

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Wednesday, April 3, 1935.

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

Prayer by the Rev. Mr. Moore of Gardiner.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair recognizes the gentleman from South Portland, Mr. Hill.

Mr. Hill of South Portland presented the following order, out of order, and moved its passage.

Ordered, that when the House rises this noon, it recess until 4 p. m. today.

The order received a passage.

The **SPEAKER**: The Senate ought not to pass reports will be passed on en bloc if there is no objection. If a member wishes to table will they do so when read?

Papers from the Senate disposed of in concurrence.

**Senate Bill in First Reading**

S. P. 708, L. D. 896; An Act relating to purchase of herring.

From the Senate: Report of the committee on Ways and Bridges reporting ought not to pass on bill an act relating to the Hancock-Sullivan bridge, H. P. 1116, L. D. 307, on which the bill was substituted for the report in the House on March 29th and passed to be engrossed as amended by House Amendment A on March 29th.

Comes from the Senate report accepted in non-concurrence.

In the House, on motion by Mr. Noyes of Franklin that body voted to insist on its former action and ask for a committee of Conference.

The Chair appointed the following conferees:

Messrs. Noyes of Franklin, Devereux of Penobscot and Mace of Augusta.

**Orders**

Mr. Findlen of Fort Fairfield presented the following order and moved its passage:

Ordered, the Senate concurring, that the Secretary of the Senate be authorized to forthwith transmit to Franklin Delano Roosevelt, President of the United States, the

attached original petition signed by the entire membership of both the House of Representatives and the Senate of the Eighty-seventh Legislature of the State of Maine. (H. P. 1855)

The order received passage and was sent up for concurrence.

Mr. **LEBEL** of Brunswick: Mr. Speaker, I would like to ask the unanimous consent of the House, out of order and under suspension of the rules, to introduce a bill.

The **SPEAKER**: The Clerk may read the title of the bill.

An Act to stimulate the building industry in the State of Maine, (H. P. 1856)

(Entire bill read by the Clerk)

Mr. **HAMMOND** of Strong: Mr. Speaker, we are now in the fourteenth week of the session of this Legislature, and it seems to me that there has been ample time during those fourteen weeks for the introduction of such bills as this, particularly if the desire for their introduction be genuine and sincere. It seems futile to introduce such a bill as this in the closing hours of the session. The bill offered by the gentleman from Brunswick (Mr. Lebel), is a matter of enormous magnitude and possibilities and should deserve and demand more than the passing attention we can give it in these closing days. There is not time now to table and study such a bill, and I protest against any attempt to railroad such an important matter through without sufficient time therefor. So, Mr. Speaker, I object to its introduction.

The **SPEAKER**: The gentleman from Strong, Mr. Hammond, objects to the admission of the bill and the bill is not received.

**Reports of Committees**

Majority report of the Committees on Education and Taxation jointly on bill an act to provide for the allotment of additional funds to the State School Fund and to provide for the equalization of the burden of supporting a foundation program of education (H. P. No. 181) (L. D. No. 56) together with petitions reporting same in a new draft (H. P. No. 1846) under same title and that it ought to pass and that the petitions be placed on file.

Report was signed by the following members:

Messrs. Tompkins of Aroostook  
Pinansky of Cumberland  
McDonald of Washington  
—of the Senate.  
Cook of Pittsfield  
Chase of Limington  
Drisko of Jonesboro  
Kendrick of Litchfield  
Deering of Hollis  
Martin of Dexter  
Newton of Readfield  
Mrs. Currier of Bangor  
—of the House.

Minority report of same Committees reporting ought not to pass on same bill with accompanying petitions.

Report was signed by the following members:

Messrs. Blanchard of Franklin  
Pillsbury of Kennebec  
Burkett of Knox  
—of the Senate.  
Mason of Mechanic Falls  
Shaw of Milbridge  
Allan of Topsham  
Haskell of Windham  
Crowell of Weston  
Hall of Bar Harbor  
—of the House.

On motion by Mr. Cook of Pittsfield, a viva voce vote being taken, both reports tabled pending acceptance of either, new draft ordered printed, and specially assigned for Friday, April 5.

