

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

Tuesday, March 26, 1935.

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

Prayer by the Rev. Mr. Cunningham of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 649, L. D. 832: Resolve appropriating money to pay the claim of Frank D. and Evelyn C. Goodwin of Hermon.

S. P. 650, L. D. 833: Resolve in favor of Ethel M. Parker of Portland.

S. P. 651, L. D. 834: An act relating to revocation of medical doctor's licenses.

S. P. 652, L. D. 824: An act relative to motor vehicle transfer certificates.

S. P. 653, L. D. 826: An act to provide for the union of towns for the employment of social welfare workers.

S. P. 655, L. D. 827: An act relating to obstruction of justice.

S. P. 654, L. D. 825: An act relating to vital statistics.

S. P. 656, L. D. 829: An act to provide for pensions for veterans of the Civil War, Spanish War and Philippine Insurrection and their dependents.

S. P. 636, L. D. 796: An act relating to beauty culture.

S. P. 153, L. D. 85: An act relative to the payment of wages.

S. P. 248, L. D. 828: An act relating to terms of the County Commissioners' Court for the county of Washington.

S. P. 151, L. D. 83: An act relating to the insurance of steam boilers.

S. P. 226, L. D. 830: An act relating to pensions for State employees.

S. P. 201, L. D. 831: An act relating to clerk hire in the office of Register of Deeds for the Southern District of Aroostook county.

Majority report of the Committee on Judiciary on bill an act relating to facsimile signature of Clerks of Courts (S. P. 94) (L. D. 17) re-

porting same in a new draft (S. P. 638) (L. D. 792) under same title and that it ought to pass.

Report was signed by the following members: Messrs. Burkett of Cumberland of the Senate; Hill of So. Portland, Jacobson of Portland, Philbrick of Cape Elizabeth, Gray of Presque Isle, Vaughan of So. Berwick, Weatherbee of Lincoln, of the House.

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

Report was signed by the following members: Messrs. Burns of Aroostook, Fernald of Waldo, of the Senate; Willey of Falmouth, of the House.

Comes from the Senate the majority report read and accepted and the bill indefinitely postponed.

In the House, on motion by Mr. Willey of Falmouth the majority report read and accepted and the bill indefinitely postponed in concurrence.

From the Senate:

Bill an act relating to fees of jurors (H. P. 314) (L. D. 75) on which the House accepted the minority report of the Committee on Salaries and Fees reporting "Ought not to pass" on March 6th.

Comes from the Senate the majority report ought to pass accepted in non-concurrence and the bill passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House, on motion by Mr. Flanders of Auburn, a viva voce being taken, that body voted to insist on its former action and ask for a committee of Conference.

Orders

On motion by Mr. Kendrick of Litchfield, it was

Ordered, that the use of the hall of the House be granted to Mr. Walter P. Hinckley for the evening of Friday, March 29th, for the purpose of showing pictures of Good Will Farm and telling of work done there.

Reports of Committees

Report "A" of the Committee on Judiciary reporting ought not to pass on bill an act relating to town and county officers enforcing laws along the highways (H. P. 1244) (L. D. 464).

Report was signed by the following members:

Messrs. Burkett of Cumberland
Fernald of Waldo
of the Senate.
Hill of So. Portland
Philbrick of Cape Elizabeth
Gray of Presque Isle
of the House.

Report "B" of same Committee on same bill reporting same in a new draft (H. P. 1810) under same title and that it ought to pass.

Report was signed by the following members:

Messrs. Burns of Aroostook
of the Senate.
Willey of Falmouth
Weatherbee of Lincoln
Vaughan of So. Berwick
Jacobson of Portland
of the House.

On motion by Mr. Wentworth of Kennebunk, both reports tabled, pending acceptance of either, new draft ordered printed, and specially assigned for Friday, March 29th.

Majority Report of the Committee on Mercantile Affairs and Insurance reporting ought to pass on bill an act relating to the time limit of adjustment and payment of all fire losses; penalty (H. P. 64) (L. D. 20).

Report was signed by the following members:

Messrs. Hussey of Kennebec
Winn of Androscoggin
of the Senate.
Sleeper of Rockland
Miss Stickney of Brownfield
Messrs. Palmer of Island Falls
Ellis of Rangeley
Noyes of Franklin
Eddy of Bangor
Mace of Augusta
of the House.

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

Report was signed by the following member:

Mr. Carl of York
of the Senate.

On motion by Mr. Ellis of Rangeley, a viva voce vote being taken, the majority report of the committee was accepted, and under suspension of the rules the bill had its two several readings and tomorrow assigned.

Report "A" of the Committee on Mercantile Affairs and Insurance

reporting ought not to pass on bill an act providing for assessment of premium notes and insurance contracts (H. P. 1149) (L. D. 369).

Report was signed by the following members:

Messrs. Hussey of Kennebec
Carl of York
Winn of Androscoggin
of the Senate.
Sleeper of Rockland
Eddy of Bangor
of the House.

Report "B" of same Committee on same bill reporting same in a new draft (H. P. 1811) under same title and that it ought to pass.

Report was signed by the following members:

Miss Stickney of Brownfield
Messrs. Ellis of Rangeley
Palmer of Island Falls
Mace of Augusta
Noyes of Franklin
of the House.

On motion by Mr. Mace of Augusta, a viva voce vote being taken, Report B, ought to pass, was accepted, and the new draft tabled for printing under the Joint Rules.

The SPEAKER: The Clerk will read all the ought not to pass reports. A member wishing to table any report, will they do so as the Clerk reads?

Mr. Austin from the Committee on Agriculture reported ought not to pass on bill an act to authorize the continuance of the survey of the soils of the State (H. P. No. 1113) (L. D. No. 312)

Mr. Chase from the Committee on Appropriations and Financial Affairs reported same on resolve authorizing the Governor and Council to acquire the site of the former post office in Portland from the Federal Government (H. P. No. 1298) (L. D. No. 611)

Mr. DESMOND of Portland: Mr. Speaker, I move that the report be tabled pending acceptance, and be specially assigned for Tuesday, April 2.

The SPEAKER: The gentleman from Portland, Mr. Desmond, moves that the report be tabled pending acceptance and be specially assigned for next Tuesday. Is that the pleasure of the House? All those in favor say aye, those opposed no.

A viva voce vote being taken, the motion did not prevail and the ought not to pass report of the committee was accepted.

Mr. Bragdon from the Committee on Claims reported ought not

to pass on resolve reimbursing the town of Baileyville for the support of Edgar L. Farley and Ephraim Farley (H. P. No. 60)

Mr. Mosher from same Committee reported same on resolve in favor of the town of Lincoln (H. P. No. 1255)

Mr. Devereux from same Committee reported same on resolve to compensate the town of Greenbush for pauper expenses (H. P. No. 765)

Mrs. Currier from the Committee on Education reported same on bill an act relating to payment of tuition by towns (H. P. No. 189) (L. D. No. 57)

Mr. Ryder from the Committee on Inland Fisheries and Game reported same on bill an act to clarify the laws relating to hunting by dogs (H. P. No. 1311) (L. D. No. 538)

Mr. Thompson from same Committee reported same on bill an act relating to visiting traps (H. P. No. 1265) (L. D. No. 559)

Mr. Harriman from the Committee on Labor reported same on bill an act relating to weekly payment of wages (H. P. No. 1148) (L. D. No. 368)

Mr. Lewis from the Committee on Maine Publicity reported same on bill an act designating a certain road as the "Moosehead Trail" (H. P. No. 452) (L. D. No. 128)

Mr. Cook from the Committee on Pensions reported same on resolve providing for a State pension for Thelbert H. Day of Washington (H. P. No. 986) as it is covered by the general law.

Same gentleman from same Committee reported same on resolve in favor of Emma J. Murray of Webster (H. P. No. 1273) as it is covered by the general law.

Mr. Richardson from same Committee reported same on resolve providing for a State pension for George Ryan of Knox (H. P. No. 1035) as the applicant is dead.

