

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March 20, 1935.

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

Prayer by the Rev. Mr. Lowell of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Judiciary reporting ought not to pass on bill an act relating to pauper settlement of Indians, S. P. 381, L. D. 398.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

Senate Bills in First Reading

S. P. 626, L. D. 757: Resolve proposing an amendment to the Constitution to provide longer residence to qualify as a voter.

S. P. 629, L. D. 763: An act creating a State Park Commission.

S. P. 630, L. D. 764: An act relating to the regulation of eating and lodging places.

S. P. 631, L. D. 766: An act relating to health.

S. P. 326, L. D. 758: Resolve relative to fishing in the Kennebec river.

S. P. 414, L. D. 535: An act relating to secret ballot at town meetings.

S. P. 95, L. D. 765: An act to enable domestic mutual fire insurance companies to obtain and from the Federal Intermediate Credit Bank.

S. P. 395, L. D. 421: An act relative to the operation by railroad corporations of certain auxiliary services.

From the Senate: Report of the Committee on Legal Affairs reporting ought not to pass on bill an act relating to licenses for retail stores.

Comes from the Senate the bill substituted for the report and indefinitely postponed.

In the House, on motion by Mr. Davis of Fairfield, that body voted to substitute the bill for the report and indefinitely postpone in concurrence.

From the Senate: Report of the Committee on Judiciary reporting ought to pass on bill an act relating to optometry, S. P. 162, L. D. 93.

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

In the House, on motion by Mr. Mace of Augusta, the bill and amendment were tabled, pending acceptance of the report, and specially assigned for Friday, March 22.

From the Senate: Bill an act to confer additional rights and powers upon East Branch Improvement Company, S. P. 285, L. D. 316, which was recalled to the Senate from the Committee on Interior Waters pursuant to joint order.

Comes from the Senate, indefinitely postponed in non-concurrence.

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

From the Senate: Report of the Committee on Legal Affairs reporting ought not to pass on bill an act relating to use of materials in construction of public projects, H. P. 598, L. D. 174, on which the bill was substituted for the report in the House on March 13th, and passed to be engrossed.

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

In the House:

Mr. SLEEPER of Rockland: Mr. Speaker, in the latest development of this bill it was said that preference already was being given to Maine materials. While I do not agree with this in the past year, I trust that sufficient pressure has been brought to bear so that preference will be given to Maine materials. I can assure you that we will watch with a great deal of interest the contracts given out in the next two years. Therefore, it is with a mixed feeling of pleasure and pain that I move that we recede and concur with the Senate in the acceptance of the report.

The motion prevailed, and the ought not to pass report was accepted in concurrence.

Mr. WENTWORTH of Kennebunk: Mr. Speaker, may I have permission to make an announcement?

The SPEAKER: If there is no objection the gentleman may proceed.

Mr. WENTWORTH: Mr. Speaker and members of the House: I wish to announce that the Committee on Maine Publicity will hold a meeting in the hall of the House this afternoon at 3:30, putting on a radio

program from New York. The purpose of this program is to advertise the State. We want you to come and listen. We hope that this radio program, going out from the Maine Legislature, will be a great aid in the matter of advertising Maine. We hope that you will all come.

Reports of Committees

Mr. Clarke from the Committee on Agriculture reported ought not to pass on bill an act to regulate the sale of fuel oil (H. P. No. 1295) (L. D. No. 608)

Mr. Devereux from the Committee on Claims reported same on resolve in favor of Paul Fortier and Jeannette Fortier (H. P. No. 965)

Mr. MacKenzie from the Committee on Inland Fisheries and Game reported same on bill an act relative to the sale of deer (H. P. No. 1125) (L. D. No. 301)

Mr. Thompson from same Committee reported same on bill an act relative to hunting on Sunday (H. P. No. 448) (L. D. No. 131)

Mr. Davis from same Committee reported same on bill an act relating to hunting on Sunday (H. P. No. 339) (L. D. No. 109)

Mr. Gray from the Committee on Judiciary reported same on bill an act relating to uniform amendments to uniform sales act (H. P. No. 1313) (L. D. No. 569)

Mr. Jacobson from same Committee reported same on bill an act relating to registration of chiropractors (H. P. No. 1348) (L. D. No. 585)

Same gentleman from same Committee reported same on bill an act relating to fees for registration of motor vehicles (H. P. No. 39) (L. D. No. 12)

(Tabled by Mr. Clarke of Cooper, pending acceptance of the report and specially assigned for Wednesday, March 27)

Same gentleman from same Committee reported same on bill an act relating to practice of optometry (H. P. No. 1262) (L. D. No. 466)

Same gentleman from same Committee reported same on resolve relative to establishing a "County Poor Farm" (H. P. No. 1329) (L. D. No. 582)

Mr. Philbrick from same Committee reported same on bill an act relating to towns and town officers (H. P. No. 1241) (L. D. No. 555)

Same gentleman from same Committee reported same on bill an act in relation to new trials and vacat-

ing judgments (H. P. No. 1183) (L. D. No. 389)

Mr. Vaughan from same Committee reported same on bill an act relating to the exemption of personal property from attachment (H. P. No. 1324) (L. D. No. 577)

(Tabled by Mr. Sawyer of Brunswick, pending acceptance of the report, and specially assigned for Wednesday, March 27)

Mr. Weatherbee from same Committee reported same on memorial to Congress relating to subversive influences (H. P. No. 1461)

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

Mr. HILL of South Portland: Mr. Speaker, may I ask leave to say a few words?

The SPEAKER: If there is no objection the gentleman may.

Mr. HILL (continuing): Sometime ago the gentleman from Westbrook (Mr. Scates) made a suggestion that when these matters are laid upon the table, the member who moves that they be tabled, so far as possible, assign some date certain for their further consideration. It seems to me that as we go along that this ought to be carried out insofar as we can and I hope that in order to expedite the business of the House and to prevent the Calendar from becoming too greatly congested that the members may hereafter have these matters specially assigned for some date certain.

Reports of Committees

(continued)

Mr. Willey from the Committee on Judiciary reported ought not to pass on bill an act relating to the returns of town assessors and to the duties of the board of equalization (H. P. No. 1206) (L. D. No. 454)

Mr. Burnham from the Committee on Legal Affairs reported same on bill an act relating to the charter of the city of Waterville (H. P. No. 1077) (L. D. 413)

Mr. Sawyer from same Committee reported same on bill an act relating to State planning and development (H. P. No. 1331) (L. D. No. 539)

Mr. Shaw from the Committee on Library reported same on resolve for the printing of "A Guide to Maine Local History" (H. P. No. 602)

Mr. Noyes from the Committee

on Mercantile Affairs and Insurance reported same on bill an act defining membership in mutual fire insurance companies (H. P. No. 1150) (L. D. No. 370)

Mr. Bubar from the Committee on Public Health reported same on bill an act to register and license persons engaged in the practice of barbering and to create a Board of Barber Examiners (H. P. No. 1347) (L. D. No. 598)

(Tabled by Mr. Dorr of Mexico, pending acceptance of the report and specially assigned for Tuesday, March 26.)

