

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

HOUSE

Friday, March 24, 1933.

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

Prayer by the Rev. Mr. Robbins of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to assure a balanced budget (S. P. 627) (L. D. 998).

Comes from the Senate received by unanimous consent under suspension of the rules, given its several readings under suspension of the rules and passed to be engrossed without reference to a committee.

In the House:

Mr. FERNALD of Winterport: Mr. Speaker, in regard to Legislative Document 988, which you will see in your book, I refuse at this time to give unanimous consent to the introduction of this legislation, believing that we as members of the Legislature should not delegate our power to a group of eight or nine men.

Mr. CARLETON of Portland: Mr. Speaker, this matter received the attention of the Appropriations Committee, and with the work that I have done on that committee for the last six years, I think I can speak in favor of this act. If you were running a business and you were found you were going into the red too much, I think you would want to have some place where you could balance that budget.

This will enable the Governor and Council and the Budget Committee to adjust more or less of the departments, and perhaps in a way cut out a lot of deadwood which is in this State.

I think if the gentleman from Winterport (Mr. Fernald) knew as much about the finances of the State as some of us do, that he would be very willing to delegate this to the proper authority. I trust he will withdraw his motion.

Mr. FARRIS of Augusta: Mr. Speaker, this is a measure designed to give the Budget Officer, who is under the direction of the Governor and Council, authority to cut down appropriations if need be, in order to provide further flexibility to meet any emergency demand due to loss-

es in revenue, and so forth. Now I do not see anything more dangerous in that than in the present Code Bill. This is an amendment to the Code Bill which gives the Governor and Council authority, really, because the Budget Officer is under the Governor and Council. If something like this is not passed, it is possible we will have to go to the expense of having a special session of the Legislature, and the purpose of this bill is to avoid a special session, so that the Governor and Council can adjust the appropriations to meet the revenue. I hope the gentleman will withdraw his objection.

Mr. HUSSEY of Augusta: Mr. Speaker, I am very much surprised that the gentleman from Winterport, Mr. Fernald, should in any way try to keep this State from balancing its budget during the next two years.

This measure, to my mind, is the only solution and the only way in these trying times that we can attempt to balance the budget. We do not know just what the incoming revenue of the State will be, or, in other words, what the indirect income will be. The Appropriations Committee has set up a budget on what they believe will be the indirect income.

Now this committee has used their best judgment on this matter, but under these conditions there is no telling how much this will be cut. Our banking situation is bound to show a curtailment in the revenue coming in. I feel sure that if the gentleman from Winterport will look at it in a business way, he will try to help the State balance its budget, and this is one way in which it can be done.

Mr. WRIGHT of Bath. Mr. Speaker, it has been my pleasure to be a member of the Appropriations Committee for the past two sessions, and I think I know some of the difficulties which that committee has to contend with in setting up a budget for the State which will be equitable and just. No group of men can set up an accurate budget for the two succeeding years. The question of income, the indirect income, is bound to be variable. I think this is a very necessary and just piece of legislation, and I hope that the gentleman from Winterport, Mr. Fernald, will withdraw his objection and see it in the light I do, as a very necessary measure.

Miss LAUGHLIN of Portland: Mr. Speaker, everybody here realizes the difficulties of the Budget Committee, the Appropriations Committee. Of course nobody can foresee accurately all possibilities and future happenings. It seems to me that this act proposed is practically to substitute a form of distatorship for the next two years over all the appropriations of this State, and is contrary to every principle of our government. The power given here is not merely to reduce, but to do whatever they may think best in the matter of appropriations, take from one department and give to another. It is in their power, at least, to undo everything this Legislature has done in the matter of appropriations. If we are going to give such power to these eight men we might just as well adjourn here and pass everything over and give way absolutely and say that we believe in the dictatorship form of government so far as the finances of this State are concerned.

Now, in my opinion, if there is any such emergency as would justify a measure like this, it is such an emergency that the Legislature should be called in special session and do that which our Constitution gives to the Legislature; to make the laws of the State and to make appropriations. If there is any emergency which would justify the calling of the Legislature in special session—and we have heard about several things which, if they happen, the Legislature would be called in special session—I have not heard one that would be as great an emergency as compared with setting up a dictatorship in the State for appropriations.

We are doing what is possible to increase the borrowing power of the State \$2,000,000, and there is a measure on a bond issue for another \$2,000,000 that this Legislature will consider, and I cannot imagine any situation by which the Legislature would recede or resign or abdicate, and turn over all power over the appropriations and finances of this State to a little group of men. (Applause)

The SPEAKER: Does anyone else desire to speak on this matter? The Chair will have to rule that unanimous consent having been refused, the bill is not before the House.

From the Senate: Report of the committee on Interior Waters on

bill an act to extend the charter of Kennebec Reservoir Company, S. P. 149, L. D. 467, reporting same in a new draft, S. P. 611, L. D. 985, under same title and that it ought to pass

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

In the House, Senate Amendment A read by the Clerk.

On motion by Mr. Ashby of Fort Fairfield, tabled and specially assigned for Tuesday, March 28, pending the adoption of Senate Amendment A in concurrence.

From the Senate: Final report of the committee on

Agriculture,
Library,
Pensions,
Public Health,
Sea and Shore Fisheries,
State Sanatoriums.

Comes from the Senate read and accepted.

In the House, report read and accepted in concurrence.

From the Senate: Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relative to the Making and Publishing of Rules and Regulations by the Commissioner of Inland Fisheries and Game" (S. P. No. 313) (L. D. No. 521)

Report was signed by the following members:

Messrs. Angell of York, Harmon of Hancock, Schnurle of Cumberland, of the Senate; Hescoek of Monson, Burgess of Rumford, Fogg of Rockland, Bussey of Dixmont, of the House.

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

Report was signed by the following members:

Messrs. Sterling of Caratunk, Smith of Masardis, Crowell of Weston, of the House.

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

In the House:

Mr. HESCOCK of Monson: Mr. Speaker and members of the House: As a member of the committee signing the majority report, I would like to call your attention to this legislative document 521. It is very easy to be seen that it is a repeal of some of the fishing laws of the

State, but it does not necessarily take those from the book. At the same time it gives the Commissioner of Inland Fisheries and Game the power to declare those as Rules and Regulations. By this bill we hope to be able to clear out a lot of the deadwood in the laws so that they can be more readily understood. I move the House accept the majority report of the committee.

Mr. STERLING of Caratunk: Mr. Speaker, I move that this be tabled and specially assigned for next Tuesday morning.

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 Monson, Mr. Hescocock, that the majority report of the committee be accepted in concurrence.