Mr. Webber from the Committee on Public Utilities reported same on bill an act relating to protection at grade crossings: (H. P. No. 1350) (L. D. No. 587)

Mr. Shaw from the Committee on Sea and Shore Fisheries reported same on bill an act relating to catching lobsters. (H. P. No. 1030) (L. D. No. 323)

Mr. Campbell from the Committee on Ways and Bridges reported same on bill an act relating to the

cutting of bushes. (H. P. No. 1286) (L. D. No. 603)

Mr. Ellis from same Committee reported same on bill an act relating to State highways. (H. P. No. 1366) (L. D. No. 595)

Same gentleman from same Committee reported same on resolve providing for an appropriation for a cattle pass in New Gloucester. (H. P. No. 351)

Same gentleman from same Committee reported same on bill an act fixing the rate of wages of employees on State and State aid highways. (H. P. No. 1289) (L. D. No. 606)

Mr. Young from same Committee reported same on bill an act relating to snow removal from airports. (H. P. No. 1367) (L. D. No. 596)

Reports read and accepted and sent up for concurrence.

First Reading of Printed Resolves

(H. P. No. 1807) (L. D. No. 849)
Resolve providing pensions for certain soldiers and dependents of soldiers.

Read once and tomorrow assigned.

(H. P. No. 1808) (L. D. No. 848)
Resolve for the laying of the county taxes for the year 1935.

(H. P. No. 1809) (L. D. No. 847)
Resolve for the laying of the county taxes for the year 1936.

Under suspension of the rules, resolves read twice, passed to be engrossed and sent up for concurrence.

Passed to Be Engrossed

(S. P. No. 647) (L. D. No. 809)
An act to appropriate moneys for the expenditures of State government and for other purposes for the fiscal years ending June 30, 1936 and June 30, 1937.

(H. P. No. 1795) (L. D. No. 838)
An act relating to school unions.

(H. P. No. 1798) (L. D. No. 841)
An act relating to enforcement of insurance liens.

(H. P. No. 1799) (L. D. No. 842)
An act relating to licenses for selling clams.

(H. P. No. 1800) (L. D. No. 843)
An act relating to taking of soft shelled clams.

(H. P. No. 1801) (L. D. No. 844)
An act relating to roadside improvement.

(H. P. No. 1804) (L. D. No. 845)
An act relating to the construction of State Aid highways.

(H. P. No. 1802) (L. D. No. 846) Resolve appropriating money for the construction of road and terminal approach in the town of Lincolnville or the town of Northport to Penobscot Bay, and for the construction of a road and terminal approach in the town of Islesboro to Penobscot Bay.

Amended resolves:

(H. P. No. 1791) (L. D. No. 818) Resolve providing for a State pension for Winnifred Parker, of Presque Isle.

(H. P. No. 1792) (L. D. No. 817) Resolve providing for State pension in favor of Mrs. James P. Young of Blaine.

Finally Passed

(Constitutional Amendments)

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

The SPEAKER: This being a Constitutional Amendment, it is necessary under the Constitution 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-seven voting in the affirmative and none in the negative, the resolve was finally passed.

S. P. 114, L. D. 25: Resolve proposing an amendment to the Constitution to authorize the use of voting machines in elections.

The SPEAKER: This being a Constitutional Amendment, it is necessary under the Constitution 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 twelve voting in the affirmative and none in the negative, the resolve was finally passed.

Passed to Be Enacted

(Emergency Measure)

S. P. 202, L. D. 150: 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 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 voting in the affirmative and none in the negative, the bill was passed to be enacted.

Passed to Be Enacted

(S. P. No. 95) (L. D. No. 765) An act to enable domestic mutual fire insurance companies to obtain aid from the Federal Intermediate Credit Bank.

(S. P. No. 232) (L. D. No. 191) An act to amend Section 386 of Chapter 1 of the Public Laws of 1933 relating to girls at State School for Girls.

(S. P. No. 354) (L. D. No. 341) An act relating to group insurance.

(S. P. No. 395) (L. D. No. 421) An act relative to the operation by railroad corporations of certain auxiliary services.

(S. P. No. 405) (L. D. No. 525) An act relating to capital stock of trust and banking companies.

(S. P. No. 433) (L. D. No. 519) An act relating to time limit on notices in re hearings on licenses for wharves and fish weirs.

(S. P. No. 630) (L. D. No. 764) An act relating to the regulation of eating and lodging places.

(S. P. No. 631) (L. D. No. 766) An act relating to health.

(S. P. No. 633) (L. D. No. 790) An act to amend Section 14 of Chapter 147 of the Revised Statutes relating to violation of terms of probation.

(S. P. No. 641) (L. D. No. 806) An act relating to the practice of dentistry.

(H. P. No. 66) (L. D. No. 22) An act relating to the use of steam boilers.

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

(H. P. No. 1364) (L. D. No. 593) An act relating to local option provisions.

(Tabled by Mr. Fogg of Rockland, pending passage to be enacted).

(H. P. No. 1415) (L. D. No. 633) An act to tax games of skill.

(H. P. No. 1529) (L. D. No. 674) An act to amend the city charter of Bangor.

(H. P. No. 1710) (L. D. No. 746)
An act relating to penalty for operating motor vehicle while under the influence of intoxicating liquor or drug.

(H. P. No. 1729) (L. D. No. 754)
An act to provide for jury commissioners.

(H. P. No. 1750) (L. D. No. 767)
An act relating to sealers of weights and measures.

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

(H. P. No. 1758) (L. D. No. 778)
An act to amend the charter of the city of Brewer.

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

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

(H. P. No. 1768) (L. D. No. 799)
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. 1770) (L. D. No. 800)
An act to amend the law relating to teachers' pensions.

(H. P. No. 1771) (L. D. No. 805)
An act to incorporate the Lincoln Water District.

Finally Passed

(S. P. No. 326) (L. D. No. 758) Resolve relative to fishing in the Kennebec River.

(S. P. No. 642) (L. D. No. 807) Resolve protecting cod, haddock and other ground fish in certain waters of and adjacent to Hancock County.

(H. P. No. 975) (L. D. No. 750) Resolve in favor of the estate of Ella M. Bagley.

(H. P. No. 1159) (L. D. No. 803) Resolve regulating smelt fishing in Abagadasset River.

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

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

(H. P. No. 1754) (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.

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

(H. P. No. 1769) (L. D. No. 804) Resolve in favor of Bessie M. Duntun of Moscow.

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 Public Health 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. 1347, L. D. 598, tabled on March 20th by the gentleman from Mexico, Mr. Dorr, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Dorr, the House accepted the report of the committee.

The Chair lays before the House the second matter tabled and today assigned, House report ought to pass in new draft under same title of the committee on Public Health on bill an act relating to apothecaries and sale of poisons, H. P. 1349, L. D. 585, new draft H. P. 1773, L. D. 797, tabled on March 20th by the gentleman from Sanford, Mr. Demers; and the Chair recognizes that gentleman.

On motion of Mr. Demers, the House accepted the report of the committee, and under suspension of the rules the bill was given its first two readings.

Mr. Martin of Oakland, offered House Amendment A and moved its adoption, as follows:

House Amendment A to House

Paper 1773, Legislative Document 797, bill an act relating to apothecaries and sale of poisons.

Amend said bill by striking out in the fifth line of the second paragraph of section 5 of the bill the word "not."

Thereupon, House Amendment A was adopted and the bill as amended was tomorrow assigned.

The Chair lays before the House the third matter tabled and today assigned, bill an act relating to the procurement of medical services, physicians and surgeons for injured employees under the Workmen's Compensation Act, H. P. 1647, L. D. 725, tabled on March 20th by the gentleman from Falmouth, Mr. Willey, pending third reading; and the Chair recognizes that gentleman.

On motion by Mr. Willey the bill was given its third reading and passed to be engrossed.

The Chair lays before the House the fourth matter tabled and today assigned, bill an act to incorporate the Eastport Cemetery Corporation, H. P. 1146, L. D. 334, tabled on March 20th by the gentleman from Eastport, Mr. Stoddard, pending third reading; and the Chair recognizes that gentleman.

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

House Amendment A to House Paper 1146, Legislative Document 334, an act to incorporate the Eastport Cemetery Corporation.

Amend said bill by adding at the end of section eleven thereof the words 'unless otherwise provided by the instrument or party creating said trust,' so that said section as amended shall read as follows:

"Sec. 11. Investment of Trust Funds. All monies paid into the State Treasurer by any person in trust, as provided by the sixth section of this act, shall be invested only in such securities as are lawful for savings banks in the State, or may be deposited in the savings department of any bank in the State, unless otherwise provided by the instrument or party creating said trust."