Majority report of the Committee on Judiciary on bill an act relating to the competency of witnesses to a will (H. P. No. 1142) (L. D. No. 366) reporting same in a new draft (H. P. No. 1847) 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  
Philbrick of Cape Elizabeth  
Hill of So. Portland  
Gray of Presque Isle  
Weatherbee of Lincoln  
Jacobson of Portland  
Vaughan of So. Berwick  
—of the House.

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

Report was signed by the following members:

Messrs. Burkett of Cumberland  
Fernald of Waldo  
—of the Senate.

On motion by Mr. Hill of South Portland majority report accepted, and the new draft ordered printed.

Report "A" of the Committee on Judiciary on bill an act requiring owners of certain motor vehicles and trailers to furnish security for their civil liability on account of personal injuries and property damage caused by their motor vehicles and trailers (H. P. No. 1234) (L. D. No. 601) reporting same in a new draft (H. P. No. 1848) under same title and that it ought to pass. Report was signed by the following members:

Messrs. Burns of Aroostook  
—of the Senate.  
Hill of So. Portland  
Vaughan of So. Berwick  
Willey of Falmouth  
Jacobson of Portland  
—of the House.

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

Report was signed by the following members:

Messrs. Burkett of Cumberland  
Fernald of Waldo  
—of the Senate.  
Weatherbee of Lincoln  
Gray of Presque Isle  
Philbrick of Cape Elizabeth  
—of the House.

Mr. JACOBSON of Portland: Mr. Speaker, this new draft is entirely different from the bill. It only came out of the committee yesterday afternoon, and I move that both reports be tabled, pending acceptance of either, and be specially assigned for tomorrow and the new draft ordered printed.

The motion prevailed.

Mr. Ryder from the Committees on Inland Fisheries and Game and Agriculture jointly reported ought not to pass on bill an act relative to bounty on bears (H. P. No. 1266) (L. D. No. 560)

Mr. Weatherbee from the Committee on Judiciary reported same on bill an act to require constables and collectors of taxes to be bonded by a surety company (H. P. No. 1175) (L. D. No. 381)

Same gentleman from same Committee reported same on bill an act to require city and town treasurers to be bonded by a surety company (H. P. No. 1176) (L. D. No. 382)

Mr. Chase of Baring from the Committee on Legal Affairs re-

ported same on bill an act relating to government of the town of Harpswell (H. P. No. 1143) (L. D. No. 331)

Mr. Donahue from same Committee reported same on bill an act to incorporate the Calais Water District (H. P. No. 860) (L. D. No. 298)

Reports read and accepted and sent up for concurrence.

Mr. Sprague from the Committees on Inland Fisheries and Game and Agriculture jointly on bill an act relative to bounty on bears (H. P. No. 432) (L. D. No. 130) reported same in a new draft (H. P. No. 1849) under same title and that it ought to pass

Mr. Ryder from same Committee on bill an act relative to the planting of fish in inland waters (H. P. No. 558) (L. D. No. 154) reported same in a new draft (H. P. No. 1850) under same title and that it ought to pass

Mr. Davis from the Committee on Legal Affairs on bill an act relating to assessors (H. P. No. 1335) (L. D. No. 543) reported same in a new draft (H. P. No. 1851) under same title and that it ought to pass

Mr. Higgins from same Committee on bill an act relating to State planning and development (H. P. No. 1331) (L. D. No. 539) reported same in a new draft (H. P. No. 1852) under same title and that it ought to pass

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

Mr. Shaw from the Committee on Sea and Shore fisheries on resolve protecting cod, haddock, and other ground fish along the Coast of Maine from Damariscove to Monroe Island (H. P. No. 1083) (L. D. No. 326) reported same in a bill (H. P. No. 1854) under title of an act regulating the taking of ground fish by dragging and that it ought to pass

(Tabled by Mr. Sleeper of Rockland, pending acceptance of the report, new draft ordered printed and specially assigned for tomorrow morning)

Mr. Crowell from the Committee on Taxation on bill an act relating to the registration of motor vehicles (H. P. No. 1314) (L. D. No. 494) reported same in a new draft (H. P. No. 1853) under same title and that it ought to pass

(Tabled by Mr. Young of York, pending acceptance of report, new

draft ordered printed, and specially assigned for tomorrow morning)

Mr. MacKenzie from the Committee on Inland Fisheries and Game reported ought to pass on resolve relative to season and bag limit on smelts (H. P. No. 783)