Mr. Hathorn from the Committee on Public Utilities reported same on bill an act relating to the Public Utilities Commission. (H. P. No. 1351) (L. D. No. 589)

(Tabled by Mr. Leonard of Hampden, pending acceptance of the report, and specially assigned for Friday, March 22.)

Mr. Lewis from the Committee on Sea and Shore Fisheries reported same on bill an act regulating the buying, selling and transporting of clams. (H. P. No. 1284) (L. D. No. 505)

Same gentleman from same Committee reported same on resolve relating to taking and sale of clams in Scarborough. (H. P. No. 859) (L. D. No. 297)

Same gentleman from same Committee reported same on bill an act to regulate the shipment of clams outside the State during certain periods. (H. P. No. 1079) (L. D. No. 322)

Mr. Wentworth from the Committee on Sea and Shore Fisheries reported same on bill an act relating to the propagation and cultivation of quahaugs. (H. P. No. 703) (L. D. No. 223)

Mr. Richardson from same Committee reported same on resolve relating to smelt fishing in Steuben Bay and Joy's Bay. (H. P. No. 1081) (L. D. No. 324)

Mr. Hill from the Committee on Judiciary on bill an act permitting the State to be sued for refund of inheritance taxes (H. P. No. 1207) (L. D. No. 455) reported that same be referred to 88th Legislature.

Mr. Willey from same Committee on bill an act to incorporate the Consolidated Mortgage Company. (H. P. No. 830) (L. D. No. 238)

Reports read and accepted and sent up for concurrence.

Mr. Patterson from the Committee on Appropriations and Finan-

cial Affairs on bill an act relating to aid to libraries, expenses of State Historian, compensation and expenses of Geologist, topographic mapping and abolishment of grade crossings (H. P. No. 689) (L. D. No. 233) reported same in a new draft (H. P. No. 1768) under same title and that it ought to pass.

Mr. Mosher from the Committee on Claims on resolve in favor of Bessie M. Dunton of Moscow (H. P. No. 964) reported same in a new draft (H. P. No. 1769) under same title and that it ought to pass.

Mr. Hall from the Committee on Education on bill an act to amend the law relating to teachers' pensions (H. P. No. 690) (L. D. No. 231) reported same in a new draft (H. P. No. 1770) under same title and that it ought to pass.

Mr. Burnham from the Committee on Legal Affairs on resolve extending charter of Blue Hill Water Company (H. P. No. 1340) (L. D. No. 547) reported a bill (H. P. No. 1757) under title of an act to extend the charter of the Bluehill Water Company and that it ought to pass.

Mr. Donahue from same Committee on bill an act to incorporate the Lincoln Water District (H. P. No. 1064) (L. D. No. 404) reported same in a new draft (H. P. No. 1771) under same title and that it ought to pass.

Mr. Austin from the Committee on Public Health on bill an act for the regulation of cosmetics (H. P. No. 1155) (L. D. No. 374) reported same in a new draft (H. P. No. 1772) under same title and that it ought to pass.

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

Same gentleman from same Committee on bill an act relating to apothecaries and sale of poisons (H. P. No. 1349) (L. D. No. 586) reported same in a new draft (H. P. No. 1773) under same title and that it ought to pass.

(Tabled by Mr. Demers of Sanford, pending acceptance of the report and the new draft ordered printed, and specially assigned for next Tuesday, March 26th.)

Mr. Wentworth from the Committee on Sea and Shore Fisheries reported ought to pass on resolve regulating smelt fishing in Abagadasset river. (H. P. 1159)

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

First Reading of Printed Bills and Resolves

(H. P. No. 1758) (L. D. No. 778) An act relating to pauper expense. of Brewer

(H. P. No. 1759) (L. D. No. 779) An act to designate New Year's Day as a legal holiday

(H. P. No. 1760) (L. D. No. 780) An act relating to pauper expense

(H. P. No. 1761) (L. D. No. 781) An act relating to a Superintending School Committee for the town of Mount Desert

(H. P. No. 1763) (L. D. No. 782) An act relating to women prisoners

(H. P. No. 701) (L. D. 783) Resolve for the purchase of one hundred copies of "The First Century of the Town of Naples"

(H. P. No. 1630) (L. D. No. 784) Resolve authorizing the Forest Commissioner to sell lands in Penobscot County

(H. P. No. 1753) (L. D. No. 785) Resolve in favor of Richard Clayton French of Carmel

(H. P. No. 1754) (L. D. No. 786) Resolve relative to the taking of smelts for food purposes from Crooked and Songo Rivers and Batchelder Brook

(H. P. No. 1755) (L. D. No. 787) Resolve regulating ice fishing in Pleasant, Mud and Horseshoe Ponds, Cobbosseecontee Stream and the Tacoma Chain of Lakes in the counties of Kennebec and Sagadahoc

(H. P. No. 1756) (L. D. No. 788) Resolve regulating fishing in tributaries to Pleasant Pond in Kennebec and Sagadahoc Counties

(H. P. No. 1762) (L. D. No. 789) Resolve relative to the digging of claims in Mount Desert

Passed to be Engrossed

(H. P. No. 304) (L. D. No. 74) An act to incorporate the town of Bucksport School District

(Tabled by Mr. Burnham of Kittery, pending passage to be engrossed, and specially assigned for tomorrow morning)

(H. P. No. 1146) (L. D. No. 334) An act to incorporate the Eastport Cemetery Corporation

(Tabled by Mr. Stoddard of Eastport, pending third reading, and specially assigned for Tuesday, March 26th)

(H. P. No. 1647) (L. D. No. 725) An act relating to the procurement of medical services, physicians and surgeons for injured employees under the Workmen's Compensation Act

(Tabled by Mr. Willey of Falmouth, pending third reading, and

specially assigned for Tuesday, March 26th)

(H. P. No. 1750) (L. D. No. 767) An act relating to Sealers of Weights and Measures

(Tabled by Mr. Lindsey of East Machias, pending third reading and specially assigned for Friday, March 22nd)

(H. P. No. 1751) (L. D. No. 768) An act relative to the countersignature of all insurance policies and bonds

(Tabled by Mr. Dennett of Sebago, pending passage to be engrossed and specially assigned for tomorrow morning)

(H. P. No. 1752) (L. D. No. 769) An act relating to delinquency in payment of insurance assessments

(H. P. No. 1767) An act to incorporate the town of Leeds School District

(H. P. No. 1744) (L. D. No. 770) Resolve in favor of Norris Wescott of Prospect

(H. P. No. 1745) (L. D. No. 771) Resolve in favor of Lang Plantation

(H. P. No. 1746) (L. D. No. 772) Resolve relating to the dipping of smelts in Mousam Lake in the towns of Acton and Shapleigh

(H. P. No. 1747) (L. D. No. 773) Resolve relative to closing Armstrong Brook and tributaries to said brook to all fishing

(H. P. No. 1748) (L. D. No. 774) Resolve relative to smelt fishing in China Lake

(H. P. No. 1749) (L. D. No. 775) Resolve relating to fishing in North Pond.