Thereupon, House Amendment A was adopted, and the bill as amended was given its third reading and passed to be engrossed.

The Chair lays before the House the fifth matter tabled and today assigned, 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 on March 20th by the gentleman from Portland, Mr. Desmond, pending acceptance; and the Chair recognizes that gentleman.

Mr. DESMOND: Mr. Speaker, the papers on this matter have not arrived this morning. I expect they will be here tomorrow morning, and I move that the matter be retabled until tomorrow morning.

The motion prevailed.

The Chair lays before the House the sixth matter tabled and today assigned, House report ought not to pass of the committee on Claims on resolve in favor of the city of Eastport for the care of William Price, H. P. 976, tabled on March 21 by the gentleman from Baring, Mr. Chase, pending acceptance; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, through some mistake, nobody appeared before the committee on Claims either in support of or against this resolve. I would therefore move that it be recommitted to the committee on Claims.

The motion prevailed.

The Chair lays before the House the seventh matter tabled and today assigned, resolve for the purchase of one hundred copies of "The First Century of the Town of Naples," H. P. 701, L. D. 783, tabled on March 21 by the gentleman from Calais, Mr. Tupper, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. TUPPER: Mr. Speaker, I would like permission to retable this matter until a week from Friday and specially assign it for April 5th. At the present time there is no financial set-up with which to purchase these books, and as there are several resolves of like nature, I would like to have this retabled, along with the others as they come along, to see if some arrangement can be made.

The motion prevailed.

The Chair lays before the House the eighth matter tabled and today assigned, House report ought not to pass of the committee on Banks

and Banking on bill an act relating to small loans, H. P. 1199, L. D. 449, tabled on March 22nd by the gentleman from Augusta, Mr. Mace; and the Chair recognizes that gentleman.

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

The Chair lays before the House the ninth matter tabled and today assigned, House report ought not to pass of the committee on Judiciary on bill an act relating to applications for licenses, H. P. 443, L. D. 121, tabled on March 22 by the gentleman from York, Mr. Young, pending acceptance; and the Chair recognizes that gentleman.

Mr. YOUNG: Mr. Speaker, I feel that an amendment could have been drawn up, and that this bill would have been very beneficial to the State of Maine as a whole; but the time is getting short, and, much against my own judgment, I am going to move the acceptance of the ought not to pass report.

The motion prevailed.

The Chair lays before the House the tenth matter tabled and today assigned, House report ought not to pass of the committee on Taxation on bill an act relating to taxation of national bank deposits, H. P. 863, L. D. 251, tabled on March 22 by the gentleman from Westbrook, Mr. Scates, pending acceptance; and the Chair recognizes that gentleman.

Mr. SCATES: Mr. Speaker, I am going to move the acceptance of the report of the committee, ought not to pass, but I do it with many reservations. The object of this bill is correct, but the bill contains some impossible provisions. What really ought to be done is that it ought to be recommitted to the committee and a new draft prepared. I do not know, owing to the shortness of the time, whether that would be advisable.

Another thing—owing to the conditions throughout the State, I doubt whether it is advisable to do anything that will start a State-wide discussion relative to the banks at this time.

I will throw out this suggestion: That before the next Legislature convenes, that the savings banks, the trust companies, and the national banks get together and agree upon some law of taxation that will be fair and just to all.

In 1932 the trust companies and the savings banks paid a State tax of \$554,000, the national banks nothing. In 1933, the savings banks and trust companies paid \$438,000 State tax, and the national banks nothing. In 1934, the trust companies and savings banks paid a State tax of \$308,000, the national banks nothing.

The question has been raised that the State cannot tax national banks. That is not true. Vermont does it, and I understand that the national banks of Massachusetts pay some State tax.

I do not believe that the tens of thousands of depositors in the savings banks of this State, and the stockholders in the trust companies, will stand much longer to bear the burden of taxes, and the national banks go scot-free, so I will at this time move that the report of the committee, ought not to pass, be accepted.

The motion prevailed.

The Chair lays before the House the eleventh matter tabled and today assigned, House report ought not to pass of the committee on Ways and Bridges, on bill an act relating to the mill tax highway fund, H. P. 507, L. D. 163, tabled on March 22nd by the gentleman from Castle Hill, Mr. Ellis, and the Chair recognizes that gentleman.

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

The Chair lays before the House the twelfth matter tabled and today assigned, bill an act relating to qualification of applicants for admission to the bar, H. P. 1776, L. D. 811, tabled on March 22 by the gentleman from Portland, Mr. Connolly, pending first reading; and the Chair recognizes that gentleman.

Mr. CONNOLLY: Mr. Speaker and members of this Honorable House: I appear here this morning in opposition to this bill, first, because at this time the State bar examination does not warrant a bill of this kind.

I appeared before the Judiciary committee in opposition to this bill. Half of the members on that committee are from Cumberland county.

I believe, also, that this is a new draft of the original bill. As far as the original bill is concerned, I talked with several of the judges in our State, and they said that they could not pass this examination that was called for in this bill.

Now we have a new draft. One of the sponsors of the bill was my friend and colleague from Cumberland county, Mr. Carswell of Gorham. At that hearing, one of the members of the Board of Examiners said, if I remember correctly, that this was not a time for a bill of this kind to be presented. I also heard an attorney from one of the small towns in this State, who appeared against the bill, say that a bill of this kind was not called for at this time. Almost at the close of the hearing that afternoon I received a Portland Evening Express, in which it was stated that candidates had just passed the bar examination. Three out of four of those candidates came from Portland. They graduated from the only law school in our State, which is the Peabody Law School—three out of these four candidates had graduated from Peabody Law School.

Now, as I understand it, there are only four full-time law schools in New England. We have one in the city of Portland, called the Peabody Law School. I believe this bill is directed against that school. In New England we have three other full-time law schools: Boston University, Yale and Harvard Universities. Those, members, are the only full-time law schools in New England.

I want to say also that at the annual meeting of the Cumberland bar in January this bill was not presented, talked about, or brought before that Bar Association, and I do not see why, when the Bar Association of Cumberland does not endorse a bill of this kind, it should be presented in this House.

I was also notified that in January, in the Senate Chamber of this building, the biennial meeting of the State Bar Association was held, and at that time there was a committee appointed to investigate a bill of this kind and present it at the next meeting. The next meeting of this association, if I remember correctly, is two years from today, or, probably at the next session of the Legislature.

Now if this bill goes through, it calls for a two-year college course. We know that in the rural sections of this State there are mighty few boys who can go to college, particularly in these times of depression.

I want to say also that if this bill goes through, the smaller towns of this State will lose many capable

young men who can study at the present time in law offices, and all they require is a high school education. If a young man goes to college today, the expense amounts to around three or four thousand dollars, and it is a sure bet that he is not going to go to a small town and practice law when there is a better opportunity in the larger cities. Therefore, the smaller communities in the State will lose out in getting good, young attorneys.

A fine example of a man who rose from the ranks of the State in which he was born to the highest office in the United States was Abraham Lincoln. He studied by candle-light; he did not have anything; he did not have any money; but he rose from the ranks and became President of the United States. As I walked through the corridor this morning in the Hall of Flags, I looked at that picture, and I said to myself: "This bill that is being presented this morning probably will stop many young men from rising to the heights to which that man rose who was called the Saviour of our Country." I thank you.

Mr. CARSWELL of Gorham: Mr. Speaker, this bill raises the educational qualifications of applicants for admission to the bar. Its purpose is to provide our citizens reasonable assurance that the persons with whom they entrust their legal business have sufficient educational background to intelligently safeguard their interests.

Our two leading professions are the practice of medicine and the practice of law. It requires years of intensive study to become a doctor, while less than one-third as much time is needed to become admitted to the bar.