Mr. CROWELL of Weston: Mr. Speaker, as a member who signed the minority report, I would like to have you open your book of bills and turn to L. D. 521, which has already been referred to, and I would also like to have you refer to L. D. 523. These bills are twins, hatched in the same incubator, and if they escape the perils of infancy, they will go through life hand in hand. (Laughter). It is not my wish to take the time of the House this morning for the legislative document, as has already been said, removes from the laws of this State a number of pages of the Revised Statutes, and puts them into the group of rules and regulations to take their place. These rules and regulations can be changed by a very small minority of the citizens of this State and I oppose the concentration of authority that is evident in some of the bills before this Legislature. Mr. Speaker, I hope that the motion of my good friend from Monson (Mr. Hescocock) will not prevail. I think that the people of this State are capable of making rules and regulations to govern the fishing in this State.

Mr. ELLIS of Rangeley: Mr. Speaker, I hope the motion does prevail. I find that in this Legislature 198 bills have been heard by the Inland Fisheries and Game Committee. We must necessarily speak of both of these bills at this time, because as the gentleman says, they are twins. Ninety-eight

of those bills have been taken care of by people right where the waters lie. Now I came down here, and I have been before that committee a dozen times myself on some fool bill to regulate fishing in Mud Pond or Cow Pond, or this or that, and I dare say there was not more than one in this body who knew what I wanted; they had to take my word for it. The people up there could not come way down here and be heard except, perhaps, a few interested ones.

Now we appoint a Public Utilities Commission; we give them certain rights; and if they want to change the rates of a public utility in one of our northern towns, they do not come down here and introduce a bill to do it, but they hold a hearing, the Public Utilities Commission goes there and hears them. I cannot see any reason why the Fish and Game Department cannot do the same thing and get better results that way.

Mr. WRIGHT of Bath: Mr. Speaker, this bill, L. D. 521, is designed to assist the Commissioner of Inland Fisheries and Game. It was presented by the Chairman of the Fish and Game Department, and I think it should be passed.

The Commissioner has travelled many miles to hearings, and a great deal of that work, I believe, could be carried out in his office. Certainly if the number of bills sent to the Legislature every session could be decreased, a great deal of your time would be saved, and a great deal of expense, and I believe also that the bill, being entirely satisfactory to him, would assist him, and I believe that we ought to give it our consideration and passage. I hope the majority report will be sustained.

Mr. CARIGNAN of Sanford: Mr. Speaker, I have had quite a few communications from my constituents, and I would like to read one to the House here pertaining to this measure. This is dated March 13th:

"Dear Sir:

I understand there has been a bill pigeon-holed in the State House, commonly known as the State Legislation, Augusta, Maine, preventing Mr. Stobie from becoming Commander-in-Chief of the inland fish and game laws in the State of Maine.

As I understand, this bill still is in legislation, and I as a represen-

tative of more than one thousand names in York County, State of Maine, would be more than pleased if you as my Representative from Springvale, Maine, would hereby put this bill up to this legislation and pass upon it, as I do think it is time that we gave Mr. Stobie the reins upon such bills——”

The SPEAKER: The pending question is on the motion of the gentleman from Monson, Mr. Hescok, that the majority report of the committee on Inland Fisheries and Game be accepted.

Mr. STERLING: Mr. Speaker, I have given this bill quite a lot of thought. It has been hashed over in our committee all winter. The only way I can see it, if you pass this bill, you are handing over the affairs of the fish and game of the State of Maine to one or two Game Clubs, or Associations, whatever you might call them, and the people of this State, in a very few years, will have nothing to say about the fishing in the State of Maine; it will be handled by a small group down in the southern part of this State, and they will make the rules and regulations for every town, and for all of our unorganized towns. I hope the motion of the gentleman from Monson (Mr. Hescok) does not prevail.

Mr. HASKELL of Lincoln: Mr. Speaker and members of the House: Up in my section of the woods we do not favor that measure, for the simple reason that we do not want to have a dictator in the Fish and Game Department. We feel that it is apt to be so our own rights in our own particular sections will not be looked after, but will be handled for the out-of-state fishermen. We want to use them fair, and we want to be used fair. If we have got any differences, we can come up here and settle them. I hope the gentleman's motion will not prevail.

Mr. WRIGHT: Mr. Speaker, I do not think we have a dictator in our Commissioner of Inland Fisheries and Game. Anyone who is familiar with his work knows that he is probably the best Commissioner of Inland Fisheries and Game that any state now has. Now with such a Commissioner, when his department makes a recommendation, it seems only right that his recommendations should be paid some attention to. He has built the department up. More fish are being supplied from year to year to

the ponds and he is receiving a great deal of notoriety in the State of Maine for his work and for what he is doing for the department.

There is no dictatorship proposition about it at all. It is one of our departments. It has a good head. He has made these suggestions and it seems only common sense to try and take him up, and carry out some of his suggestions. In any other department it would be exactly the same way. I cannot see the opposition to this bill.

Mr. SMITH of Masardis: Mr. Speaker, as one who signed the minority report, I wish to state that this bill never was pigeon-holed at any time. It simply lay in the committee for discussion. I represent a far greater territory than any member here in the House, or any member of this committee, and I would state that in the committee, as a whole, we have the greatest respect for the present incumbent, Mr. Stobie, but Mr. Stobie will not always be in that office, and the people I represent at the present time do not favor this measure. They feel that they would like to have at least two years to consider it, because the fish and game in the northern part of this State of Maine at this present time is about all we have left, therefore I hope the motion will not prevail.

Mr. FOGG of Rockland: Mr. Speaker, as I understand this bill, it does not take away from the Legislature their present rights. We have considered here several resolves that ask that the Commissioner of Fish and Game be directed to issue rules and regulations. We still have the power to introduce a resolve directing those measures. As a signer of the majority report, I hope the measure passes.

Mr. SANBORN of Weld: Mr. Speaker, at the time this bill was introduced, all I heard from my constituents back home was that they did not want that bill passed. That also was from the guides as well as citizens. I want to favor the minority report. I do not see why, if we still have the power to put resolves in, that we should not be the judge of what people want back home, instead of the Commissioner having the say of it. I agree with the gentleman from Masardis, Mr. Smith, that we have an excellent man in Mr. Stobie.

Mr. LINDSEY of East Machias: Mr. Speaker and members of the

Eighty-sixth Legislature. I come from Washington County, and I believe the citizens of Washington County still want to have some say about the fishermen on the ponds and lakes and streams of Washington County. I therefore hope the majority report will not prevail.

Mr. BELANGER of Winslow: Mr. Speaker, it seems to me there is a misunderstanding here. They get up on the floor of this House and tell us they want their constituents to have something to say. This bill will give them just that. The way I understand it, the Commissioner will call meetings in the territory which is affected, and the people in that territory will have a right to say whether they want a stream or lake or pond either closed or opened. I think that our Commissioner, Mr. Stobie, would be fair in calling these meetings and advertising them, so that the people from those districts would be there to voice their opinions either for or against closing or opening a pond. I want to go on record as favoring this motion to accept the majority report.

Mr. WRIGHT: Mr. Speaker, I move the previous question.