The SPEAKER: The Chair will request the members to remain in their seats because there are emergency matters to be voted upon.

Passed to be Enacted

(Emergency Measures)

S. P. 284, L. D. 315: An act relating to incorporating the Madawaska Log Driving Company.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected 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-five voting in the affirmative and one in the negative, the bill was passed to be enacted.

H. P. 1639, L. D. 729: An act concerning security for loans to farmers and others.

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

On motion by Mr. Findlen of Fort Fairfield, it was voted that this bill be sent to the Senate forthwith.

The SPEAKER: Again the Chair requests the members of the House to remain in their seats.

Finally Passed

(Emergency Measures)

H. P. 1049, L. D. 699: Resolve closing to all fishing Upper and Lower Hathon Bogs and Massachusetts Bog in Franklin county.

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-one voting in the affirmative and none in the negative, the resolve was finally passed.

H. P. 1604, L. D. 691: Resolve relating to ice fishing in Eagle and St. Froid Lakes.

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 thirty voting in the affirmative and none in the negative, the resolve was finally passed.

Passed to be Enacted

(S. P. No. 139) (L. D. No. 55)
An act for use of temporary number plates

(S. P. No. 164) (L. D. No. 658)
An act to repeal acts incorporating the town of Concord

(S. P. No. 238) (L. D. No. 715)
An act to extend the charter of Kennebec Reservoir Company

(S. P. No. 290) (L. D. No. 256)
An act relative to fees for registration of vehicles

(S. P. No. 304) (L. D. No. 713)
An act relating to Deputy Clerk of Courts in Penobscot County

(S. P. No. 319) (L. D. No. 351)
An act relating to duties and functions of the Maine State Pomological Society

(S. P. No. 458) (L. D. No. 657)
An act relating to temporary loans by County Commissioners

(S. P. No. 550) (L. D. No. 712)
An act to authorize the acceptance of a surety company bond in lieu of bail bonds or other sureties

(S. P. No. 551) (L. D. No. 711)
An act relating to offenses against habitations and other buildings

(S. P. No. 552) (L. D. No. 714)
An act relating to clerk hire in Penobscot County

(S. P. No. 554) (L. D. No. 720)
An act relating to transportation of poultry

(S. P. No. 556) (L. D. No. 724)
An act relating to exemptions

(H. P. 97) (L. D. 27) An act relating to the packing of sardines.

(H. P. 600) (L. D. 671) An act to repeal the organization of the Plantation of Lang.

(H. P. 698) (L. D. 219) An act to extend the charter of the Patten Water and Power Company.

(H. P. 699) (L. D. 220) An act to extend the charter of the Vanceboro Water Company.

(H. P. 776) (L. D. 275) An act relative to dogs hunting moose, caribou, deer or elk or worrying domestic animals.

(H. P. 851) (L. D. 295) An act to provide for the surrender by town of Mount Chase of its organization.

(H. P. 854) (L. D. 693) An act relative to the salary of the Recorder of the Yorkshire Municipal Court.

(H. P. 1128) (L. D. 327) An act to authorize the erection and maintenance of a dam across Spruce Creek in the town of Kittery.

(H. P. 1213) (L. D. 460) An act relating to corporations without capital stock.

(H. P. 1603) (L. D. 692) An act relative to trapping in York County.

(H. P. 1628) (L. D. 708) An act relating to forcible entry and detainment.

(H. P. 1632) (L. D. 727) An act relating to poultry.

(H. P. 1637) (L. D. 728) An act relative to Game Preserve in York County.

(H. P. 1640) (L. D. 730) An act relating to bail commissioners.

(H. P. 1645) (L. D. 731) An act to authorize the town of Whiting to withdraw from the Maine Forestry District.

Finally Passed

(S. P. 271) (L. D. 722) Resolve in favor of the First National Bank of Houlton, Maine.

(S. P. 275) (L. D. 748) Resolve in favor of Harold F. Wing of Bingham

(S. P. 277) (L. D. 718) Resolve relative to open season on pheasants.

(S. P. 281) (L. D. 717) Resolve relating to ice fishing for perch in Orneville Ponds, or Boyd Lakes.

(S. P. 282) (L. D. 716) Resolve relating to ice fishing in Summet Pond.

(S. P. 325) (L. D. 721) Resolve in favor of Edwin T. Clifford.

(S. P. 555) (L. D. 723) Resolve relating to plug fishing in Howard's Lake.

(H. P. 182) (L. D. 707) Resolve in favor of Daisy B. Blackman, widow of the late Reuben Blackman.

(H. P. 665) (L. D. 749) Resolve in favor of the town of Canton.

(H. P. 768) (L. D. 732) Resolve in favor of John K. Forhan of Canton.

(H. P. 781) (L. D. 706) Resolve relative to fishing in C. Pond.

(H. P. 789) (L. D. 705) Resolve relating to fishing in Pleasant River and Hapgood Brook.

(H. P. 790) (L. D. 704) Resolve relating to fishing in Songo Pond.

(H. P. 791) (L. D. 703) Resolve relating to fishing in Round Pond.

(H. P. 794) (L. D. 702) Resolve relative to white perch fishing in Lake Anasagunticook.

(H. P. No. 795) (L. D. No. 701) Resolve closing the tributaries of Lake Anasagunticook to smelt fishing.

(H. P. No. 1048) (L. D. No. 700) Resolve relative to regulating fishing in certain Somerset and Franklin County waters.

(H. P. No. 1050) (L. D. No. 698) Resolve relating to fishing in Lake Auburn.

(H. P. No. 1051) (L. D. No. 697) Resolve relating to fishing in Taylor Pond

(H. P. No. 1052) (L. D. No. 696) Resolve relating to fishing in Upper Range Pond.

(H. P. No. 1107) (L. D. No. 733) Resolve in favor of Arthur G. Thombs of Castine.

(H. P. No. 1246) (L. D. No. 734) Resolve in favor of the Danforth Water Company.

