and support them. There is nothing in logic that inspires the feeling which we have towards that flag. I am persuaded that the people of Maine will not look upon this matter through the fishy eye of logic, but through the burning eyes of indignation, when they realize what we have supinely per-

mitted to happen to their schools and their children.

Now I want to call your attention very briefly to some documentary evidence along those lines. This is what was done last year, the year 1932, but it is not a patch of what is going to be done in this direction in 1933. Economies have been made in the administration of education in this State. Last year the teaching force was reduced by the elimination of seventy-eight teachers, which represents a cut of fifteen per cent of the entire staff of special teachers throughout the State. One hundred and twenty-four teachers of regular elementary and secondary subjects have been dropped from the roll. The number of teachers eliminated represents a cut in the annual salary item of approximately a hundred and fifty thousand dollars. In addition to that, 4,044 teachers of regular subjects last year received a cut in salary ranging from around five to twenty per cent. Four hundred and twenty-nine more of them took voluntary cuts in salaries. Conveyance of pupils was cut from five to fifty per cent. Expenditures for text books, supplies and repairs and so forth were cut down.

In the February issue of the Rotarian there is an article by the President of the University of Chicago, which gives some light on the subject. I am going to give you only a short quotation from the article by Robert M. Hutchins: "Undoubtedly in the hysteria of inflation, the schools, like the colleges and universities, did some things that they can now do without. But the things that communities propose to do to them in the hysteria of economy far surpass the wildest aberrations of bull-market days. We hear a great deal about frills. What are frills? Teachers' salaries appear to be frills in some cities. The health of school children is a frill in others. Since night schools are a frill in one community, we close them and throw seventy-five thousand people into the streets. The plain fact is that the schools are under attack because it is easier to get money from them than it is to correct the fundamental iniquities and antiquities of local government. Only a people that had no conception of the place of education in its national life could contemplate the ruin of the next generation as the

best remedy for governmental insolvency."

My own city of Rockland has this sort of a situation. A revision of the school budget has affected the larger places as much or more than the smaller places. Last year we discontinued in Rockland the department of manual training, the department of domestic science, department of drawing supervision, physical education in both high school and grades, dismissed one teacher in high school, cut all teachers above fourteen hundred dollars ten per cent, and cut all teachers earning from one thousand to fourteen hundred dollars five per cent. In this budget this coming year, set up by the city council, we cut another teacher from the high school, we cut out all conveyance for pupils, all salaries will be cut at least twelve and a half per cent. We shorten the school year in grades four to five weeks and in the high school one week; we make heavy cuts in text books, supplies and repairs. These things represent a decrease of twenty-three and one-half per cent in the expenditure of the city of Rockland since 1930.

Now what to do about it? It seems to me I heard a voice calling from Washington last Saturday for action and for action now. I do not propose this bill as a measure for permanent relief but I do propose it as a piece of scaffolding on which to stand while the real structure is being erected. I believe we are to have a recess committee which will bring in a report to the next Legislature for a complete revision of our tax system, a subject which is earnestly demanded, but in the meantime, unless we wish to rob the coming generation, we must have some relief.

It has been suggested, if the State Auxiliary Forest Bill should pass, that this measure would not be needed. Therefore I analyzed the results of that. I find \$1,677,000 valuation would be restored. Taking and applying the average school tax rate to that amount for 1932, the total revenue for the State would be \$19,033, a matter of about forty dollars for each township.

I suppose most of us have been asked facetiously or otherwise what we were going to bring home to our constituents. I have not seen much being passed around here. But these reports or estimates placed in your hands show something interesting. These are the minimum

estimates. For the first full year, under a bill like the one proposed, the gentleman from Auburn would take home to his people for the use of education \$10,994; Caribou, \$6,253; Limestone, \$1,903; Weston \$248; North Yarmouth, \$362; Orrington, \$1,964; Castine, \$499; Pittston, \$574. My own city of Rockland, \$5,596; Whitefield, \$676; Dixmont, \$401; Sebec, \$243; Woolwich, \$392; Pittsfield, \$1,743, and so on.