(Tabled by Mr. Stilphen of Dresden, pending acceptance of report, resolve ordered printed, and specially assigned for tomorrow morning)

### First Reading of Printed Bills and Resolves

(H. P. No. 1843) (L. D. No. 904)  
An act creating a Public Safety Commission for the town of Rumford Falls

(H. P. No. 1844) (L. D. No. 902)  
An act to incorporate the Brunswick School District

(H. P. No. 1845) (L. D. No. 903)  
An act relating to registration number plates

(H. P. No. 94) (L. D. No. 901)  
Resolve in favor of Caswell Plantation

### Passed to be Engrossed

(H. P. No. 1840) (L. D. No. 898)  
An act to change the charter of the City of Calais

(S. P. No. 154) (L. D. No. 86)  
An act related to the payment of wages

(S. P. No. 175) (L. D. No. 873)  
An act repealing the Aeronautical Fund

(S. P. No. 707) (L. D. No. 887)  
An act relating to the taking of clams in the town of Roque Bluffs

(S. P. No. 701) (L. D. No. 874)  
Resolve relating to fishing in B. Pond

(H. P. No. 1841) (L. D. No. 899)  
Resolve in favor of several academies, institutes and seminaries

### Passed to be Enacted

(S. P. No. 693) (L. D. No. 857)  
An act to establish stations for weighing trucks

(H. P. No. 1816) (L. D. No. 866)  
An act relative to Game Preserve in York County

(H. P. No. 1818) (L. D. No. 868)  
An act to designate New Year's Day as a legal holiday

### Finally Passed

(S. P. No. 211) (L. D. No. 861)  
Resolve relating to fishing in Umbagog Lake

(H. P. No. 780) (L. D. No. 870)  
Resolve relative to extending open season on white perch

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

(Tabled by Mr. Tupper of Calais, pending final passage, and specially assigned for Friday, April 5)

(H. P. No. 1815) (L. D. No. 871)  
Resolve relating to extending the ice fishing season on white perch

#### Orders of the Day

Under Orders of the Day the Chair lays before the House the first matter tabled and today assigned, Senate report ought to pass in new draft of the committee on Inland Fisheries and Game on bill an act relative to vagrant cats, S. P. 408, L. D. 534, new draft S. P. 696, L. D. 863, tabled on April 1 by the gentleman from Alna, Mr. Carleton, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. CARLETON: Mr. Speaker, I yield to the gentleman from Gorham, Mr. Carswell.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Carswell.

On motion by Mr. Carswell, the report of the committee was accepted in concurrence; and on further motion by the same gentleman the bill had its first two readings; and the same gentleman offered House Amendment A and moved its adoption, as follows:

House Amendment A to S. P. 696, L. D. 863, bill an act relative to vagrant cats.

Amend said bill by inserting after the word "any" in the seventh line thereof the word "Tom." (Laughter)

On motion by Mr. Thompson of Belfast, a viva voce vote being taken, House Amendment A was indefinitely postponed; and on further motion by the same gentleman a viva voce vote being taken, the bill was indefinitely postponed.

Mrs. KILROY of Portland: Mr. Speaker, I wish to present under suspension of the rules a Memorial, and move its adoption.

Permission being granted, Mrs. Kilroy presented the following Memorial:

**Memorial to the Honorable Senate and House of Representatives of the United States of America in Congress assembled.**

We, your Memorialists, the Senate and House of Representatives

of the State of Maine in the 87th Legislative session assembled, most respectfully present and petition your honorable body as follows:

WHEREAS, the port of Portland was formally one of the leading ports of the country, and

WHEREAS, Federal policies effecting treaties and tariffs have resulted in a tremendous loss of commerce of the port of Portland, now therefore be it

RESOLVED: That we, your Memorialists, do hereby respectfully petition and urge that a Federal investigation be made of the interstate and international commerce of the port of Portland, and that adequate legislation be enacted and/or Federal treaty negotiations be made that will assist in regaining for the port of Portland its lost commerce, and to assure the carriage of American commerce through American ports; and be it further

RESOLVED: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the proper officers and committees of the United States Senate and House of Representatives, the President of the United States and to each of the Representatives and Senators representing the State of Maine in the United States Congress. (H. P. 1857)

The Memorial was adopted and sent up for concurrence.