(H. P. No. 1303) (L. D. No. 735) Resolve in favor of William Burgess of Waterville.

(H. P. No. 1487) (L. D. No. 664) Resolve appropriating money to complete the fish way at Aroostook Falls.

(H. P. No. 1627) (L. D. No. 710) Resolve relating to smelt fishing in St. Croix River.

(H. P. No. 1633) (L. D. No. 736) Resolve in favor of the town of Castine.

(H. P. No. 1634) (L. D. No. 737) Resolve in favor of Harvey I. Dillingham for damage inflicted to sheep by dogs.

(H. P. No. 1635) (L. D. No. 738) Resolve in favor of Augustus S. Burke and R. Bourbeau of Fairfield, to compensate them for land taken for sewer appurtenant to Central Maine Sanatorium.

(H. P. No. 1636) (L. D. No. 739) Resolve relating to fishing in Round and Long Ponds in Livermore.

(H. P. No. 1641) (L. D. No. 741) Resolve authorizing the Forest Commissioner to sell certain public lots in Webster Plantation, in Penobscot County.

(H. P. No. 1642) (L. D. No. 742) Resolve authorizing the Forest Commissioner to convey certain land in Drew to Josephine Morse.

(H. P. No. 1643) (L. D. No. 743) Resolve authorizing the sale of State's interest in certain lands.

(H. P. No. 1644) (L. D. No. 744) Resolve empowering and directing the Forest Commissioner to convey a lot of land in Wallagrass Plantation.

(H. P. No. 1646) (L. D. No. 745) Resolve permitting the United States Government to purchase certain lands in the State.

(H. P. No. 1709) (L. D. No. 751) Resolve in favor of C. Herbert Perry.

(H. P. No. 1712) Resolve relating to fishing in Carrabassett River.

Orders of the Day

The SPEAKER: The Chair announces the appointment of the committee of Conference on bill an act relative to salaries of State officials and employees, H. P. 1353, L. D. 507, as follows: The gentleman from Bath, Mr. Sewall, the gentleman from Auburn, Mr. Flanders, and the gentleman from Belfast, Mr. Thompson.

The Chair lays before the House the first matter tabled and today assigned, majority report ought not to pass and minority report ought to pass of the committee on Legal Affairs on bill an act to permit Sunday movies, H. P. 841, L. D. 243, tabled on March 13th by the gentleman from Portland, Mr. Bramson, pending motion of Mr. Stilphen of Dresden to accept the majority report; and the Chair recognizes the gentleman from Portland, Mr. Bramson.

Mr. BRAMSON: Mr. Speaker and members of the House: In speaking against the acceptance of the majority report I shall attempt to be very brief. This subject is one that covers a wide territory and will consume a lot of time. I will attempt to hit the high lights.

As you all know, there is a statute on our book which says that: "Whoever on the Lord's Day . . . uses any sport, game or recreation; or is present at any dancing, public diversion, show, or entertainment, encouraging the same, shall be punished by a fine . . ."

I believe that here in Maine we should tend to liberalize the so-called Blue Law, because many of us would be guilty of these crimes on any Sunday. Many of the states in the country have done so. Take our own New England states: New Hampshire permits Sunday movies; Connecticut permits Sunday movies; Massachusetts,—and I understand that Pennsylvania has just passed a law permitting the operation of Sunday movies.

This bill, however, does not call for a State-wide operation of Sunday movies. It permits each town and city to choose whether in their respective towns Sunday movies shall be prohibited or carried on.

Now it is my contention that we in the State of Maine cater to the tourist trade, and as a result of catering to the tourist trade we have got to liberalize our laws so

that the tourists can come down here and enjoy themselves.

Our newspapers stress the recreational facilities of our State; we spend thousands of dollars each year to publicize the fact that we are a vacation State. You have heard the gentleman from Kennebunk (Mr. Wentworth) today announce that there will be a radio program this afternoon, setting forth that Maine is a recreational State. Before this Legislature adjourns we will have before us several bills in which we will be asked to donate additional expenditures to explain the State of Maine and its recreational facilities; and I say to you that all of that publicity, all of that advertising, is of no avail unless we set out that the State of Maine is as liberal as the other recreational states, that it is just as liberal as New Hampshire, that it is just as liberal as Florida. In order to do this, we should let the people in our respective towns decide, and that is what this bill calls for.

In the city of Portland, recently, this question was laid before the people by a certain newspaper that printed a ballot, and all those in favor or against the bill were given an opportunity to decide whether they were in favor or against Sunday movies. Over a period of ten days about five hundred ballots came in. There were three hundred and twenty-five in favor, and one hundred and forty-two against. So the city of Portland, as far as I can understand, is in favor of this bill.

That brings up another point: If the city of Portland is in favor of this bill, or any other community, I think it very unfair for some members of small communities to dictate what the city of Portland desires. This bill takes care of that point. Each community shall have the right to decide whether they want Sunday movies or whether they do not want them.

Now there has been some question on the mora' issue. That is quite a subject, and covers a wide field. I cannot see anything different in Sunday movies from riding in an automobile or playing golf. As far as the moral issue is concerned, I think that can be easily done away with; but all in all, I feel that Maine, in its position as a tourist State, holding itself out to the public as a tourist State, should go on record as say-

ing: "Mr. Tourist, if you come down here, you will have the same advantages here in the State of Maine that you have in New Hampshire and that you have in Massachusetts." You can say to this tourist: "We do not give you Sunday movies here," and he is going to ask you why. We have got to go on record and show we are just as liberal in this State as our neighbors. Mr. Speaker, in voting on this question I move that there be a division of the House.

Mr. DONAHUE of Biddeford: Mr. Speaker and members of the House: As a member of the Legal Affairs committee who signed the minority report ought to pass on this bill, I feel it my duty to give to you briefly my reason for so doing.

At the hearing, it is true, we did not have a working man in the State present as a proponent, and it is true that we did not have the tourists who annually come into the State of Maine present at the hearing, as proponents of this bill, yet I say to you that in many communities of this State, in many communities wherein there are summer resorts, there is a public demand for this bill.

In opposition we had a representative of the churches who greatly stressed the moral issue. I say, members, that if the moral fibre of the youth of the State of Maine is not disrupted by going to movies on any other day but Sunday, it will not be disrupted by permitting Sunday movies.

An important feature in this measure is the local option clause. It is our duty not to legislate merely for our several communities, but to legislate for that which will be best for the interests of the entire State of Maine. My brother from Portland, Mr. Bramson, has stressed the tourist trade, and I think that that reason, and that reason alone, should be a sufficient reason why each and every member of this House should vote against the majority report on this question.