The SPEAKER: All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

Mr. STERLING: Mr. Speaker, I move that when the vote is taken, there be a division of the House.

The SPEAKER: A sufficient number obviously having arisen, the previous question is ordered. The question now before the House is shall the main question be now put. As many as are in favor of the Chair putting the main question now will say aye; contrary minded no.

A viva voce being taken, the motion prevailed.

The SPEAKER: The pending question is on the motion of the gentleman from Monson, Mr. Hecock, to accept the majority report, ought to pass, of the committee on Inland Fisheries and Game on bill an act relative to the making and publishing of rules and regulations by the Commissioner of Inland Fisheries and Game. All those in favor of the motion will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House being had. Seventy-nine having voted in the affirmative and 51 in the negative, the motion prevailed and the majority report was accepted in concurrence, the bill had its two several readings and next legislative day assigned.

From the Senate: Majority Report of the Committee on Judiciary on Bill "An Act relating to Manufacture of Intoxicating Liquor" (S. P. No. 116) (L. D. No. 163) reporting same in a new draft (S. P. No. 614) (L. D. No. 986) under title of "An Act relating to Transportation of Intoxicating Liquor" and that it "Ought to pass."

Report was signed by the following members:

Messrs. Weeks of Somerset, Holmes of Androscoggin, Holman of Farmington—of the Senate; Farris of Augusta, Goudy of South Portland, Eldridge of Eastport—of the House.

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

Report was signed by the following members:

Messrs. Fernald of Winterport, Hill of So. Portland, Tompkins of Houlton, Miss Laughlin of Portland—of the House.

Comes from the Senate the Majority Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A."

On motion by Mr. Ellis of Rangeley, temporarily tabled, to be taken off later in the day.

Miss LAUGHLIN of Portland: Mr. Speaker, will it be in order at this time to have the Senate Amendment A read?

The SPEAKER: The matter is on the table now and the Clerk may read Senate Amendment A, if the member desires it, out of order.

Miss LAUGHLIN: I would like to have it read at this time, Mr. Speaker. I might call attention to the fact that the Amendment A does not appear on the Calendar.

The SPEAKER: The Chair was about to call the attention of the House to that omission on the calendar when the member arose. The Chair had notice of that omission and was about to speak of it, it having been called to the attention of the Chair by the Clerk. The Clerk will now read Senate Amendment A.

(Senate Amendment A read)

On motion by Mr. Carignan of Sanford, the rules were suspended and the members allowed to smoke.

The SPEAKER: The Chair is about to take up out of order two bills on their passage to be enacted. Numbers 19 and 20 on the Calendar, under enactors, on Page 7. The reason for taking them out of order is that they may be enacted in the Senate this morning.

Passed to Be Enacted
(Emergency Measures)

S. P. 646, L. D. 1035: An act to authorize the State, the several counties, and the several governmental units within the State to participate in and to enter into agreements for reorganization, management or continuation of banks or trust companies organized under the laws of this State or of the United States.

The SPEAKER: This being an emergency measure, on its passage to be enacted, 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 until counted, and the monitors will make and return the count.

A division being had,

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

S. P. 645: An act relating to safeguarding people from danger from rabies or hydrophobia.

The SPEAKER: This being an emergency measure, on its passage to be enacted, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the passage of the bill to be enacted will rise and stand 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.

Mr. FRIEND of Skowhegan: Mr. Speaker, may I take up a matter at this time, out of order? This is a matter relating to the introduction of a bill under suspension of the rules. I have a redraft of the highway program here which has received the approval of the lead-

ers of the House, both Democrats and Republican, and the leaders of the Senate. I would like unanimous consent to introduce this bill at this time. I want to say that the effect and the workings of this bill are the same as the Kitchen bill, except that Section 8, which the Supreme Court ruled against, has been stricken out, and in addition to that the emergency clause has been considerably strengthened; but the real effect of the bill and its provisions has not been changed in any way. I sincerely trust that the members of this House will give me permission to introduce this bill at this time. This is the highway program bill.

The SPEAKER: The Chair understands that the gentleman from Skowhegan, Mr. Friend, offers, out of order and under suspension of the rules, a bill of which the Clerk will read the title.

Bill an act to create and allocate a general highway fund for the State, State aid, and Third-Class highway construction and to temporarily suspend certain Statutes.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, I did not exactly understand the gentleman from Skowhegan (Mr. Friend) Does that bill contain the emergency clause?

The SPEAKER: The gentleman from Fort Fairfield, Mr. Ashby, inquires of the gentleman from Skowhegan, Mr. Friend, whether this bill contains the emergency clause, and that gentleman may answer if he desires.

Mr. FRIEND: This bill does contain the emergency clause. It reads a little different than the other in that it has been strengthened. The bill is not changed in any way except that Section eight has been stricken out.

Mr. ASHBY: Mr. Speaker, I fail to see any emergency on a road program in midwinter, especially as the State funds are not available until July 1st when it becomes a law anyway. An excuse for an emergency did exist in regard to town meetings making their appropriations, but most all of the town meetings in the State, if not all of them have been held already. Therefore, I claim that the emergency no longer exists.

Mr. BAILEY of Woolwich: Mr. Speaker, am I in position to speak at this time?

The SPEAKER: Certainly.

Mr. BAILEY: In this matter, as

I understand it, this bill has been made over from two or three bills, and this is practically the fourth bill which has been presented in this Legislature on the one subject of the road proposition. We have before us here a serious problem and one which affects practically every resident of the State. I am aware that there have been certain rumors circulated within the last few days to the effect that if some program is not adopted, the highway program will be annulled. In other words, that those in favor of the special resolves, Third-class, State aid and maintenance will be disappointed. In my opinion, this is a very misleading statement, that is, if we can put any dependence on the Revised Statutes and the laws of 1931. I will read a few items from the Laws in regard to the appropriations appropriating money as well as the program which the Senate has sanctioned. In the Laws of 1931 is the program which we have, first, to provide funds for the construction of State-aid and Third-class roads, for the maintenance of State-aid highways, and interstate, intrastate and international—

The SPEAKER: The only question before the House is whether this bill has been received by unanimous consent or not. We have had one objection. The merits of the bill should not be debated at this time. Do I understand that the gentleman (Mr. Bailey) objects to the receiving of this bill?

Mr. BAILEY: I do, Mr. Speaker.

Mr. SCATES of Westbrook: Mr. Speaker, I understand that this bill is being introduced under suspension of the rules and that it only requires the vote of two-thirds of the members present for that purpose.

The SPEAKER: The Chair will so rule.

Miss LAUGHLIN of Portland: Mr. Speaker, I rise to ask for information. Is it not true that if this bill is not introduced there will be no provision for highway for the next two years.

The SPEAKER: The gentleman from Skowhegan. Mr. Friend, may answer that question.