When we consider the requirements of the professions, we can readily see that it is necessary that the people who practice those professions should be prepared to enter upon their several duties. For instance, to become a nurse one must have passed two years in a high school and have passed two years in a hospital in intensive practice, before they are permitted to take their examination. To become a dentist one must be a graduate of a high school and a graduate of a regular dental college in which there is a department of medicine. To become an osteopath, one must be a graduate of a high

school and also of a college of osteopathy. To become a pharmacist one must be a graduate of a high school and also a graduate of a recognized college of pharmacy. To become an undertaker one must be a graduate of a high school and also a graduate of a recognized college in that science.

At the present time it is only necessary for one to become a graduate of a recognized high school before he is eligible to practice law.

Do you realize that last year there were graduated from the high schools of the State of Maine 7,168 students, and there were enrolled in the high schools of the State of Maine 41,109 students.

The practice of law is an important profession. It is divided into several groups. Some lawyers practice criminal law; others specialize in probate law, and others have a general practice. If you go to an attorney as your advisor, as your counsellor, asking him for guidance in legal difficulties, it seems to me that man should be prepared to guide you correctly. We all believe in preparation. We believe that it is not possible for one to perform any task well without practice or without having given considerable attention to it. I believe that as much harm has been caused in the State of Maine by carelessly written deeds, loosely drawn contracts and improperly worded wills, as ever resulted from the unskillfulness of the surgeon or the incorrect diagnosis of the physician. This bill will protect the people, and, surely, they should be protected.

Why, my friends, forty years ago, when I graduated from high school, I was ambitious to become a lawyer, and I visited the leading lawyer in our town. He offered to get an opportunity for me to study law in an office in Portland. Up to the present time the legal requirements for admission to the bar have not been changed.

Each member of this House, if you will reflect, can recall some instance where some constituent of yours has lost money, or their home, or has been greatly inconvenienced by the incorrect advice given to them by members of the bar. This is a step forward. Other states are taking a similar action. Action similar to this was taken in Massachusetts a few years ago.

Remember, this is not imposing a hardship upon any ambitious

young man. It simply requires him to pass two years in a recognized college, so that he can study those intricate questions which come before him, and so that he can advise his constituents correctly. The only opposition to this that I can see is from young men who are ambitious to become lawyers, some of whom have started at the present time upon the study of law. This law protects them; they are not harmed in the least bit; they can continue their studies from the time this law becomes active. After this, however, it will be necessary for them to have this educational background. I am very certain that if every member of this House will reflect, you will agree with me that it is as necessary for us to have educational requirement for our lawyers as it is for every other profession in the State of Maine. I hope this bill has its first reading at this time.

Mr. SLEEPER of Rockland: Mr. Speaker and members of the House: I had intended to keep quiet for the rest of the session, but this bill coming up at this time, and the principles involved, almost forces me to speak.

With all due respect to the gentleman from Gorham (Mr. Carswell), I think this is the worst, the most selfish piece of legislation that has been introduced at this session. It automatically places a penalty on poverty of all kinds. It goes on to say that every boy, no matter what his ability may be, no matter how smart he may be, must attend college for two years before he can hope to become a lawyer.

I will not go on and speak about Abraham Lincoln, who was perhaps only one of a thousand great statesmen and lawyers in this country who did not receive a college education.

The gentleman from Gorham (Mr. Carswell), says that irreparable damage has been done time and time again by incompetent lawyers. I doubt that. But any damage that is done legally can always be repaired, and there are plenty of lawyers who are glad to repair it for a fee.

I will admit that a doctor should have a long and earnest education, because human life hangs in its hands. I admit that nurses should have a very competent education. But I cannot agree with that as regards the lawyers. I will not say

what has often been said, that law is half bluff and bluster, but it is to a great extent. Corporation lawyers and criminal lawyers must have an education, and they are not employed unless their abilities are well showed off, and they have built up a reputation.

I have in mind several cases—there are three county attorneys of this State who have never been to college, that I know of, and there must be several more. I know of another instance, where a boy supposed to be one of the best public speakers ever graduated from a high school, and who hoped to go to college, to law school. His father died, and he was left with his mother and two young sisters. If this bill had gone through last year, his ambition and life-time plans would have gone to naught. Fortunately, in the town in which he lived, two lawyers, knowing the boy and his mother, took him into their law office and are paying him enough to keep his mother and sister clothed and fed until he is able to pass the bar examination. Under this law that would not be possible. A boy must put in two full-time years in college, and two full-time years in college cost in the neighborhood of fifteen hundred or two thousand dollars, and if a boy works his way through in these times, he will have plenty of competition. At the college I attended—and I am not speaking with any personal motive, as I am a graduate of a college, and waited on table—and a fellow looking for a job waiting on table, taking attendance at convocation, ringing the bell, and all those other jobs, will find that they are pretty well filled by football and baseball players.

I sincerely hope that every one in this House will have sympathy enough for the ambitious boy to still give him a chance to make his mark if he wishes. I will move—no, I will not move yet, because I have another word to say. It is our duty, in times like this, when it is practically impossible for parents to help their children get into college—and this is especially so in large families—and the bulk of our great attorneys have all come from large and poor families—it seems as if it is our duty here not to produce any class legislation.

This bill was brought up before a committee composed of ten lawyers, and I hardly blame them—in fact it is almost their duty to give the report which they did. One of them

said to me: "We are not worried about the competition, because a good man does not mind bad competition." But he stated he did feel that the dignity of the legal profession required it be made a little bit harder to get into, and thus raise the standard. That point is well taken, but I do not think it takes into consideration the fellow who is on the outside trying to get in.

I do hope, and I will move now that this bill be indefinitely postponed, at least until times are better and every child has an opportunity for the higher education which this bill demands. It does not ask for it; it demands it. I think the bill should not be given passage at this time.

Mr. JACOBSON of Portland: Mr. Speaker and members of the Eighty-seventh Legislature: It was with great pleasure that I listened to the presentation in the committee room and the presentation in this House this morning by the gentleman from Gorham, Mr. Carswell, who is a layman and not an attorney.

I would like to take this opportunity to explain a few mistakes made by the gentleman from Portland, Mr. Connolly.

At the time of hearing, Clarence Peabody, the Dean of the Peabody Law School, and some of his instructors appeared and favored strongly this bill that is before you today. They did oppose the bill that was presented to us at that time.

Now this bill is a just bill, a bill that does not work any hardship upon anybody. All those students who are now studying law or who will start to study law up to June of 1936 do not come under this bill. The Maine Bar Association suggests a much stricter bill than this here. The President of the Maine Bar Association, who appeared before our committee, did not say that two years was not time enough, but he did say he did not feel the bill as was should be introduced at this time, but that he did favor this bill.

The gentleman from Portland (Mr. Connolly) has some erroneous ideas about this bill, and sometimes I wonder if he read this bill. I think he has in mind the first bill, which required a college education, and a course at a school recognized by the American Bar Association. The American Bar Association suggested that bill, and the Maine Bar Association suggests that bill, but

feel that we should introduce it at some later time. I certainly hope that this re-draft, which requires only two years at college, will receive a favorable passage.

Mr. HILL of South Portland: Mr. Speaker, it was not my intention to speak upon this bill, lest there be imputed to me, as a member of the bar, some selfish purpose in urging its passage.

The gentleman from Gorham, Mr. Carswell, has, I think, very well presented the case to be made for this bill, but the gentleman from Gorham, speaks from the point of view of the layman and not from the point of view of the lawyer. The gentleman from Portland, Mr. Connolly, has, as his colleague from Portland said, in his remarks and in his opposition, confused the present new draft with the original bill which required graduation from a law school. The committee on Judiciary felt that that original bill was not fair at this time, that it was too extreme in its provisions, and so the committee modified it very considerably, and brought in what it believed was a fair and reasonable bill.

Now in approaching this question, I should simply like to suggest the angle from which it should be considered. I believe this question should not be considered from the point of view primarily of the boy who wishes to obtain admittance to the bar, nor should it be considered from the point of view of the lawyers. We should not ask on this question what is best for the lawyers, nor should we consider simply what is best for someone who wishes to operate a law school, but what is best for the public in general. It is the answer to that question which should be decisive upon this bill.

As I see it, it is simply a question of whether the public wishes to maintain a bar of reasonable high standard, or whether it wishes to continue the law requirements which exist at the present time. The requirements for admittance to the bar in the State of Maine are very considerably lower than are the requirements in most of the other states at the present time.