I want to speak for the working man, for the man who works in the mill from three o'clock in the afternoon until twelve o'clock at night and whose only opportunity to go to the movies is on Sunday night. If they say there is no public demand for this bill, then I say they don't know what is going on in many communities of this State.

The week before we had our hearing on this bill I was walking along the street and people were lined up for several blocks to attend a movie house which at the present time is in full operation and which every Sunday night devotes the proceeds, above operating expenses, to charity, and that movie house has done as much in a small way to advance the interests of charity as any other organization of its size in the State of Maine, and if there were no demand for Sunday movies, then there would be no patrons going to this theater.

Under the present law not only is the operator of a moving picture theater liable to prosecution, but every person who attends that performance is liable to prosecution under the criminal laws of this State, and I ask you members whether or not, in your own minds, it is your desire to continue to class participants in innocent pleasure as criminals.

The purpose of this bill is merely to legalize that which, by lack of enforcement by officials, has permitted a law to be broken, and you have, in regard to this law, a similar situation as you did in regard to the enforcement of your prohibitory law. I sincerely urge you members that for the advancement of our tourist trade, and out of consideration for the working man who has to work six days a week to vote against the majority report on this measure.

Mr. STILPHEN of Dresden: Mr. Speaker and members of the House: In rising in defense of the motion which I made several days ago, I feel I rise in defense of the moral issue in the State of Maine. Each one of us have in our home towns and plantations which we represent our sacred landmarks, our churches, and within those churches we have a little band of Sunday school teachers who are preparing the boys and girls for the future of Maine. Are we going to vote to discourage that little band? I believe that issue is the foundation of all the other issues. We have the moral, the educational and the financial issues, but the educational issue without the foundation of the moral issue is lost. Therefore I hope you will vote to sustain the motion that I made.

Mr. HIGGINS of Ellsworth: Mr. Speaker and members of the House: I am pleased to say a word this morning in support of the majority

report. I call to your attention the fact that that report was an eight to two report. This permit for Sunday movies ought not to pass.

So far as the moral issue is concerned, I would not dare to mention it to you members of the House. I would rather feel that you had your thoughts very clearly made up on that subject as to Sunday movies and on these other questions, as to the moral issue.

I just want to briefly tell you about the hearing before the Legal Affairs committee. There were five proponents of that bill who appeared before the committee, five members of this House, and all from the same city. They presented their reasons, which reasons seemed, to eight of the committee, at least, to be about as inadequate as those presented on the floor of the House this morning. Let us take one of them and look at it: The idea the tourists want Sunday movies. I can only speak of tourists in one section of the State, and that is the Hancock county section, and I tell all you members of the House that when you come to Hancock county you do not spend Sunday afternoon going to the movies. We have features down there that will keep a man so far from a movie house on Sunday afternoon that they never could operate successfully in that part of the country. We have some real features in Hancock county and you will find something to do beside going to the movies. I rather think that is the condition throughout the entire State of Maine. I would hate to suggest there is any part of the State of Maine where people who come in here as tourists want to go to the movies on Sunday. I rather think they are tickled to death to get away from the movies for a few months during the year.

That was the type of argument presented at the hearing, that summer people want to go to the movies on Sunday. I leave that to you as to whether they do or not.

We had opposition there from people representing the church interests. I will say nothing about that. It certainly is an interest worthy of consideration. We had a gentleman there opposed to this measure who claimed he represented thousands of Grangers. I will leave that to you, gentlemen and ladies, to consider how much consideration should be given them.

Now as to the matter of demand for this bill, you might gather that there was a real demand for it. But let us look around and see how much demand there really was. One of the men who came before that committee—and if this is not the best test of the demand for this bill in the State of Maine, I do not know what can be—this man represented fourteen theaters throughout the State of Maine—I believe some, to be sure, were in New Hampshire. What did he say? “Those of us who run moving picture houses,”—of course they are the ones who make the profit out of it—“we are not for it or against it.” Those were his very words. But he went on to say this: “There is no demand in the State of Maine.”

It appears that those men would be looking around to have a bill like this passed if they felt there was a chance to make a profit. If they thought there was any demand at all, does it not appeal to your reason they certainly would want this bill to be passed? That is their story, that there is no demand. I suggest to you this morning: Haven't the people who favor this bill presented in their own words and their own facts the greatest evidence showing a lack of demand for this bill, when in the city of Portland, where I think they have sixty or seventy thousand people, in a period of ten days all they could scare up was five hundred people who would cast a vote in regard to this matter, and I guess that went about two to one.

Now those five hundred people—who were they? Why, they were the people these proponents and others who had desires along this line went out and dug up and tried to interest in the thing, and all they could interest was five hundred people out of some sixty or seventy thousand, in a period of ten days.

So I just leave the case before you, the case of the committee, that there is no demand; and, beyond that, I will leave it to the members of this House as a moral issue to decide what they should do, and I certainly would not want to argue the least bit along that line. I do trust that the majority report of the committee will be accepted by this House.

Mr. JACOBSON of Portland: Mr. Speaker, I would like to have the privilege of asking Brother Higgins one question, if I may.

The SPEAKER: The gentleman may ask the question.

Mr. JACOBSON: Brother Higgins, what features do you have on Sunday afternoon in Hancock county?

The SPEAKER: The gentleman from Portland, Mr. Jacobson, asks the gentleman from Ellsworth, Mr. Higgins, what features they have on Sunday afternoon in Hancock county. The gentleman from Ellsworth may answer if he chooses.

Mr. HIGGINS: Well, Mr. Speaker, that is a very easy question to answer. I would suggest that Brother Jacobson next summer come to Hancock county, and he will find out the features that we have for our tourists. Remember, I was speaking about the tourists at the time I mentioned those features. We have the most glorious section of the country in the world, and we have the scenic wonders of the United States, and there is nothing that can be produced on the movie screen that can compare with those features. (Applause and laughter).

Mr. WRIGHT of Madison: Mr. Speaker, I did not intend to argue on this bill or say anything in regard to it. However, the gentleman from Ellsworth, Mr. Higgins, has called the attention of the House to the fact that there has not been any demand for the bill. I would like to disagree with him on that point by saying I have been in several places in this State where they have had Sunday movies, and each time I have been in there it has been difficult to find a seat, so I would take it, from that standpoint, that there seems to be some demand.

I just want to add that I do not think it is right for this House to deprive communities of the right to vote on this. The bill provides a local option clause, giving every town and city the right to say whether or not they want Sunday movies. I feel that we as individuals, assuming we are sufficiently intelligent to carry on our own affairs in strict keeping with all our codes, morals and civics, do not want to deprive a community of that same right. I hope the minority report will be accepted. I am not speaking in favor of any theater, or any company. So far as my own community is concerned, I do not know whether they would favor it or not, but I would like them to have the opportunity of voting on it.