Miss LAUGHLIN: The original bill having been declared unconstitutional.

Mr. FRIEND: Mr. Speaker, I do not know as I can answer that

question correctly. I think possibly that if this bill did not go through, the old law would take effect, although I do not think there would be any road resolves. I think an appropriation has to be made to take care of the road resolves, and, if the old law stayed in effect this would carry a direct property tax appropriation of a million dollars which would very seriously upset the budget. On top of that the income from the gas tax and registrations has decreased a great deal, and with \$2,700,000 put into State aid, there would be very little money left for maintenance purposes. It would be absolutely wrong to have to go back on the old law at this time.

Miss LAUGHLIN: Mr. Speaker, I think that answers my question. I asked it because I wondered if the gentleman in objecting to its introduction realizes the situation if it is not introduced. It would not only cut out what he objects to but all the road resolves and would change the whole situation.

Mr. BAILEY: Mr. Speaker, I asked permission to speak on this question and you ruled that I had no right to do so after once granting me permission.

The SPEAKER: The gentleman went a little further than I thought was proper at this time, the only question being whether this bill should come in by unanimous consent, as offered by the gentleman from Skowhegan, Mr. Friend. There is no point in discussing it any further now. The gentleman from Woolwich, Mr. Bailey, and the gentleman from Fort Fairfield, Mr. Ashby, having objected to its admission, the bill is not before the House.

Mr. ASHBY: I think the Chair misunderstands me. I did not object to the admission of the measure. I simply objected to the emergency clause.

The SPEAKER: Has the gentleman any objection to receiving this bill at this time by unanimous consent?

Mr. ASHBY: Not if it is laid on the table.

The SPEAKER: The question of laying on the table would be, of course, subject to the vote of the members after it is once in.

Mr. ASHBY: I object to its being received with that emergency clause attached because I claim no emergency exists.

The SPEAKER: There is no point in discussing the matter further, one objection being made. The Chair understands that the gentleman from Woolwich, Mr. Bailey, also objects.

Mr. SCATES: Mr. Speaker, as I understand, we are not considering this under unanimous consent, but whether the rules shall be suspended.

The SPEAKER: The gentleman from Skowhegan, Mr. Friend, has specifically asked permission to introduce it by unanimous consent. That has been refused, if I understand correctly the attitude of the gentleman from Fort Fairfield, Mr. Ashby, and the gentleman from Woolwich, Mr. Bailey. There is nothing now before the House to discuss.

Mr. ELLIS of Rangeley: Mr. Speaker, I ask for a ruling whether the rules cannot be suspended by a two-thirds vote and the bill introduced in that way.

The SPEAKER: The Chair will have to rule that if a Joint Order came in from the two bodies, suspending the closing order, as was done in the case of the banking bills if that were adopted by a two-thirds vote, the bill would be before the House properly. Until that is done, unanimous consent having been refused, the bill cannot be received.

Mr. VALLELY of Sanford: Mr. Speaker,—

The SPEAKER: For what purpose does the gentleman rise?

Mr. VALLELY: To ask the Chair a question.

The SPEAKER: There is nothing pending before the House to ask any questions on at this time. The Clerk will proceed with the regular order of business.

From the Senate: Bill an act relating to tolls of Maine Kennebec bridge, H. P. 1667, L. D. 199, on which the bill was substituted for the ought not to pass report in the House and the bill passed to be engrossed on March 21st.

Comes from the Senate with the report accepted in non-concurrence.

In the House:

Mr. HAWKES of Richmond: Mr. Speaker, I move that we insist upon our former action and ask for a committee of conference.

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

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

On motion by Mr. Carleton, a viva voce vote being taken, the House voted to recede and concur with the Senate in the acceptance of the ought not to pass report.

From the Senate: Bill an act relating to the printing of public laws in newspapers, H. P. 69, L. D. 43, on which the bill was substituted for the report in the House and passed to be engrossed, March 22, as amended by House Amendment A.

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

In the House:

Mr. FERNALD of Winterport: Mr. Speaker, I move that the House insist on its former action whereby this bill went through its various stages, and ask for a committee of conference.

A viva voce vote being doubted,

A division of the House was had.

Forty-six voting in the affirmative and 50 in the negative, the motion failed of passage.

On motion by Mr. Thompson of Belfast, a viva voce vote being taken, the bill was indefinitely postponed.

From the Senate: Bill an act relating to the enforcement of liens for taxes on real estate, H. P. 1108, L. D. 617, on which the House accepted the minority report of the committee on Judiciary and passed the bill to be engrossed on March 22nd.

Comes from the Senate with the majority report, ought not to pass, accepted in non-concurrence.

In the House, on motion by Mr. Tompkins of Bridgewater that body voted to recede and concur with the Senate in the acceptance of the ought not to pass report.

From the Senate: Bill an act to provide for the appointment of a Board of Commissioners of Police for the city of Augusta, H. P. 862, L. D. 304, which was passed to be engrossed in the House as amended by House Amendment A on March 21st.

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

In the House, Senate Amendment A read.

On motion by Mr. Hussey of Augusta, the House voted to reconsider its action whereby this bill was passed to be engrossed.

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

From the Senate: Resolve providing a State pension for Joseph B. Pelletier of Winterville Plantation, H. P. 1490, L. D. 791, which was passed to be engrossed in the House on March 3rd.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Burns of Eagle Lake, tabled and specially assigned for Tuesday morning, March 28th, the pending question being further consideration.

From the Senate: Bill "An Act relating to the Repeal of Bounty on Bear" (H. P. No. 729) (L. D. No. 336) on which the House accepted the Minority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" earlier in the day.

Comes from the Senate the Majority Report of the Committee reporting "Ought to pass" accepted and the Bill passed to be engrossed in non-concurrence.

In the House, on motion by Mr. Russ of Woodstock, a viva voce vote being taken, it was voted to insist and ask for a committee of conference.

From the Senate: Resolve in favor of the town of Turner, H. P. 84, on which the House accepted the majority report of the committee on Claims reporting a new draft, H. P. 1600, L. D. 884, and passed the resolve to be engrossed March 23.

Comes from the Senate the minority report, ought not to pass accepted in non-concurrence.

In the House, on motion by Mr. Mason of Mechanic Falls, that body voted to recede and concur with the Senate in the acceptance of the ought not to pass report.

Miss MARTIN of Bangor: Mr. Speaker, I wish to call attention to the fact that L. D. 884 is a resolve regulating fishing in Snow Mountain Pond.

The SPEAKER: The Calendar is in error and the number should be L. D. 994.

From the Senate: Bill "An act to authorize the town of Cooper to withdraw from the Maine Forestry District" (H. P. No. 659) (L. D. No. 921) on which the House voted to insist on its former action whereby the Minority Report of the Committee on State Lands and Forest Preservation was accepted and the Bill passed to be engrossed, earlier in the day, and asked for a Committee of Conference.