Like the gentleman from Presque Isle (Mr. Bennett) I commend this document to your reflection, and in conclusion I might remark that legislation of this sort is enacted in twenty-five states of this Union. It is practical, it is effective; it is temporary, however, and indicates the need for a broader base of taxation if we are to exercise the power which was given to us to give relief to people who are suffering from the iniquities of an inequitable and impossible property tax.

Mr. TOMPKINS of Houlton: Mr. Speaker, I cannot subscribe to the sentiments expressed by the gentleman from Rockland (Mr. Walker) that the people of this Nation have grown soft and lack leadership. I think within the last few days we have seen that the American people can assert leadership in the crisis which has confronted us. (Applause).

Just a word about this bill: It provides for a ten per cent ad valorem tax upon the sale of tobacco and tobacco products. First, the dealer who would engage in the sale of tobacco must get a two dollar license, and, if he fails to do so, he will be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or suffer imprisonment of six months in jail, or both fine and imprisonment. Second, he must make his monthly return on or before the fifteenth day of each month, under oath, setting out in detail the sales of all his tobacco products. If he fails to do this, this act provided that any licensed dealer who violates any provision of this chapter, or who files any false return, affidavit or statement, shall be punished by a fine of not more than one year or by both fine and imprisonment.

Now just a word as to the tax upon tobacco. You all know that the Federal government imposes a tax upon tobacco. It is one of the great sources of revenue of the Federal government, and in the year

1932 the Federal government collected nearly \$400,000,000 in tobacco tax. The value of the tobacco crop to the farmers, to the tobacco raisers in the United States, the entire value, was \$156,000,000, so that tobacco is paying nearly three times in taxes the amount of its total value. It seems to me that this product is heavily taxed now.

We must also remember that the tobacco growers have children that they have to educate and I do not think it is fair that the State of Maine should assess the tobacco growers in order to educate our children while their children go uneducated. Therefore I hope that the motion of the gentleman from Rockland, (Mr. Walker) will not prevail.

Mr. MASON of Mechanic Falls: Mr. Speaker, it is rather significant in the arguments that you have heard about this bill that they do not take up the provisions of this measure at all until they come to the last paragraph, the purposes of raising this money. Now a simple reading of this bill, showing the mental attitudes of the persons who wrote in the fine that has been mentioned by the gentleman from Houlton (Mr. Tompkins) is not to their credit. The construction of the machinery, the set-up of the machinery here at Augusta that will be necessary to carry into effect the collecting of this tax will not be pleasing to the people at home. I can assure you of that. They have all the machinery set-up here at Augusta they want; but to meet the argument and the only argument that has today been presented for this bill, and that is the argument to raise money for the educational department of Maine; you might be led to assume that this was the only thing in the world that is going to take care of the educational department of Maine, but they have been cutting—roads have been cut, every department has been cut and the Educational Department has been taken care of on the same basis and on the same ratio of cut by intelligent men.

I believe I am right in saying that the 151 members of this House who come from their several communities are and have been men loyal to the Educational Department. I am sure that a majority of you here have voted for the raising of teachers' wages. You have voted for new school buildings, you have

supported that department to the limit of your ability and now comes a time when you must retrench and you feel that you must retrench, and the reluctance that this department shows in this retrenchment does not suit me at all. If they are the institution that we thought they were and that we helped to build up, it is a surprise to me that they do not come back to us in accord. They should not leave us in the gutter after our usefulness is gone.

In the attitude of raising money for the department as I heard it in the committee and as I have heard it today, it takes me back years in my life when I lived in the home of a very dear lady who, after she had become the mother of two boisterous boys and a daughter, had the misfortune to be paralyzed in her legs and confined to a wheel chair. They were good children but rowdyish children and I could not understand why they never ruffled her patience, but never an impatient word did they receive. I came to know that she devoted a great deal of her time as she sat there in her chair devising pleasures for the remainder of her family, pleasures in which she never could participate, and I began to wonder if there was anything that would aggravate this woman or make her show any resentment. One Sunday morning, early in the fall, I had wheeled her out on to the front porch in her wheel chair and as she sat there a gentleman and lady, with their son and daughter, who lived in the next house, came out on their way to the Sunday morning service. I had come to know that they were very, very religious and that they were very, very pious. I had heard my landlady often speak of all the neighbors but I never heard a word of criticism. As they filed down that long walk to the street in very dignified order I casually asked her "What is their religion?"