Mr. DESMOND of Portland: Mr. Speaker, I would like to ask the

gentleman from Ellsworth (Mr. Higgins)—he speaks about the summer up in Hancock county—what about the winter in Hancock county? (Laughter)

The SPEAKER: The gentleman from Portland, Mr. Desmond, inquires about the winter in Hancock county. The gentleman may answer if he desires.

Mr. HIGGINS: Well, Mr. Speaker, the winter is nearly as beautiful as the summer in Hancock county, and we spend our time doing various things. I guess we attend church regularly and behave ourselves. We have learned many things to take up our minds beside Sunday movies. (Laughter)

Mr. DESMOND: Chop some wood?

Mr. HIGGINS: The woodchopper is over here (indicating).

Mr. DESMOND: Now, Mr. Speaker and members of the House, I feel that with the Sunday movies the morals of those who attend would, in a large sense, be better on Sunday.

Take for instance the Eastland and Congress Square hotels in Portland, where the population under one roof is larger than the population of Old Orchard. There is extreme congestion in Portland—they call it the second New York when it comes to congestion. People live in congested apartments of one or two rooms, and walk the street or pass the time otherwise. Now it is far more comfortable to go into a movie house on Sunday afternoon and be comfortable and warm and be entertained. That is in the winter time. In the summer time there are outdoor sports, such as baseball and football, and every one in Portland. I am satisfied, feels that those who attend have healthier minds. The old saying is: "An idle mind is the devil's workshop." I think the Sunday movies would do a great deal to prevent idle minds.

There are different classes of people in the city of Portland than in the city of Ellsworth; there are different people, some Christian, some non-Christian, some Jewish. Now the Jewish people of the city of Portland observe their Sunday on Saturday. Their rights should be respected. People who are not Christians, who do not profess to be Christians, should not be deprived of the privilege of going to the movies on Sunday. I contend that the morals of the people in general, in the larger centers, would be far better by having movies on Sundays. In the summer time it is not neces-

sary. Most everybody throughout the State of Maine rides in their automobiles on Sunday. They go to their outing places, and take long drives through God's country, the State of Maine, and the people of the small towns are glad to see them enjoy their outings on Sunday. But with the immense amount of congestion and no place to go on Sunday afternoon and evening, I feel that the Sunday movies would aid and improve the morals in the larger centers, therefore I endorse the minority report.

Mr. NEWTON of Readfield: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Readfield, Mr. Newton, now moves the previous question. To entertain this motion requires the consent of one-third of the members present. All those in favor of the Chair entertaining the previous question will rise and stand until counted and the monitors will make and return the count.

A division was had.

The SPEAKER: More than one-third of the members 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; contrarily-minded, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The question now before the House is on the acceptance of the majority report ought not to pass on bill an act to permit Sunday movies. Is the House ready for the question? The gentleman from Portland, Mr. Bramson, has asked for a rising vote. All those in favor of the motion of the gentleman from Dresden, Mr. Stilphen, on the acceptance of the majority report 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. Seventy-eight having voted in the affirmative and 58 in the negative, the motion to accept the majority report prevailed.

The Chair lays before the House the first unassigned matter on today's Calendar, House report ought to pass in new draft of the committee on Judiciary on bill an act

relating to penalty for operating motor vehicle while under influence of liquor or drug, new draft H. P. 1710, L. D. 746, tabled March 12th by Mr. Eveleth of Portland, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Eveleth, the report was accepted, the rules were suspended and the bill had its two several readings and tomorrow assigned.

The Chair lays before the House the second unassigned matter, House report ought not to pass of the committee on Public Utilities on resolve pertaining to public utilities, H. P. 606, L. D. 178, tabled March 12 by Mr. Connolly of Portland, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. CONNOLLY: Mr. Speaker and members of the House: Due to the fact that there is nothing in this bill that cannot be done by petition to the Public Utilities Commission, I move the acceptance of the report.

The motion prevailed, and the report was accepted.

The Chair lays before the House the third unassigned matter, Senate report ought to pass of the committee on Judiciary on resolve proposing an amendment to the Constitution to authorize the use of voting machines in elections, S. P. 114, L. D. 25, tabled March 13 by Mr. Crowell of Weston, pending acceptance in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Crowell, the report was accepted in concurrence, the rules were suspended and the resolve given its first reading and tomorrow assigned.

The Chair lays before the House the fourth unassigned matter, bill an act to amend the city charter of Bangor, H. P. 1529, L. D. 674, which was passed to be engrossed in the House on March 5th and which came from the Senate passed to be engrossed as amended by Senate Amendment B in non-concurrence, tabled by Mr. Eddy of Bangor on March 13, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Eddy, the bill

was retabled, pending further consideration and specially assigned for tomorrow morning.

The Chair lays before the House the fifth unassigned matter, House report ought not to pass of the committee on Judiciary on bill an act relating to medical attendance of injured employees, H. P. 586, L. D. 165, tabled March 13th by Mr. Donahue of Biddeford, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Donahue, the report was accepted.

The Chair lays before the House the sixth unassigned matter, House report ought not to pass of the committee on Judiciary on bill an act relating to examination of employees by physician of employer, H. P. 585, L. D. 164, tabled March 13th by Mr. Donahue of Biddeford, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Donahue, the report was accepted.

The Chair lays before the House the seventh unassigned matter, bill an act to provide for annual audits in cities, towns, plantations and village corporations, S. P. 457, L. D. 653, tabled March 14th by Mr. Gray of Brooksville pending first reading; and the Chair recognizes that gentleman.

Mr. GRAY: Mr. Speaker and members of the House: As a member representing a district of several smaller towns, I am opposed to this bill, and I will try to point out briefly one or two reasons why I believe this is not a necessary bill at the present time.

Under our present laws there is available, and has been for some time, to the municipalities of our State a uniform accounting system; also the services of the State Auditing Department. The bill now before us proposes to make these advantages compulsory which I believe will prove unpopular to the majority of the cities and towns of this State.

In addition to requiring an annual audit, Section 98 of this bill provides that a certain accounting system be made compulsory also. I recognize the fact that there is considerable merit in encouraging uniform systems of accounting, but

I maintain that such a move should be brought about voluntarily so far as possible, and that seems to be just what is being accomplished under our present law.

There are about 115 cities and towns which have adopted the State system so far. I believe we should leave this matter as it now stands and endeavor to acquaint the public with the advantages already at their disposal until popular sentiment warrants further action. I do not believe at the present time that a majority of our citizens (especially in the small communities of our State) feel that they should be compelled to delegate what they consider to be their own local responsibility to a centralized State authority which will necessarily incur extra expense to a great many of our towns.