Comes from the Senate that body voting to adhere to its former action whereby the Majority Report of the Committee "Ought not to pass" was accepted in non-concurrence.

In the House:

Mr. CLARKE of Cooper: Mr. Speaker and members of the House: As I understand the matter now, there are only two things to do, that is, to let the matter die or recede and concur with the Senate. I never would support a motion to recede. Of course in this bill I am being hornswoiggled all right; but I would just like to correct one impression on the remark made here yesterday in regard to some figures. The real gist of the matter is that two land companies, paying less than one-fourth of the total tax insist upon having their opinions prevail over the rest of us who pay over three-quarters of the tax. That's as far as that goes. Now I do not wish to take up your time unnecessarily. If nothing else has been done, it has served to bring a condition that exists state-wide before the Legislature, and I hope in time it will be remedied, because under the present law I think it acts as a detriment to towns that might come into the Forestry District.

If they are not allowed to go out of the Forestry District, they are afraid to go in and they might be a lot who would wish to join later on.

I am sure the people of my section appreciate their own side of it and I hope that if any of you members of the Legislature are out my way you will drop in and look us over. I also include in that invitation those who did not see fit to vote with me. My people would be very interested and very curious to see the people who considered their mentality so low.

The SPEAKER: The Chair understands that the gentleman from Cooper, Mr. Clarke, moves that the House adhere to its former action. The motion prevailed.

The SPEAKER: The Chair names as conferees on the part of the House on the disagreeing action of the two branches on L. D. 336, an act relating to the repeal of the bounty on bears, Messrs. Russ of Woodstock, Smith of Masardis, and Drisco of Jonesboro.

From the Senate: Bill An Act to Reduce Salaries of Members and Certain Officers of Legislature" (S. P. No. 574) (L. D. No. 865) which was indefinitely postponed in non-concurrence in the House, March 23rd.

Comes from the Senate that body insisting on its former action whereby the Bill as amended by Senate Amendment "A" as amended by Senate Amendment "A" was passed to be engrossed and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. Towle of Kennebec, Page of Somerset, Winn of Androscoggin.

In the House:

Miss MARTIN of Bangor: Mr. Speaker, I move that we insist and adhere to our former action.

The SPEAKER: The Senate action was to insist and they have asked for and appointed a committee of conference. If the member wishes to have a conference committee appointed in concurrence with the Senate, the motion would be to insist and ask for a committee of conference.

Miss LAUGHLIN of Portland: Do I understand the motion is to insist?

The SPEAKER: The Chair is not quite clear. The member from Bangor made two motions. The one to insist would have preference.

Miss LAUGHLIN: Does the motion to adhere have preference over the motion to insist?

The SPEAKER: No, the motion to insist has the preference.

Miss LAUGHLIN: Mr. Speaker, it seems to me we have asked about a dozen times for a committee of conference with the Senate and not once has that request been granted, but in each case the Senate has adhered to its former action. Perhaps it is time for the House to

stand by something it does. (Applause).

The SPEAKER: The Chair will now inquire of the member from Bangor, Miss Martin, whether she desires to move to insist or adhere.

Miss MARTIN: I withdraw my motion to insist and make one to adhere.

The SPEAKER: The member from Bangor, Miss Martin, moves that the House adhere to its action taken yesterday whereby it voted to indefinitely postpone this bill.

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

The SPEAKER: Another paper from the Senate which is not on the Calendar, H. P. 38, L. D. 22, 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," which was recalled from the legislative files by Joint Order and which on March 23rd was laid before the Senate and ordered by that body returned to the files and sent down for concurrence.

In the House, on motion by Mr. Audet of Lewiston, it was voted to concur with the Senate, in the return of this bill to the files.

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

Placed on File

Remonstrance of the Gardiner Merchants' Association against a Sales Tax (H. P. No. 1709) (Presented by Mr. Cobb of Gardiner.

Orders

Mr. Farris of Augusta presented the following order and moved its passage:

Whereas the Legislature has enacted as an emergency measure a bill designed to suspend the operation of the highway mill tax law and to provide for a new distribution of the highway funds designed to do the greatest good with the funds expected to be available, and

Whereas, the bill so enacted is inconsistent in the opinion of the Justices of the Supreme Judicial Court with the Constitution of the State, and

Whereas, objection under the closing orders has been made to the introduction of a new bill to

accomplish the purpose to which the Legislature is committed:

Ordered, the Senate concurring, that notwithstanding the provisions of the closing order adopted at the convening of the Legislature, the separate bodies receive a new bill for the purpose of carrying the legislative intent into effect (H. P. 1711).

The SPEAKER: Is it the pleasure of the House that this order have a passage? Under the ruling made early in the session a two-thirds vote is necessary it being an order to suspend a Joint Rule.

Mr. BAILEY of Woolwich: Mr. Speaker, may I read a little more of the law at the present time?

The SPEAKER: This matter is debatable if you speak to the subject under discussion, the passage of this order, not the merits of any particular bill, but whether or not this order which permits the introduction of a bill shall have passage.

Mr. BAILEY: May I speak in regard to a statement which has been made on this road bill?

The SPEAKER: On what road bill?

Mr. BAILEY: The road bill which is referred to in the order.

The SPEAKER: The Chair is willing, of course, to allow wide latitude for the discussion of this measure, but your question opens up quite a field for discussion. What is the particular line of discussion that you wish to pursue?

Mr. BAILEY: It is question which was asked and answered on the previous question. All I would ask for would be for the Clerk to read certain rulings of the Legislature in 1931.

The SPEAKER: What is the point of reading the laws of 1931 at this time.

Mr. BAILEY: It is in regard to the special resolves.

Mr. SCATES of Westbrook: Mr. Speaker—

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, still has the floor: The Chair rules that you may proceed, Mr. Bailey.

Mr. BAILEY: I would like to ask the Clerk to read that.

Mr. SCATES: Mr. Speaker—

The SPEAKER: The gentleman from Woolwich still has the floor.

Miss LAUGHLIN of Portland: Mr. Speaker—

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, still has

the floor. (Laughter) Will the gentleman (Mr. Bailey) indicate how much of the session laws of 1931 he desires read at this time?

Mr. BAILEY: Where it shows the distribution of the mill tax in the Revised Statutes of 1930.

Mr. SCATES: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Woolwich still has the floor and the Chair does not want any trouble. (Laughter and applause)

Miss LAUGHLIN: Mr. Speaker, I rise to a point of order.

The SPEAKER: The member from Portland may state her point.

Miss LAUGHLIN: The motion before the House, and the only one, as I understand it, is the question of a suspension of the rules for the introduction of a bill relating to highway matters. Is that not true?

The SPEAKER: That is correct.

Miss LAUGHLIN: Mr. Speaker, I fail to see where anything in the Laws to which the gentleman refers has anything to do with the suspension of the rules of this House, and my point of order is that the only discussion now in order is a discussion on the question of whether the rules shall be suspended for the introduction of this bill.