This was her answer: "It is God bless us four and no more." (Laughter and applause)

The SPEAKER: The pending question is the motion of the gentleman from Rockland, Mr. Walker, that the bill be substituted for the adverse report. All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the motion to substitute the bill for the report, ought not to pass, failed of passage.

On motion by Mr. Mason of Mechanic Falls, the report of the committee, ought not to pass, was accepted.

The Chair lays before the House the fifteenth unassigned matter, House Report, ought to pass, of the committee on Inland Fisheries and Game on bill an act repealing the bounty on porcupines and hedgehogs, H. P. 374, L. D. 214, tabled on March 2 by the gentleman from Aurora, Mr. Mace, pending acceptance of the report, which gentleman the Chair now recognizes.

On motion by Mr. Mace of Aurora that this matter lie on the table, a viva voce vote being taken, the motion failed of passage.

The SPEAKER: Does anybody desire to make a motion on this matter? The question is on the acceptance of the report.

Miss LAUGHLIN of Portland: Mr. Speaker, I move to accept the report of the committee, ought to pass.

The SPEAKER: The pending question is the motion of the member from Portland, Miss Laughlin, that the ought to pass report of the committee be accepted. Does the gentleman from Aurora, Mr. Mace, desire to speak on that motion?

Mr. MACE: I do, Mr. Speaker. This bill was a repeal of the bounty on porcupines and hedgehogs, and I was going to take it up with the committee and accept a form of repeal of the bounty as a compromise, and have it suspended for two years, because there is no money set up to take care of the bounty for the next two years. I think that the committee would have been agreeable to it, and that was why I desired to retable it.

Mr. STERLING of Caratunk: Mr. Speaker, I think, owing to the situation of this bill, it ought to lie on the table and give opportunity to the Fish and Game committee to go over the matter with Mr. Mace. I think we should clear up the confusion that now exists. I therefore, move that this matter lie on the table.

A viva voce vote being taken, the motion to retable prevailed.

The Chair lays before the House the sixteenth unassigned matter House report, ought not to pass, on bill an act providing for removal of paupers to town of settlement,

H. P. 849, L. D. 261, which was recommitted to the committee on Judiciary in the House on February 28th and which came from the Senate the report accepted in non-concurrence. This was tabled March 3 in the House by the gentleman from Aurora, Mr. Mace, pending further consideration; and the Chair now recognizes that gentleman.

On motion by Mr. Mace, the House voted to insist on its action of February 28th to recommit this bill to the committee on Judiciary and asks for a committee of conference on the disagreeing action of the two bodies.

The Chair lays before the House the seventeenth unassigned matter, new draft Joint Order relative to a study of public school finance, H. P. 1508, tabled on March 3 by the gentleman from Bath, Mr. Wright, pending passage; and the Chair recognizes that gentleman.

Mr. WRIGHT: Mr. Speaker, I move the acceptance of the report of the committee, ought to pass.

The SPEAKER: The Record shows on this measure that the report of the committee, ought to pass, was accepted, the report coming in covering a new draft. The question now is on the passage of the new draft of the order. Does the gentleman move that the order in new draft have passage?

Mr. WRIGHT: Mr. Speaker, I move the passage of the order in new draft.

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

The Chair lays before the House the Eighteenth matter, House Report of the committee on Public Health on bill an act for the regulation of the practice of hairdressing and cosmetic therapy, H. P. 1013, L. D. 421, reporting same in a new draft, H. P. 1513, L. D. 823, under title of "an act for the regulation of the practice of hairdressing and beauty culture," and that it ought to pass. This was tabled on March 3 by the gentleman from Caratunk, Mr. Sterling, pending acceptance of the report and the Chair recognizes that gentleman.