Two or three gentlemen who have spoken against the bill have referred to Abraham Lincoln and others who have risen to high rank in the practice of the legal profession without the advantages of academic training.

Yet I think in all fairness we must realize the fact that times have changed greatly since the days of Abraham Lincoln, that education is today much more readily available than it was then, that it is not difficult for young men with real ambition to practice law, even though they may be short of funds, to obtain two years of academic training before they enter upon the study and practice of the legal profession.

The bill does not relate to the requirements as to the study of law; it relates merely to preliminary training. It is my information that the present Board of Bar Examiners is heartily in favor of this bill, and I understand that the President of the Maine Bar Association favors this bill. I do not wish to urge it too strenuously, but again I ask you to answer the question from the point of view of the public, what is best for the public, and whether or not the public interest, in dealing with the bar, will be better promoted by raising the standard.

Mr. SLEEPER: Mr. Speaker, in closing, I would like to have the House remember,—and do not let the proponents of this bill clog the issue—that the re-draft still calls for two years in college, and two years in college is still impossible for nine out of ten of the boys in Maine. If they feel that the Maine Bar Association is not quite up to standard, then I suggest that the Bar Examiners raise the examination requirements. Remember that in this Legislature we are the builders of the future, and please do not blight the future of the poor boys of Maine.

Mr. MACE of Augusta: Mr. Speaker and members of the House: I rise in defense of the lawyers of the State of Maine. I do not believe that the requirements of a college education would prevent there being "shyster" lawyers. I believe that passing a bill of this kind, which prevents the boy with brains, and the boy who is honest, and the boy who has worked his way through high school, from being admitted to the bar, would be an imposition. Remember, we are legislating for Maine. If this law and the requirements had been in force, a past Chief Justice of the Supreme Court would not have been a lawyer, nor the Chief Justice of our Supreme Court. Another Justice of

our Supreme Court could not have qualified, and at least another Judge of the Superior Court could not have qualified. I do not believe that this law should pass in this time of depression, because the matter of three or four thousand dollars is a great hindrance and would prevent boys of character, honesty, ability and brains from serving this State in the legal profession. I hope the motion of the gentleman from Rockland (Mr. Sleeper) will prevail.

Mr. AUSTIN of Exeter: Mr. Speaker and members of the House: So long as it is necessary for a person to pass an examination by the Bar Examiners, personally I think I had rather take my advice from a man who gains his knowledge from an old and experienced attorney, studying law with him than from a young man just out of college who thinks he knows it all. (Applause).

Mr. WILLEY of Falmouth: Mr. Speaker, the time is long past since there is any old and experienced lawyer in our State who has time to devote to training any young men in his office.

The gentleman from Portland, Mr. Connolly, spoke of a school in Maine, known as the Peabody Law School, but I do not believe that he knows that every teacher of that school, that the head of the school has requested that we do everything we can to have this measure receive a passage, for this reason: This school has been operated, I believe, for almost five years. There has been in attendance there students who have paid tuition, and during that entire time, out of, I think, some hundred and twenty students, only thirteen have been able to understand the courses and to pass the Maine bar examination, and those teachers and the head of that school feel that it is entirely unjust that the condition should prevail where those young people can be led to believe that they can become lawyers with such elementary training as our statute now provides for. It seems unfair that they should pay \$150 a year, and all the time the true facts staring them in the face that they have not a possibility, or only one chance in ten, of passing the bar examination.

Now much has been said by Brother Sleeper from Rockland, and the gentleman from Augusta, Mr. Mace, about the poor boys and the

handicaps this measure would bring upon them. Under this measure, any boy who has graduated from a high school and who is now studying in a law office can at any time hereafter take the Maine bar examination, and this law does not affect him.

To go one step further, if anyone is at all acquainted with history, and looks back to 1735, they would find that John Adams found a way to attend college two years by working in a corner grocery store, and any boy who is ambitious and wishes to study law will not be deprived of that opportunity because of this requirement for a college education.

I know of no boy who ever went to law school who was poorer than myself, but I found in one of the leading business men of New England and Boston, a man who died recently, Mr. Goodwin, the head of the Ginter Stores, of Boston, a man who was willing to pay any young boy to work in his store who was willing to work and do what he was told to do. This bill certainly places no hardship upon any boy, but it may discourage the indolent and lazy from trying to become that which they never should be, and it does protect the public.

The gentleman from Rockland, Mr. Sleeper, says that if mistakes are made there are plenty of lawyers who can correct them. But, I ask the gentleman, who pays for the corrections—is it the lawyers or is it the people?

There is no hardship whatever worked by this bill. I was in Boston less than three weeks ago, talking with some of the business men I know there. They said they had difficulty this year in finding boys to come and work for them, even at increased pay. When I was there, I got two meals a day and four dollars a week; and now they have to pay them seven dollars a week and give them two meals a day to get them to come, and even now they do not want to work the way he had to work.

The gentleman from Portland, Mr. Connolly, said that there were only four full-time law schools in New England. Well, he has not counted right. He left out Boston College; he has left out Boston University, and I think two more, which shows that he is entirely unacquainted with the situation.

I certainly hope, not for the benefit of the lawyers, but for the bene-

fit of the people of Maine, that the motion of the gentleman from Rockland (Mr. Sleeper) does not prevail.

Mr. JACOBSON: Mr. Speaker, the gentleman from Exeter, Mr. Austin, made a statement, and I wonder if he has read this bill. This bill still gives the person who studies in a law office a right to study that way. We do not take away that right; we just require two years of college before going into that office, so the point is well taken and they still have that right under this bill.

Mr. CONNOLLY: Mr. Speaker and members of the House: I have heard several members comment on whether or not I had read this bill. I want to say this right now: That I got five copies of this bill in the document room before I went home for the week-end. I want to say this also: That I read this bill over at least half a dozen times. I want to say also that there are only four full-time law schools in New England, and this bill is directed to the only law school in the State of Maine, and that is the Peabody Law School in the city of Portland, which is the only full-time law school we have at the present time in the State of Maine. I talked with Mr. Peabody, who is president of that school at the present time. He would not commit himself to either side; he would not say that he was in favor of this bill or opposed to it, but he did say this: That he understood the Chief Justice of the Supreme Court of the State was opposed to the bill at the present time.

Mr. CARSWELL: Mr. Speaker and members of the House: We are not interested in this bill from the standpoint of the lawyers; we are interested in it from the standpoint of the public, for the protection of the public. There is no individual, no business man, no professional man in any community who exercises such an important role as the lawyer, the man whom you go to when you are in trouble, the man whom you go to for advice, to guide you. It certainly is necessary that the individual in whom you put so much trust should be prepared educationally to read the law correctly, diagnose it, and advise you correctly. I do not know why we should legislate in favor of the ambitious men of Maine becoming lawyers any more than we should

in favor of their becoming members of any other profession. If a man has to sacrifice a bit, if he has to work a little harder to secure the prize, he will become a better lawyer. I had to work my way through the College of Pharmacy; I had to work nights and days and Sundays in a drug store to get sufficient money to take me through college. It was a sacrifice, and a lot of others have made sacrifices all their lives. We want this bill so that the people of Maine will have a better assurance, when they call upon a man who is an attorney-at-law, that he will know his business and can guide them right. I believe this is one of the best pieces of legislation from a public standpoint before this Legislature. (Applause)

Mr. BRAMSON of Portland: Mr. Speaker, I am in favor of this bill, and I have to disagree with my brother from Portland, Mr. Connolly. He represents the layman's standpoint, and the only opposition to this bill is from his standpoint. But are the law schools of the country wrong? Every Class A law school in the country requires two years' work. Are the bar associations of other states wrong? Here we have a man outside of the profession trying to tell us in the profession how to regulate it. You do not have any men come in here and tell the dentists how to regulate their dental schools, or the doctors how to regulate their medical schools, and I say, as an attorney, that we lawyers have a right to say what we need in our profession.

Mr. SCATES of Westbrook: Mr. Speaker, it is my turn now. The gentleman from Gorham (Mr. Carswell), has said, and others have said the same thing in the discussion, that the public must be protected from the lawyers. I agree with him. (Laughter)

Mr. BUSHEY of Waterville: Mr. Speaker, I move the previous question and request that when the vote is taken, it be by a division of the House.