The SPEAKER: The Chair is in the same state of mind as the member from Portland, Miss Laughlin. The Chair feels that if the gentleman from Woolwich (Mr. Bailey) has any point that he desires to make, inasmuch as he is interested in this matter and is a new member, he should be given a wide latitude to express his feelings on the matter. Will the gentleman step to the desk and indicate how much of the Laws of 1931 he desires read.

(At this point the gentleman from Woolwich, Mr. Bailey, consulted with the Speaker at the desk)

Mr. FARRIS: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey had the floor when we started our informal discussion here at the desk, and the Chair will have to rule that he still has it. The Chair will have to follow that up by ruling that the objections he makes to a bill which has not yet been introduced are not in order, the only question before the House being the passage of an order by a two-thirds vote to let in the bill.

The pending question is the mo-

tion of the gentleman from Augusta. Mr. Farris, that this order have passage. All those in favor of the passage of the order will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House being had.

One hundred and twenty voting in the affirmative and none in the negative, the order received passage; and on further motion by Mr. Farris, the order was sent up for concurrence.

Reports of Committees

Mr. Wright from the Committee on Appropriations and Financial Affairs on Petition of Harold H. Gammon and 15 others in favor of Stipend for Free Public Libraries (H. P. No. 1405) reported that it be placed on file.

Mr. Smith from the Committee on Indian Affairs reported same on Petition of Frederick M. Moore and 6 others favoring allowances for members of Veterans' Families (H. P. No. 1475)

Mr. Mack from the Committee on Taxation reported same on Remonstrances against the Sales Tax Bill H. P. 1684, 1685, 1686, 1688.

Mr. Mason from the same Committee reported "Ought not to pass" on Bill "An Act Imposing a License Tax on Merchants" (H. P. No. 929) (L. D. No. 320) as subject matter is covered by pending legislation.

Mr. White from same Committee reported same on Bill "An act relating to Store License Fees" (H. P. No. 15) (L. D. No. 6) as subject matter is covered by pending legislation.

Mr. Plouff from the Committee on Appropriations and Financial Affairs reported same on Bill "An act relating to the Bounty on Porcupines" (H. P. No. 573) (L. D. No. 172) as subject matter is being taken care of in another bill.

Mr. Hussey from same Committee reported same on Bill "An act relating to the Interest on Organized and Unorganized Townships Funds" (H. P. No. 572) (L. D. No. 233)

Reports read and accepted and sent up for concurrence.

Mr. Ashby from the Committee on Aeronautics and Radio Control reported same on Bill "An act relating to Aviation" (H. P. No. 1081) (L. D. No. 557)

(Tabled by Miss Martin of Bangor, pending acceptance of the report, and specially assigned for Monday, March 27).

Mr. Rea from the Committee on

Ways and Bridges on Bill "An act providing for Town Line Signs" (H. P. No. 668) (L. D. No. 200) reported same in a new draft (H. P. No. 1710) under same title and that it "Ought to pass"

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

Mr. Rounds from the Committee on Claims reported "Ought to pass" on Resolve in favor of the town of Veazie to reimburse said town of Veazie for support of Archie L. Mishio and family, State Paupers (H. P. No. 804)

Report read and accepted and the resolve ordered printed under the Joint Rules.

Passed to Be Engrossed

(S. P. 34) L. D. 696) An act relating to dealer's registration, fees for plates, etc.

(S. P. No. 348) (L. D. No. 697) An act relating to payment of tax must precede registration.

(S. P. No. 351) (L. D. No. 509) An act relating to taxation of motor vehicles.

(S. P. No. 613) (L. D. No. 990) An act to acquire the American portion of the International Bridge at Calais in Washington County and to provide for its maintenance.

(S. P. No. 622) (L. D. No. 996) An act relating to trust fund of the State Military and Naval Children's Home.

(H. P. No. 1691) (L. D. No. 1005) An act relating to hunting and trapping bear.

(H. P. No. 1692) (L. D. No. 1006) An act relative to the suspension of bounties on porcupines and hedgehogs.

(H. P. No. 1694) (L. D. No. 1008) An act appointing a Commission on Taxation.

(H. P. No. 1694) (L. D. No. 1006) An act relating to pauper settlement.

(S. P. No. 283) (L. D. No. 568) An act providing for sentences and the imposition thereof.

(H. P. No. 1632) (L. D. No. 984) An act relating to eligibility of members of city governments to certain offices.

(Tabled by Mr. Rounds of Portland, pending third reading, and specially assigned for Monday, March 27).

(S. P. No. 163) (L. D. No. 989) Resolve to repeal a resolve providing for a State pension for Carrie E. Pitch.

(S. P. No. 621) (L. D. No. 995)

Resolve in favor of the State Museum.

(S. P. No. 623) (L. D. No. 997) Resolve appropriating money for certain departmental deficiencies.

(H. P. No. 1620) (L. D. No. 962) Resolve in favor of Daniel Mahar, of Bangor.

(S. P. No. 576) (L. D. No. 866) An act reducing the compensation of State officials and employees.

(Tabled by Mr. Fernald of Winthrop, pending third reading and specially assigned for Monday, March 27).

(S. P. No. 575) (L. D. No. 863) An act to reduce salaries of county attorneys.

(H. P. 1645) (L. D. 991) "An act relative to Closed Time on Deer."

Mr. CLARKE of Cooper: I rise to a point of information. Does this deer bill just read include the amendment adopted yesterday in the House?

The SPEAKER: The gentleman from Cooper, Mr. Clarke, introduced an amendment yesterday which was adopted and it apparently includes the county of Washington.

Mr. CLARKE: All right then.

Thereupon the bill had its third reading and was passed to be engrossed as amended.

The SPEAKER: Word has come from the Senate that they have concurred in the passage of the Joint Order which passed the House a few moments ago, permitting the introduction of a bill having to do with highway matters, despite the closing order adopted earlier in the session. The bill which the gentleman from Skowhegan, Mr. Friend, offered, and the reception of which was refused under unanimous consent, has been returned to him. The Chair recognizes the gentleman from Skowhegan, Mr. Friend.

Mr. FRIEND: Mr. Speaker, I would now like to introduce this highway bill.

Thereupon the rules were suspended and Mr. Friend of Skowhegan introduced out of order bill an act to create and allocate a general highway fund for State-aid and Third-class highway construction and to temporarily suspend certain statutes.

The SPEAKER: The Chair understands that the gentleman from Skowhegan, Mr. Friend, moves that

the rules be suspended and that without reference to a committee the bill have its three several readings at this time. Does any member desire to have the whole bill read?

Mr. BAILEY of Woolwich: Mr. Speaker, I would like to have the bill read at this time.