Therefore, Mr. Speaker, I move the indefinite postponement of this bill.

Mr. CLARKE of Cooper: Mr. Speaker, I, like the gentleman who has just spoken, represent a number of small towns and one plantation. I do not think this bill should be forced upon the people at this time. They have the right now to set up an accounting system and have help from the State, and it does seem to me that it is just a matter of more centralization of authority. The late Woodrow Wilson, if you recall the phrase, made an issue at one time of "self-determination by small people". Right now it seems to me it should be an issue of self-determination by the sub-divisions of the State for, at the present time, there is more and more power being centralized here in the State House. It used to be that the different departments of the State were the servants of the people. Now the idea seems to be, to a great extent, that the different departments of the State are the masters of the people, and that feeling is not good to get abroad through the State. I hope that the motion of the gentleman to indefinitely postpone will prevail.

Mr. CARSWELL of Gorham: Mr. Speaker, this bill will assure every town in the State of Maine a uniform system of book-keeping. It is a fact that many of the towns in Maine do not know today just how they stand. Occasionally there are financial difficulties. Each town at its annual town meeting elects a town auditor and that auditor

audits the books of his municipality. Some of them are very competent. Others, when they sign their report, state "I believe so and so to be correct." It is a fact that when the books of a town are first audited there will be an additional expense, but it will be worth that to the town to know just how the town stands. In succeeding years I believe the expense of an auditor going there and looking over their books properly will not be more than they are now paying to their town auditor. I think this is a good bill and I believe it should pass. I sincerely hope that the motion of the gentleman will not prevail.

Mr. SEABURY of Yarmouth: Mr. Speaker and members of the House: It is quite rare that we get a unanimous report of the Judiciary committee, and when we do it seems to me that argues well that the matter has been well taken care of. I think this bill is very meritorious. I know it is in some instances. No one who is opposing this bill has intimated that the objects we hoped to accomplish by it are in any way undesirable. Certainly we all know in these times of bank failures and various other forms of indebtedness, we are in a very serious situation. Certainly we would not advance as one reason why we would expect to hire money from some one that our towns do not audit their accounts. Certainly I cannot see any objection to each town knowing how its accounts stand. I think the State Department cannot be dispensed with. Therefore, why not let the towns avail themselves of its fullest use. This bill will not make any additional expense to the towns. We have to go through this expense anyway and I had rather have a good audit than a worthless one. I hope the bill will have passage.

Mr. FLANDERS of Auburn: Mr. Speaker, I am not prepared to speak on this question this morning but as the different members have been talking I have thought that a great many towns are in financial difficulties today and that if they had a bill like this perhaps those conditions would have been avoided. For my own satisfaction I went to the State Auditor and got some figures from him which may be of interest to you as showing that it would be a great expense to the different towns. Here are

some of the towns that have a State audit. It cost the town of Byron \$20.00, Belgrade, \$11.95, Canton, \$56.85 (their books not in good condition), Carmel, \$10.00, Dexter, \$43.60, Durham, \$13.32, Farmingdale, \$10.00, Livermore Falls, \$22.10, Newport, \$15.50, Owl's Head, \$13.25, Pittsfield, \$12.65, Randolph, \$162.20 (These books have been neglected, no posting since June, 1934), Readfield, \$10.00, Turner, \$11.00, Winslow, \$45.00, Woolwich, \$27.11, and the city of Brewer, \$70.12.

It seems to me that we are working along in the way of progress when we install a system like this and I am in favor of the passage of this bill.

Mr. RUSS of Woodstock: Mr. Speaker, I have not heard of any towns in my district that favor the passage of this bill, but I have had letters from several of the selectmen of the towns I represent opposing the passage of this bill. I hope the motion of the gentleman from Brooksville, Mr. Gray, will prevail.

Mr. CROWELL of Weston: Mr. Speaker, there is no objection to any town's knowing how it stands. Every town should know the condition of its financial affairs, but there are plenty of laws on the statute books today where all this information can be obtained. We know that every time the State does any business with us it makes a larger expense for our local taxpayers. I hope that the motion of the gentleman from Brooksville, Mr. Gray, will prevail.

Mr. LINDSEY of East Machias: Mr. Speaker, I come from way down in the woods in Washington county, and I am not in favor of the passage of this bill. I have no objection to any town, and the law provides that any town, that wants a State audit can have it. I think that is sufficient, and I hope the motion of the gentleman from Brooksville, Mr. Gray, will prevail.

Mr. STILPHEN of Dresden: Mr. Speaker I move the previous question.

The SPEAKER: The gentleman from Dresden, Mr. Stilphen, now moves the previous question. Before the Chair can entertain this motion it requires the consent of one-third the members present. All those in favor of the Chair entertaining the previous question will rise and stand until counted

and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question is ordered.

Mr. GRAY of Brooksville: Mr. Speaker, I move that when the vote is taken we have a division of the House.

The SPEAKER: The question now before the House is shall the main question be now put? As many as are in favor of the Chair putting the main question now will say aye, contrary-minded, no.

A viva voce vote being taken, the main question was now put.

The SPEAKER: The gentleman from Brooksville, Mr. Gray, asks for a division on the question. All those in favor of the indefinite postponement of bill an act to provide for annual audits in cities, towns, plantations and village corporations will rise and stand until counted and the monitors will make and return the count.

A division of the House being had, Eighty-one voting in the affirmative and 34 in the negative, the motion prevailed and the bill was indefinitely postponed.

The Chair lays before the House the eighth unassigned matter, House report ought not to pass of the committee on Claims on resolve in favor of Freida H Price compensating her for injuries on the highway, H. P. 946, tabled March 14 by Mr. Flanders of Auburn, pending acceptance of the report, and the Chair recognizes that gentleman.

On motion by Mr. Flanders the report of the committee was accepted.

The Chair lays before the House the ninth unassigned matter, House report ought not to pass of the committee on Claims on resolve in favor of Jesse Davis of Wales, H. P. 755, tabled March 14 by Mr. Goss of Poland, pending acceptance of the report, and the Chair recognizes that gentleman.

On motion by Mr. Goss, the report of the committee was accepted.

The Chair lays before the house the tenth unassigned matter, House report ought not to pass of the committee on Inland Fisheries and

Game on resolve relative to fishing in Middle Range Pond in Poland, H. P. 1058, tabled March 14 by Mr. Goss of Poland, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. GOSS: Mr. Speaker and members of the House: This resolve calls for the closing of Middle Range Pond to ice fishing of all kinds of fish. I wish to amend this resolve in such a way as to close the pond to ice fishing of trout and salmon only. I have a letter here from the Commissioner of Inland Fisheries and Game which reads as follows:

"Augusta, March 20th, 1935

Rep. Harold J. Goss,
Augusta, Maine.