The SPEAKER: The gentleman from Waterville, Mr. Bushey, now moves the previous question. Before the Chair can entertain this motion the consent of one-third the members present is required. 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**: 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 put now. All those in favor of the motion will say aye, those opposed no.

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

The **SPEAKER**: The question now before the House is on the indefinite postponement of bill an act relating to qualifications of applicants for admission to the bar, H. P. 1776, L. D. 811. Are you ready for the question? The gentleman from Waterville, Mr. Bushey, has asked for a division of the House. All those in favor of the indefinite postponement of the bill will rise and stand until counted, and the monitors will make and return the count.

A division of the House was had. Fifty-seven voting in the affirmative and 59 in the negative, the motion to indefinitely postpone failed of passage.

Thereupon the bill had its two several readings and tomorrow assigned.

The Chair lays before the House the thirteenth matter tabled and today assigned, bill an act creating a State Lottery Commission, H. P. 147, L. D. 49 (amended by House Amendment A as amended, House Amendment A being L. D. 753) tabled March 22 by Mr. Higgins of Ellsworth, pending third reading; and the Chair recognizes that gentleman.

Mr. **HIGGINS**: Mr. Speaker, I move the indefinite postponement of this bill.

Mr. **WEATHERBEE** of Lincoln: Mr. Speaker, I think this question of the State Lottery Commission bill is naturally tied up closely with the question of whether or not we are going to raise money for an old age pension fund. A number of the members of this House who voted both for and against this bill have spoken to me this morning saying that they would like to defer their further vote, if there must be a further vote, on this measure, until they have had an opportunity to find out whether or not there is going to be another way to raise money to provide for the old age pension fund. I think the greater

part of the members of the House are in favor of doing something about this old age pension fund. For this reason, then, it seems to be only fair that we should abstain from giving this bill its third reading, or killing it, until we have had opportunity to find out whether we can raise money for an old age pension fund in any other way. Therefore, I move that this bill be retabled and specially assigned for a week from today.

A viva voce vote being taken, the motion to retable prevailed, and the bill was specially assigned for Tuesday, April 2nd.

The Chair lays before the House the fourteenth matter tabled and today assigned, an act relating to the sale of prophylactic rubber goods for the prevention of venereal and other diseases, H. P. 1190, L. D. 392, tabled March 22 by Mr. Carswell of Gorham, pending the motion of Mr. Worthen of Corinth to indefinitely postpone; and the Chair recognizes the gentleman from Gorham, Mr. Carswell.

Mr. **CARSWELL**: Mr. Speaker, this bill was ambiguously worded and I move that it be recommitted to the committee on Public Health.

The motion prevailed and the bill was so recommitted.

The Chair lays before the House the fifteenth matter tabled and today assigned, Senate report ought to pass of the committee on Judiciary on bill an act relating to optometry, S. P. 162, L. D. 93, which came from the Senate report accepted and the bill passed to be engrossed as amended by Senate Amendment A. This report was tabled March 22 by Mr. Mace of Augusta, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. **MACE**: Mr. Speaker, with your indulgence I wish to yield to the gentleman from Bath, Mr. Oliver.

On motion by Mr. Oliver, the report was accepted in concurrence; and the bill had its two several readings, under suspension of the rules. (Senate Amendment A read by the Clerk)

Adopted in concurrence.

Mr. **OLIVER**: Mr. Speaker, I now offer House Amendment A, and move its adoption as follows:

House Amendment A to L. D. 93. Amend said bill by striking out

the word "who" in the seventh line of section one thereof, and inserting in the place thereof the words "three of whom," and inserting after the word "appointment" in the ninth line thereof, the following words "one an oculist, who in like manner has been engaged in the practice of his profession for five years prior to his appointment, and one a physician in actual practice."

On motion by Mr. Oliver the bill and amendment were retabled, pending the adoption of House Amendment A, and specially assigned for tomorrow morning.

The Chair lays before the House the sixteenth matter tabled and today assigned, House report without recommendation of the House committee on County Estimates on Senate report ought to pass of the committee on Salaries and Fees on bill an act relating to salary of Register of Deeds in Waldo county, S. P. 200, L. D. 670, the Senate report having been accepted in the Senate, and the bill passed to be engrossed. This was tabled March 23 by Mr. Payson of Brooks, pending acceptance; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker, of course this is a matter that interests the taxpayers of Waldo county. I have given this matter much consideration and all the taxpayers in Waldo county from whom I have heard, as well as the other members from Waldo county in this House, are not in favor of raising any salary at this time. I move that this bill be indefinitely postponed, and I hope the motion will prevail.

Mr. CROWELL of Weston: Mr. Speaker, the committee on Salaries and Fees had under consideration this legislative document relative to increasing the salary of the Register of Deeds in Waldo county. All the evidence that was presented before the committee at that time was in favor of this increase. We were told that the financial condition of Waldo county was excellent, and I hold in my hand a statement dated January 30, 1933, signed by the three County Commissioners of Waldo county. Among other things they said that there are no high salaried officials in Waldo county; that the tax rate in Waldo county for the years 1931-33 has been reduced 28%. They went on to tell about their tax rate and they told us of the surplus that they had in

that county. Since our committee had this hearing a volume of correspondence has come in from that county approving of the decision of the committee on Salaries and Fees. If there is any doubt in the minds of any member of this House that the Salaries and Fees committee did not act wisely, we would like to have you return this bill to us, and we are perfectly willing to go to Belfast and hold a hearing and give the people down there a chance to say what they want; but every bit of evidence that has been placed in our hands has been in favor of this increase. The Register of Deeds in Waldo county is the lowest paid official of this kind in the State of Maine according to the evidence submitted to us. I hope the motion of the gentleman from Brooks, Mr. Payson, does not prevail.

Mr. HARRIMAN of Prospect: Mr. Speaker, as one of the members of the House from Waldo county, I wish to go on record as in favor of this increase. The people of Waldo county whom I have contacted are in favor of it, and I hope that the motion of the gentleman from Brooks (Mr. Payson) does not prevail.

Mr. WOODBURY of Morrill: Mr. Speaker, I want to say as one Representative from Waldo county, that I think this is the wrong time to raise any salary. It does not seem necessary to raise the salary of any of the clerks in the Registry of Deeds. There are two other ladies who work in that office, and the three ladies receive around \$2,500. Besides the salary that the Register of Deeds gets, as I have been informed by the ex-sheriff, she receives over \$500 from other sources of revenue. I, for one, certainly hope that this bill will be indefinitely postponed.

Mr. THOMPSON of Belfast: Mr. Speaker, I had rather not have been called into this discussion because it might be said that it is a matter of politics in Waldo county; but I would like to call the attention of the gentleman from Weston, Mr. Crowell, that while the county is in very fine financial shape, our towns are not and the towns are the ones which pay taxes. At the present time I am very much opposed to an increase in the salary of any county official.

Mr. PAYSON: Mr. Speaker, I do not know why some one in some other county should be so much in-

terested. I know that all the taxpayers back home have told us not to raise any salaries at this time, and I hope that the motion to indefinitely postpone will prevail.

The SPEAKER: Will the gentleman from Brooks, Mr. Payson, withdraw his motion in order that we may act on the recommendation of the House committee and then renew his motion?

Motion withdrawn.

The SPEAKER: The House report is "without recommendation". Is it the pleasure of the House to accept the report?

The motion prevailed, and the report was accepted.

The SPEAKER: The gentleman from Brooks, Mr. Payson, now moves to indefinitely postpone the bill. Are you ready for the question?

Mr. CROWELL: Mr. Speaker, I am not trying to enter into a discussion of politics or the financial condition of Waldo county, because, as a citizen of another section, I am not particularly interested in any squabble, if there is one going on there; but the Salaries and Fees committee after hearing all the evidence presented to it I believe were warranted in rendering the decision it did render. Now, then, if you are not satisfied, why not recommit it to that committee and give us a chance to go to Belfast and hear what the people down there have to say about it, and we will then render a decision according to the evidence presented to us.

Mr. PAYSON: Mr. Speaker, it seems to me that would be a curious proceeding to go back home after they have sent us over here to act for them. I should be ashamed to go down there and have a hearing after they have sent us over here to do that. It sounds to me like some referendum they are trying to get.