The SPEAKER: I asked if anybody desired the whole bill read in the interest of saving time and in view of the explanation given by the gentleman from Skowhegan, Mr. Friend, as to the changes made in it from the other bill. Does the gentleman from Woolwich (Mr. Bailey) desire to have the Clerk read the entire bill?

Mr. BAILEY: I do, Mr. Speaker.

Mr. FARRIS of Augusta: Mr. Speaker, I move that the rules be suspended and the reading of the bill be dispensed with.

The motion prevailed, and the first reading of the bill was dispensed with.

The SPEAKER: Second reading and by title only if there is no objection.

Mr. SANBORN of Baldwin: Mr. Speaker, may I ask the changes made in the bill?

The SPEAKER: Will the gentleman from Winthrop, Mr. Jones, explain the changes?

Mr. JONES: The only practical change is, Mr. Speaker, that section eight, which the Supreme Court ruled unconstitutional is eliminated.

The SPEAKER: Does that answer the inquiry of the gentleman from Baldwin?

Mr. SANBORN: Yes, Mr. Speaker.

Thereupon the bill had its second reading by title only.

Mr. FARRIS: Mr. Speaker, I move that the rules be suspended, the bill be given its third reading and be passed to be engrossed.

The SPEAKER: The Chair understood that the gentleman from Skowhegan, Mr. Friend, made the same motion a few moments ago.

Mr. BAILEY: Mr. Speaker, may I speak at this time? The question was asked some time ago with regard to the special resolves in the event this bill was not passed and you all know the answer that was given. I would like to read at this time the Statute on that, which I would like to have the people understand, and that is in the Revised Statutes. It speaks of a mill

tax, that there shall be an annual appropriation which will take care of all the different classes. In 1931, in the road program as it was set up, among the different things is for Registration of Motor Vehicles, Highway Police, State Highway Commission, expense of say \$190,000 for administration, prepayment and rebate of tax, \$150,000 annually for defraying appropriations for highway and bridge construction by a special legislative resolve, \$2,700,000 for State-aid construction, \$700,000 for Third-class, the remainder for State-aid and for removal of snow.

This is an act which has been in effect for some time, and, as I say, there have been certain statements made around the House lately that if this new bill was not adopted, we should lose the different sections as has been stated. Of course there is no use going into any lengthy talk over this, but we all know that if this bill is not approved we will go on just the same as we have been.

Mr. SCATES: Mr. Speaker, may I say that the present bill has nothing whatever to do with special resolves. That bill will come in later.

Mr. SMITH of Masardis: Mr. Speaker, may I ask a question?

The SPEAKER: Certainly.

Mr. SMITH: Is this any time to block in any way this road program?

The SPEAKER: Well, you don't want me to answer that? (Laughter). Will you inquire specifically of some member of the House?

Mr. SMITH: I would like to know if anyone can answer.

The SPEAKER: Can the gentleman from Woolwich, Mr. Bailey, answer that question?

(There was no response by the gentleman).

The SPEAKER: The Chair does not want you to interpret that question as reflecting on the motives of the gentleman from Woolwich, Mr. Bailey, at all, and do not so interpret it. The gentleman from Masardis, Mr. Smith, apparently inquires of the gentleman from Woolwich, Mr. Bailey, his purpose in raising objection to the introduction of this bill.

Mr. BAILEY: Mr. Speaker, I can make the same statement which I have already made that if this bill was not carried through, the road program would go on just the same.

The SPEAKER: Does that answer the gentleman's inquiry?

Mr. SMITH: May I make a statement?

The SPEAKER: The bill has had its two readings and is about to have its third. It is debatable.

Mr. SMITH: For any member or members in this House to attempt to block a matter so important as this at this time when so many of us are needed at our homes, seems to me unfair to this House and every member of it.

Thereupon the bill had its third reading and was passed to be engrossed, without reference to a committee.

On motion by Mr. Friend of Skowhegan, 500 copies ordered printed.

Passed to Be Enacted

(S. P. No. 85) (L. D. No. 100) An act relating to assessments by insurance companies for a surplus fund

(S. P. No. 86) (L. D. No. 101) An act relating to insurances licenses.

(S. P. No. 320) (L. D. No. 525) An act relating to forcible entry and detainer.

(S. P. No. 549) (L. D. No. 816) An act relating to the War Bond Sinking Fund.

S. P. No. 571) (L. D. No. 853) An act to regulate the distribution of public funds to hospitals.

(S. P. No. 584) (L. D. No. 904) An act relating to returns of telephone and telegraph companies and apportionment of tax.

(S. P. No. 586) (L. D. No. 906) An act to provide for the appointment of additional justices of the Supreme Judicial or Superior Courts in cases where any Justice thereof is totally and permanently disabled.

(H. P. No. 158) (L. D. No. 635) An act to amend the charter of Northport Wesleyan Grove Camp Meeting Association.

(H. P. No. 665) (L. D. No. 299) An act relating to taxation of motor vehicles.

(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. 821) (L. D. No. 682) An act relating to Superintendents of Schools.

(H. P. No. 1127) (L. D. No. 590) An act relating to corrupt agreements by attorneys and others.

(H. P. No. 1590) (L. D. No. 913)

An act relating to notice of taxable property.

Finally Passed

(H. P. No. 1532) (L. D. No. 850)
Resolve relating to fishing in Great Pond, in Belgrade Chain of Lakes.

Passed to Be Enacted

(Emergency Measures)

S. P. 300, L. D. 917: Resolve appropriating money for anticipated overdrafts for which no legislative appropriation has been made, and to provide for carrying on the activities of departments and institutions for the remaining months of the fiscal year ending June 30, 1933.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the final passage of this resolve 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 twenty-eight voting in the affirmative and none in the negative, the resolve was finally passed.

S. P. 585, L. D. 905: An act relating to continuing accounts in departments supported by direct appropriations.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds 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 twenty-one voting in the affirmative and none in the negative, the bill was passed to be enacted.

H. P. 1578, L. D. 880: An act relative to reduction sentence convicts in State prison.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of this body. All those in favor of the passage of this 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 twenty-four voting in the affirmative and none

in the negative, the bill was passed to be enacted.

H. P. 1591, L. D. 914: An act to provide for further issuance of State bonds.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds 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 twenty-three voting in the affirmative and none in the negative, the bill was passed to be enacted.

Orders of the Day

The Chair lays before the House the first matter tabled and today assigned, House report ought not to pass of the committee on Claims on resolve in favor of Como Monumental Works, H. P. 191, tabled on March 21 by the gentleman from Auburn, Mr. Flanders, pending acceptance; and the Chair recognizes that gentleman.

Mr. FLANDERS: Mr. Speaker, I move that this matter lie on the table until next Tuesday.

The SPEAKER: The gentleman from Auburn, Mr. Flanders, moves that the resolve and accompanying report lie on the table and be specially assigned for next Tuesday. All those in favor will say aye; contrary minded no.