Dear Sir:

Concerning relation of Middle Range Pond in Poland.

"The Department does not feel it should stock Middle Range Pond with large trout and salmon unless the pond is closed to ice fishing for these two varieties of fish.

"This pond is not adapted to the stocking with small fish and if continued having trout and salmon fishing there, it is necessary that we put in large fish known as 'breeders' and these have to be put in in the fall of the year, therefore, do not become wild before spring but they are easily taken by ice fishermen.

Yours very truly,

GEORGE J. STOBIE

Commissioner"

It is necessary that the resolve be substituted for the report in order that I may offer Amendment A for your consideration. Mr. Speaker, I move the substitution of the resolve for the report.

Thereupon the resolve was substituted for the report, and Mr. Goss offered House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 1058, entitled: "Resolve relative to fishing in Middle Range Pond in Poland."

Amend said resolve by inserting in the 3rd line thereof, after the word "fishing" the words "for trout and salmon only"; and by striking out in the 4th line thereof, after the word "any" the words "kind of fish" and inserting in place thereof the following words: "trout or salmon"; and by inserting after the word "therefrom" in the 4th line thereof the following words: "during the ice fishing season".

Thereupon the House adopted House Amendment A and the resolve was tabled for printing under the Joint Rules.

The Chair lays before the House the eleventh unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to the charter of the city of Portland, H. P. 1063, L. D. 403, tabled March 14 by Mr. Desmond of Portland, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Desmond, the bill and report were retabled and specially assigned for Tuesday, March 26th.

The Chair lays before the House the twelfth unassigned matter, House report ought to pass in new draft of the committee on Judiciary on bill an act to provide for jury commissioners, H. P. 1729, L. D. 754, tabled March 14 by Mr. Mace of Augusta, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. MACE: Mr. Speaker, I yield to the gentleman from Cape Elizabeth Mr. Philbrick.

On motion by Mr. Philbrick, the report of the committee was accepted; and on further motion by the same gentleman, under suspension of the rules, the bill had its two several readings and tomorrow assigned.

The Chair lays before the House the thirteenth unassigned matter resolve in favor of the estate of Ella M. Bagley, H. P. 975, L. D. 750, tabled March 14 by Mr. Eveleth of Portland, pending second reading; and the Chair recognizes that gentleman.

On motion by Mr. Eveleth, the resolve had its second reading and was passed to be engrossed.

The Chair lays before the House the fourteenth unassigned matter, joint order creating State Insurance Fund Commission, H. P. 1711, L. D. 747, which was referred to the committee on Judiciary in the House on March 12th, came from the Senate indefinitely postponed in non-concurrence, tabled on March 15th by the gentleman from Brunswick, Mr. Lebel, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Lebel, the

House voted to recede and concur with the Senate.

On motion by Mr. Findlen of Fort Fairfield, it was voted to take from the table the fifteenth unassigned matter, bill an act relating to local option provisions, H. P. 1364, L. D. 593, which was passed to be engrossed in the House on March 14th, came from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence, and tabled on March 19th by that gentleman pending further consideration.

Mr. FINDLEN: Mr. Speaker, I now yield to the gentleman from Cape Elizabeth, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I move that the House insist on its previous action. Senate Amendment A was made to the printed bill, and the actual original bill is all right without the amendment.

The motion prevailed.

On motion by Mr. Burnham of Kittery, it was voted to reconsider the special assignment and take from the table bill an act to incorporate the town of Bucksport School District, H. P. 304, L. D. 74, tabled by that gentleman earlier in today's session, pending passage to be engrossed.

Mr. BURNHAM: Mr. Speaker, I now offer House Amendment A and move its adoption:

House Amendment A to H. P. 304, L. D. 74, bill an act to incorporate the Bucksport School District.

Amend said bill by inserting after the word "the" in the second line thereof the words 'inhabitants of the.'

Thereupon House Amendment A was adopted, and on motion by Mr. Burnham, the bill was passed to be engrossed as amended.

On motion by Mr. Lebel of Brunswick, it was voted to take from the table the sixteenth unassigned matter, majority report ought not to pass and minority report ought to pass of the Committee on Judiciary on resolve proposing an amendment to the Constitution, changing the Legislature to a one-body system, H. P. 1327, L. D. 580, tabled on March 19th by that gentleman, pending acceptance of either report.

Mr. LEBEL of Brunswick: Mr. Speaker, I move the acceptance of the ought to pass minority report of the committee.

The SPEAKER: The gentleman

from Brunswick, Mr. Lebel, moves to accept the minority report of the committee, ought to pass.

Mr. LEBEL: Mr. Speaker, I would like to offer an explanation. I would like to offer an amendment to this bill, and if the report is not accepted, I will not be in a position to offer an amendment.

Mr. HILL of South Portland: Mr. Speaker, I am not prepared at this time to speak upon this bill. I did not understand that the bill was to be pressed by the gentleman from Brunswick (Mr. Lebel). The bill proposes a very drastic and radical change in our Constitution, the elimination of our two-chamber Legislature, and the substitution in its place of a one-chamber Legislature. The gentleman from Brunswick (Mr. Lebel), has not thus far advanced any arguments as to why that change should be made. He advanced no arguments before the committee. He has not as yet advanced any arguments before the House. I do not believe that it is necessary to talk at any length in opposition to this measure. I believe that the members of this House and the people of the State of Maine are not yet ready to abolish our system and to change it into a one-chamber Legislature.

May I inquire, Mr. Speaker, what is the pending motion now before the House?

The SPEAKER: The pending motion now before the House is on the adoption of the minority report ought to pass.

Mr. HILL: I move, Mr. Speaker, that the bill be indefinitely postponed.

The SPEAKER: The gentleman

from South Portland (Mr. Hill) moves that the bill and reports be indefinitely postponed. Is the House ready for the question? The Chair recognizes the gentleman from Brunswick, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, may I inquire which motion comes first.

The SPEAKER: The motion to indefinitely postpone.

Mr. LEBEL: I move that the bill be retabled and be specially assigned until next Tuesday.

The SPEAKER: The gentleman from Brunswick, Mr. Lebel, moves that the bill be retabled and specially assigned for next Tuesday. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER: The question now before the House is on the motion of the gentleman from South Portland. Mr. Hill, on the indefinite postponement of the bill and two reports. Is the House ready for the question? All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Flanders of Auburn permission was granted that gentleman to withdraw the last item on the calendar, bill an act to incorporate the Araxine Wilkins Sawyer Memorial Foundation, H. P. 1136, L. D. 361.

On motion of Mr. Hill of South Portland,

Adjourned until ten o'clock tomorrow morning.