Mr. SEABURY of Yarmouth: Mr. Speaker, I would like to support the remarks of the gentleman from Weston, Mr. Crowell, as a member of that committee. Very nearly all the evidence we heard on this matter was in support of what the committee recommended. Now if they have other evidence, I think it only fair that they should have produced it before the Salary and Fees committee. The salary in question is very much out of line with similar salaries for similar service throughout the State. I think the Salaries

and Fees committee rendered a fair verdict on the evidence we had presented to us.

The SPEAKER: Does the Chair understand that the gentleman from Weston, Mr. Crowell, moves to recommit the bill?

Mr. CROWELL: I think that would be a fair thing to do. If there is any further evidence to be submitted, the Salaries and Fees committee would be very glad to listen to it.

The SPEAKER: The gentleman moves to recommit the bill to the Salaries and Fees committee. Is that the pleasure of the House?

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

The SPEAKER: The Chair now recognizes the gentleman from Prospect, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, for the information of the members of the House, I will say that the present salary is now \$1,000, and this increase would bring it to \$1,400.

The SPEAKER: The question before the House is on the motion of the gentleman from Brooks, Mr. Payson, to indefinitely postpone the bill. Are you ready for the question?

Mr. AYER of Union: Mr. Speaker, I am somewhat acquainted with conditions in Waldo county. It was my native county and I have always kept somewhat in touch with its affairs. I am thoroughly in sympathy with the motion of the gentleman from Brooks, Mr. Payson. I think that that office has been filled and has been sought for at the present salary. It is very easy at a hearing to have members come in and ask for an increase, but a good many times it is hard to arouse the people to defend their rights. I certainly believe, as I have talked with people in Waldo county that they are opposed to this raise at the present time, and I certainly hope that the motion will prevail.

The SPEAKER: The question before the House is the indefinite postponement of this bill. Are you ready for the question? All those in favor of its indefinite postponement will say aye; those opposed no.

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

The Chair lays before the House the seventeenth matter tabled and today assigned, House report ought

not to pass of the committee on Public Utilities on bill an act relating to Public Utilities Commission, H. P. 1351, L. D. 589, which was accepted in the House on March 22, and tabled on March 23 by Mr. Leonard of Hampden, pending motion by the same gentleman to reconsider acceptance of the report; and the Chair recognizes that gentleman.

Mr. LEONARD: Mr. Speaker and members of the House. I asked to have this report reconsidered so that I could read a communication to correct a wrong impression that the members of this House had when they voted on this bill.

The gentleman from Bangor, Mr. Hathorn, said the Commission did not want this bill passed. I heard the remarks of Mr. Stearns who spoke before Mr. Hathorn's committee, and I could not believe that this statement could be right. The following letter will show the attitude of the Public Utilities Commission:

"Augusta, March 22, 1935.

Hon. Roger G. Leonard,
House of Representatives
State House,
Augusta, Maine.

Dear Mr. Leonard:

We are informed that when your bill giving the Public Utilities Commission certain control over its appropriations, without being subject to the approval of the Governor and Council, came up for consideration in the House, someone, in behalf of the Public Utilities Committee, stated from the floor that the Commission was not in favor of the bill or its passage.

"In view of your helpful attitude and active interest, which resulted in the introduction of this bill in the Legislature, it seems to us only fair to you that we should state that no one has been authorized to speak for us in any way regarding our position except as it was explained at the committee hearing, in your presence, by Chairman Stearns.

His statement was to the effect that the Commission was not criticizing the present Governor, or any member of his Council, since they had been uniformly courteous and considerate, but was rather a criticism, if it be such, against the system which requires us to submit practically every detail of our activity, involving the expenditure

of appropriated funds, to the various financial agencies of the State before feeling that we could proceed with assurance in the administration of the affairs of the Commission.

We believe that the expenditure by the Commission of appropriated funds as it deems best would promote greater efficiency, and result in better service to the public.

Very truly yours,
(Signed)

ALBERT J. STEARNS
HERBERT W. TRAFTON
EDWARD CHASE

Public Utilities Commission of
of Maine."

This bill would give the Commission the same rights that other departments now have. The amount they have to spend is small and they should be trusted to pay their help and the necessary expenses of their office without bothering the Governor and Council. Do you not believe that the gentlemen on this Commission can be trusted to pay out this money in a careful and honest manner? I think they are entitled to our confidence and should be given this right. I move that the bill be substituted for the report, and ask for a division of the House.

Mr. HATHORN of Bangor: Mr. Speaker, the Public Utilities committee heard this bill and there was one proponent to the bill, Mr. Leonard of Hampden. He states that Mr. Stearns did come before the committee; but it seems very peculiar to me that, if he favored the bill so much, the entire committee should bring in the report, ought not to pass. I signed the report ought not to pass and it was a unanimous report. Now I rather agree with Mr. Leonard, but I do not agree with him that all of the other departments have a free hand if, as a matter of fact, all the other departments did not have to go to the Governor and Council for whatever they want, I would be most heartily in favor of the Public Utilities Commission having that same right; but I understand, and I think all the members of that committee understood, that the Governor and Council have jurisdiction over all those departments and I was only carrying the message from our committee. I am positive that the Governor and Council do not agree with this bill, and I did not understand when

Mr. Stearns came before our committee that he wanted the bill to go through. Possibly I may be wrong and I would like to hear from some of the other members of the committee.

Mr. GLEASON of Bridgton: Mr. Speaker, as a member of this committee I want to state my reasons voting for this ought not to pass report. At the hearing before the committee Mr. Stearns did appear, and at that time he did not assert that he felt in favor of this bill. After the hearing I made the suggestion that, as this bill went over the heads of the Governor and Council, we defer our decision until a week from that time in order to give each member of the committee an opportunity to interview the members of the Council. I have had many people try to go over my head and I have not liked it and I do not believe it is right. So we have interviewed the members of the Council and found that they were not interested in the bill. They could not see any need of it, and it is my opinion if there are any bills that we have no need, we any bills for which we have no need, we should vote ought not to pass on them and that is my reason for voting the way I did.

Mr. LANCASTER of Canaan: Mr. Speaker, being a member of this committee I would like to say that we gave this matter very careful attention and we felt that we should not establish a precedent and take this department away from the Governor and Council. I hope this motion will not prevail.

Mr. LEONARD: Mr. Speaker. I do not think I said that all the departments of State had that privilege. I said that some of them had that privilege and it was given to the last Commission that was organized, the Liquor Commission. As for going over the heads of anybody, I think the committee is going over the heads of the Commission when it denies them this right.

Mr. WEBBER of Auburn: Mr. Speaker, as a member of that committee, I would say that the only proponent there was the gentleman from Hampden, Mr. Leonard. We did call in the members of the Public Utilities Commission and ask them some questions. The Chairman did not tell us that he was in favor of this bill nor did he tell us that he was opposed to it. No mem-

ber of the Public Utilities Commission has said to us that he was in favor of the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Leonard, to reconsider the acceptance of the committee's report ought not to pass of the committee on Public Utilities on bill an act relating to the Public Utilities Commission. Are you ready for the question? The question is on the reconsideration of the action of the House on acceptance of report. All those in favor of the motion of the gentleman from Hampden, Mr. Leonard, will say aye, those opposed no.

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

The Chair lays before the House the eighteenth matter tabled and today assigned, being Senate report legislation inexpedient as it is taken care of in another bill of the committee on Public Health on bill an act related to narcotic drugs, S. P. 198, L. D. 148, which was accepted in concurrence in the House on March 22 and tabled March 23 by Mr. HESCOCK of Monson, pending the motion of the same gentleman to reconsider acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. HESCOCK: Mr. Speaker and members of the House: Certain conditions have arisen within the past ten days that were not known by the committee when they considered this bill, and for that reason they would like to have it recommitted to them for further consideration; and I so move.

The motion prevailed and the bill was recommitted to the committee on Public Health.

The Chair lays before the House the nineteenth matter tabled and today assigned, bill an act providing medical service for small towns, H. P. 821, L. D. 236 (Bill amended by House Amendment A) tabled March 25 by Mr. MACE of Augusta, pending third reading; and the Chair recognizes that gentleman.