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

Mr. FLANDERS: Mr. Speaker, I asked special assignment for next Tuesday because I have not been able to get a meeting of the committee, which I was promised the first of the week. That is the reason I asked for assignment for next Tuesday.

On motion by Mr. Stern of Biddeford, the House voted to reconsider the resolve and accompanying report and that the matter be tabled and specially assigned for Tuesday, March 28.

The Chair lays before the House the second matter tabled and today assigned, House report ought not to pass of the committee on Taxation on bill an act relating to taxation of Auxiliary State Forests, H. P. 1068, L. D. 453, tabled on March 21 by the gentleman from Baldwin, Mr. Sanborn, pending ac-

ceptance; and the Chair recognizes that gentleman.

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

The Chair lays before the House the third matter tabled and today assigned, bill an act relating to bounty on bears, H. P. 1027, L. D. 461, tabled on March 21 by the gentleman from Caratunk, Mr. Sterling, pending assignment for third reading; and the Chair recognizes that gentleman.

On motion by Mr. Sterling, under suspension of the rules, the bill had its third reading and was passed to be engrossed.

The Chair lays before the House the fourth matter tabled and today assigned, House Amendment A, L. D. 874, and House Amendment A to House Amendment A, L. D. 874, to bill an act relative to the trial terms of the Superior Court, H. P. 32, L. D. 95, tabled on March 21 by the gentleman from South Portland, Mr. Hill, pending adoption; and the Chair recognizes that gentleman.

Mr. Hill offered House Amendment B to House Amendment A and moved its adoption, as follows:

House Amendment B to House Amendment A to House Paper 32, Legislative Document 95, bill an act relative to the Trial Terms of the Superior Court.

Amend said amendment by striking out the paragraph relating to Oxford County, reading as follows: "Oxford, at Paris, on the second Tuesday of February and the second Tuesday of November, and at Rumford on the second Tuesday of May" and insert in place thereof the following: "Oxford, at Rumford, on the first Tuesday of March, and at Paris on the first Tuesday of November and on the second Tuesday of June."

Thereupon, House Amendment B to House Amendment A was adopted.

Mr. Bushey of Waterville, offered House Amendment C to House Amendment A and moved its adoption, as follows:

House Amendment C to House Amendment A to House Paper 32, Legislative Document 95, bill an act relative to Trial Terms of the Superior Court.

Amend said amendment by inserting after word "October" in the

twenty-first line of said amendment the following words: 'and at Waterville on the first Tuesday of December.'

The SPEAKER: Does the gentleman desire to speak on the amendment?

Mr. BUSHEY: I would like to, Mr. Speaker and members of the Legislature, I am offering an amendment which will preserve for us our one term of the Superior Court in Waterville. This term of court is of convenience to lawyers and people who have business in court and who reside in the northern half of Kennebec County. It serves in excess of 30,000 people and is not only a convenience to them but enables them to conduct their court business at less expense. There is no reason why this term should be eliminated. The saving to the county is negligible compared to the convenience and the saving to the people served by the Waterville term.

For years the judges, or at least some of them, have endeavored to have this term discontinued because it is not so convenient for them. The convenience of the people of a large section of Kennebec County is of greater importance. This term should be continued and I earnestly ask the House to act favorably on my amendment.

Mr. FARRIS of Augusta: Mr. Speaker, this bill was before the Judiciary Committee, and hearing was held after it was advertised. This bill was drafted by lawyers and judges to meet the requirements of each county. It was the consensus of opinion of the judges and attorneys in Kennebec County that the Waterville term was unnecessary.

Years ago, when the Waterville term was provided for by statute, there were no automobiles, and it was considered quite a distance to Augusta, especially in the spring and fall when the roads were in bad condition. Now under our modern means of transportation it takes about thirty or thirty-five minutes to drive from Waterville to Augusta. The expense of taking the court records, and providing transportation for the officers and clerks to go up there during this term of court is considerable, and it would be a saving to Kennebec County and to the State to have all terms in Augusta, the county seat, where the courthouse is located and the court records are

filed. This is one reason why the original draft of the bill eliminated the Waterville term.

I know that this bill met with the approval of the members of the Kennebec Bar, and also the judges, who had something to do with outlining the bill. It was taken up by the Judicial Council, which considered the different terms of court in the various counties.

I understand there are some amendments to the bill to change the terms in some of the counties which were not satisfactory to members of the local Bars. It seems to me at this time that this Legislature should not require the court to hold a term in Waterville in the month of December. Considering the condition of the roads, and the automobile as a means of transportation, all terms should be held in Augusta, and under present conditions it is more convenient to go from Waterville to Augusta than it was, a few years ago, to travel a few miles. I am opposed to this amendment, and I hope it will not receive a passage, because it upsets the whole bill as it was reported ought to pass by the Judiciary Committee.

Mr. BERRY of Waterville: Mr. Speaker, as a representative of the city of Waterville, I want to go on record as stating that I see no reason why Waterville should be debarred from this term of court. We had it for a number of years. It was a great convenience to the public. The county of Kennebec gets as much business out of the city of Waterville as any other municipality or county, and I, for one, see no reason why we should not be allowed to have this term of court in Waterville in December. The former speaker spoke about the road condition. It is just as good for the people of Augusta to come to Waterville as for the people of Waterville to come to Augusta; there is no difference.

Now in regard to some features, I understood, when this bill was reported in the committee, that it was heard properly and so forth and so on and that there were some attorneys who were considered

to have been in favor of this bill, but at this time they have changed their mind. It would be a hardship for the northern end of this county to come to Augusta when this term of court could be holden in Waterville, and I for one want to go on record as representing that part of the county. I hope the amendment has passage.

Mr. FARRIS: Mr. Speaker, the main reason for eliminating the Waterville term was because the courthouse is located here in Augusta, and when we have the court in Waterville, in December, we have to hire a hall up there, have court in the Elks Hall, and that is considerable expense. It is also necessary to move the records. It seems to me we should have known these things when the bill was before the Judiciary Committee instead of their changing their minds after the bill is ready for enactment. I hope the members will vote for the bill as it is without Amendment C.

The SPEAKER: The question is on the adoption of House Amendment C to House Amendment A. All those in favor of the adoption of House Amendment C will say aye; contrary minded no.

A viva voce vote being taken, the amendment failed of adoption.

The SPEAKER: The question now is on the adoption of House Amendment A as amended by House Amendments A and B to House Amendment A.

Thereupon, House Amendment A, as amended by House Amendments A and B thereto was adopted.

The SPEAKER: Is it now the pleasure of the House that this bill as amended by House Amendment A, which was further amended by House Amendment A and House Amendment B to House Amendment A be passed to be engrossed.

Thereupon, the bill as amended, was passed to be engrossed.

On motion by Mr. Sterling of Caratunk, a viva voce vote being taken,

Adjourned until Monday, March 27th, at 4:00 P. M.