Mr. STERLING: I move the acceptance of the report of the committee, ought to pass.

Mr. HOLDEN of Webster: Mr. Speaker, I would like to inquire if that includes all barbers? Some

say it does and some say it doesn't.

The SPEAKER: The gentleman from Webster, Mr. Holden, inquires of anyone who can answer whether this bill includes all barbers. Does anyone know?

Miss MARTIN of Bangor: Section seventeen of the act says that "the prohibitions and penalties of this act shall not apply to licensed physicians, licensed osteopaths, registered nurses and barbers," so it specifically excludes barbers.

Mr. HOLDEN: Section one says "Anyone who cuts hair," but that was explained later.

The SPEAKER: The pending question is the motion of the gentleman from Caratunk, Mr. Sterling, that the ought to pass report of the committee be accepted. All those in favor will say aye; contrary minded no.

A viva voce vote being taken, the report ought to pass was accepted.

Thereupon on motion by the same gentleman, the rules were suspended, the bill was given its first two readings

Mr. STERLING: Mr. Speaker, I wish to offer an amendment, and I will say that it has been approved by the Department of Health.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to H. P. 1513, L. D. 823, entitled an act for the regulation of the practice of hairdressing and beauty culture, is hereby amended by striking out in section two of said act the following words: "All cosmetic preparations shall have their formula attached to each container," and inserting in place thereof the following: "Any manufacturer or producer of cosmetic preparations, selling them to any person or persons licensed under this act, shall file with the Bureau of Health a statement of the ingredients of each preparation."

Thereupon House Amendment A was adopted.

Miss MARTIN of Bangor: I would like to call attention to the fact that there is one word on page four of the bill, nineteenth line, which reads "contract" when it should read "contrary." I should like to make that verbal amendment.

The SPEAKER: Can you give us the section number?

Miss MARTIN: Section nine, page four, nineteenth line. The sentence begins "The aforesaid board

shall make rules and regulations not contrary to law," but by a typographical error the word "contract" is in the bill instead of the word "contrary."

The SPEAKER: The Clerk will change the word "contract" to "contrary," correcting a typographical error. What time does the House now assign for the third reading of this bill?

Tomorrow was assigned for its third reading.

The Chair lays before the House the nineteenth unassigned matter, bill an act relative to the pollution of waters of Chase's pond, S. P. 186, L. D. 769, tabled March 3 by the gentleman from Caratunk, Mr. Sterling, the pending motion being that of the gentleman from York, Mr. Young, to indefinitely postpone; and the Chair recognizes the gentleman from Caratunk, Mr. Sterling.

Mr. STERLING: Mr. Speaker, I yield to the gentleman from York, Mr. Young.

On motion by Mr. Young, the bill was indefinitely postponed.

The Chair lays before the House the twentieth unassigned matter bill an act relating to reports to towns of excise tax payments, H. P. 1170, L. D. 561, tabled March 3 by the gentleman from Brunswick, Mr. Morin, pending third reading and the Chair recognizes that gentleman.

Mr. MORIN: Mr. Speaker, I yield to the gentleman from Livermore, Mr. Dow.

Mr. DOW: Mr. Speaker, I have an amendment which I wish to offer, as follows:

House Amendment A to H. P. 1170, L. D. 561, bill an act relating to reports to towns of excise tax payments.

Amend said bill by striking out all after the enacting clause and substituting in place therefor the following:

"The State Controller shall report each year as of December 31st to each town and city in the State showing the excise tax receipts on automobiles of residents in that town or city that have been reported to the Secretary of State."

On motion by Mr. Mack of Veazie, House Amendment A was tabled pending adoption.

The SPEAKER: As the Confer-

ence Committee on L. D. 261, bill an act providing for removal of paupers to town of settlement, on which the two bodies have disagreed, the Chair appoints as conferees on the part of the House, Representative Mace of Aurora, the member from Portland, Miss Laugh-

lin, and Representative Tompkins of Houlton.

On motion by Mr. Sanborn of Weld,

Adjourned until ten o'clock tomorrow morning.