Mr. MACE: Mr. Speaker, I would like to have House Amendment A read.

(House Amendment A read by the Clerk)

Mr. MACE: Mr. Speaker, I would like to inquire in regard to the parliamentary procedure. Is a motion

now in order in regard to the amendment itself without any reconsideration of anything?

The SPEAKER: Not without reconsideration of the adoption of the amendment.

Mr. MACE: I would like to move, Mr. Speaker, that we reconsider the adoption of the amendment.

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

Mr. MACE: Mr. Speaker, I am heartily in favor of this bill as it was first offered to this House. I am not in favor of any amendment which would becloud the situation. I do not think such amendments are necessary. Therefore, I move the indefinite postponement of House Amendment A.

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

Thereupon the bill was given its third reading and passed to be engrossed.

The Chair lays before the House the twentieth matter tabled and today assigned, bill an act to provide a Town Council and Manager Form of Government for the town of Richmond, in the county of Sagadahoc, H. P. 1787, L. D. 822, tabled March 25 by Mr. Ellis of Castle Hill, pending third reading.

Mr. ELLIS: Mr. Speaker, I yield to the gentleman from Georgetown, Mr. Hagan.

Mr. HAGAN: Mr. Speaker, I wish to offer House Amendment A and move its adoption, as follows:

House Amendment A to H. P. 1787, L. D. 822, entitled an act to provide a Town Council and Manager Form of Government for the town of Richmond, in the county of Sagadahoc.

Amend said bill by striking out in the last sentence of the third paragraph of section two the words 'Director of Health' and inserting in place thereof, the words 'Commissioner of Health and Welfare'.

Further amend said bill by adding at the end of section two thereof the following words: 'excepting further that the health officer shall appoint a plumbing inspector or inspectors to serve for a term of one year subject to the approval of said Commissioner as provided by general law.'

Thereupon House Amendment A was adopted, the bill as amended

was given its third reading and passed to be engrossed.

The SPEAKER: We have considered all the matters that are specially assigned for today. There are on the table several unassigned matters. Can any of those be taken off?

On motion by Mr. Richardson of South Portland it was voted to take from the table the second unassigned matter, bill an act creating a State Park Commission, S. P. 629, L. D. 763, (passed to be engrossed in the Senate) tabled March 21 by that gentleman pending passage to be engrossed in concurrence; and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, I now offer House Amendment A and move its adoption as follows:

House Amendment A to S. P. 629, L. D. 763, entitled "An act creating a State Park Commission".

Amend said bill by striking out the paragraph numbered (c) of section 2, and inserting the following in place thereof:

(c) 'With the consent of the governor and council, to set apart, and publicly proclaim areas of land in this state including improvements, or other structures thereon, title to which has been acquired hereunder, as parks and/or memorials within the meaning of this act, and the commission may from time to time, establish such rules and regulations as it deems necessary (1) for the protection and preservation of state parks and parks under state control; and (2) for the protection and safety of the public, and (3) for observances of the conditions and restrictions expressed in deeds of trust, or otherwise, of the parks of the state, and of monuments thereon; and before promulgating the same, they shall be submitted to the attorney-general, and if he shall certify that in his opinion they are in conformity with the law, they shall thereupon, together with paragraph "d" of this section, be published once a week for 2 successive weeks in a newspaper published in the towns or counties of this state wherein parks are located and posted in at least 3 conspicuous places in or about said park or parks whereupon they shall take effect, and a certificate of such publication and posting shall be executed by one of

the members of said commission and filed with the secretary of state, who shall record the same.'

Mr. RICHARDSON: Mr. Speaker, I would say for the benefit of the members that this simply changes a few numerals in the original bill and the word "it" for "they", and leaving out the word "not". Those are the only changes.

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

Mr. PATTERSON of Freeport: Mr. Speaker, I would like to take from the table the third, fifth, sixth and seventh unassigned matters and have them specially assigned for a week from Friday, April 5th. This is in line with the bill tabled today by Mr. Tupper of Calais and there will be several more to come in of that kind.

On motion by Mr. Patterson, it was voted to take from the table the third unassigned matter, resolve in favor of purchase of copies, of "The History of Oxford County," H. P. 1790, L. D. 819, tabled by that gentleman, March 23, pending assignment for second reading; and on further motion by the same gentleman the resolve was retabled and specially assigned for Friday, April 5th.

On motion by Mr. Patterson of Freeport, it was voted to take from the table the fifth unassigned matter, House Amendment A to resolve for the purchase of one hundred copies of the "Financial History of Maine, 1820 to 1934", S. P. 79, L. D. 791 (resolve passed to be engrossed in the Senate) tabled March 23 by that gentleman, pending adoption of the amendment; and on further motion by the same gentleman retabled and specially assigned for Friday, April 5th.

On motion by Mr. Patterson of Freeport, it was voted to take from the table the sixth unassigned matter, resolve for the purchase of one hundred copies of "A History of Banking in Maine, 1799-1930", S. P. 634, L. D. 795, tabled March 23 by that gentleman, pending passage to be engrossed in concurrence; and on further motion by the same gentleman the resolve was retabled and specially assigned for Friday, April 5th.

On motion of Mr. Patterson of Freeport, it was voted to take from the table the seventh unassigned matter resolve for the purchase of one hundred copies of "A Bibliography of the State of Maine, 1892 to 1933", S. P. 635, L. D. 794, tabled by that gentleman March 23, pending passage to be engrossed in concurrence; and on further motion by the same gentleman resolve was retabled and specially assigned for Friday, April 5th.

On motion by Mr. Thompson of Chelsea, the House voted to reconsider its action earlier today whereby it passed to be engrossed H. P. 1804, L. D. 845, an act relating to the construction of State Aid highways; and on further motion by the same gentleman the bill was tabled pending passage to be engrossed and specially assigned for Friday, March 29.

On motion by Mr. Eddy of Bangor, the House voted to reconsider its action earlier today whereby it passed to be enacted an act to amend the city charter of Bangor, H. P. 1529, L. D. 374; and on further motion by the same gentleman the bill was tabled, pending passage to be enacted; and specially assigned for Friday, March 29th.

On motion by Mr. Willey of Fal-mouth, the House voted to reconsider its action taken earlier in today's session whereby it accepted the ought not to pass report on bill an act relating to small loans, H. P. 1199, L. D. 449.

Mr. WILLEY: Mr. Speaker, I do this for the reason that it was at that time thought that there was another measure coming from the Senate on which an amendment could be attached and adopted here. This was the desire of some of the members and that is why I desire that it be laid on the table and specially assigned for Friday of this week.

The motion prevailed, and the bill was tabled pending acceptance of the report, and specially assigned for Friday, March 29th.

Mr. EVELETH of Portland: Mr. Speaker, I rise for a point of information the nineteenth matter assigned for today was taken up a few minutes ago and Amendment A was indefinitely postponed. I did not

know that it was coming up and I did not know the contents of the bill. I wonder if it would be possible to table that until Friday this week so that I can get some more information on it. I think it is class legislation and I believe that it deserves consideration.

The SPEAKER: The gentleman from Portland, Mr. Eveleth, now moves that the House reconsider its action whereby earlier in the day it passed to be engrossed bill an act providing medical service for small towns, H. P. 821, L. D. 236.

The motion prevailed.

The SPEAKER: The same gentleman now moves that the bill lie on the table, pending passage to be engrossed until Friday of this week.

Mr. EVELETH: Pending the motion to indefinitely postpone amendment A.

The SPEAKER: Amendment A was indefinitely postponed this morning. The gentleman from Portland, Mr. Eveleth, now moves that the House reconsider its action

whereby at this this morning's session it voted to indefinitely postpone House Amendment A to H. P. 821, L. D. 236. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion to reconsider the indefinite postponement of House Amendment A failed of passage; and on further motion by the same gentleman, the bill was tabled pending passage to be engrossed, and specially assigned for Friday, March 29th.

The SPEAKER: Is there any further business to be taken up under Orders of the Day? We have on the Calendar for tomorrow a large number of specially assigned matters. Does the House wish to convene at nine o'clock tomorrow morning?

On motion by Mr. Hill of South Portland, a viva voce vote being taken.

The House adjourned until tomorrow morning at nine o'clock.