On motion by Mr. Hill of South Portland, it was voted to take from the table the first unassigned matter, bill an act to provide for the issuance of State of Maine improvement bonds and the allocation of the proceeds from sale, H. P. 1826, L. D. 885, tabled March 29 by that gentleman, pending reference to a committee.

On further motion by Mr. Hill, the rules were suspended, and the bill given its three several readings and passed to be engrossed without reference to a committee.

On motion by Mr. Thompson of Chelsea, the House voted to reconsider its action earlier in today's session whereby it accepted the report of the Judiciary committee ought not to pass on bill an act to require constables and collectors of taxes to be bonded by

a surety company, H. P. 1175, L. D. 381; and on further motion by the same gentleman the bill was tabled until the afternoon session, pending acceptance of the report.

On motion by Mr. Thompson of Chelsea, the House voted to reconsider its action earlier in today's session whereby it accepted the report of the Judiciary committee ought not to pass on bill an act to require city and town treasurers to be bonded by a surety company, H. P. 1176, L. D. 382; and on further motion by the same gentleman the bill was tabled until the afternoon session, pending acceptance of the report.

On motion by Mr. Chase of Baring under suspension of the rules, the House voted to reconsider its action of March 28th whereby S. P. 661, L. D. 836, an act relating to payment of wages, was passed to be engrossed as amended by House Amendment A.

Thereupon Mr. Chase offered House Amendment B, as follows, and moved its adoption:

House Amendment B to S. P. 661, L. D. 836, entitled: An act relating to the payment of wages.

Amend said bill by inserting in the 13th line thereof after the word "rent" the words "light or water expense".

Thereupon the House adopted House Amendment B and the bill was passed to be engrossed, as amended, in non-concurrence.

On motion by Mr. Hill of South Portland,

Recessed until four o'clock this afternoon.

## AFTERNOON SESSION

### Conference Reports

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to delinquency in payment of insurance assessment (H. P. No. 1752) (L. D. No. 769) reporting that the Committee is unable to agree.

(Signed)

Messrs. Ellis of Rangeley  
Cambridge of Westfield  
Mace of Augusta

—Committee on part  
of House.

Burns of Aroostook  
Burkett of Cumberland  
Caril of York

—Committee on part  
of Senate.

Report read and accepted and sent up for concurrence.

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to licenses for wholesalers in malt beverages (S. P. No. 347) (L. D. No. 397) reporting that the Committee recommend that the House recede and concur in the indefinite postponement of House Amendment A.

(Signed)

Messrs. Gibbons of Portland  
Hill of South Portland  
Wentworth of Kennebunk  
—Committee on part  
of House.

Blanchard of Franklin  
Pillsbury of Kennebec  
Burns of Aroostook

—Committee on part  
of Senate.

Report read and accepted and sent up for concurrence. Under suspension of the rules, the House reconsidered its former action of March 15th whereby the bill was passed to be engrossed as amended by House Amendment A, and whereby House Amendment A was adopted. House Amendment A was indefinitely postponed and the bill passed to be engrossed in concurrence.

Report of the committee on Conference on the disagreeing action of the two branches of the Legislature on bill on act relating to lights on trucks, H. P. 335, L. D. 105, reporting that they have had the same under consideration and ask leave to report that both branches recede from their former positions and concur in the adoption of House Amendment A to House Amendment A as submitted herewith, and pass the bill to be engrossed as amended by House Amendment A and as amended by House Amendment A thereto.

The submitted House Amendment A to House Amendment A reads as follows:

House amendment A to House Amendment A to Bill An Act relating to Lights on Trucks" (H. P. No. 335) (L. D. No. 105)

Amend said amendment by inserting after the word "vehicle" in the ninth line of the second paragraph thereof the words 'having a closed body'.

Further amend said amendment by inserting after the word "vehicle" where it appears the second time in the 15th line of said Paragraph 2 the words 'having a closed body'.

Further amend said amendment by striking out all after the word "display" in the 16th line thereof, and inserting in place thereof the following: 'a red light on the extreme upper left lateral extension of its body'

Report read and accepted.

Thereupon the House, under suspension of the rules, voted to reconsider its action of March 19 whereby this bill was passed to be engrossed. Also under suspension of the rules it voted to reconsider the adoption of House Amendment A.

Thereupon the House adopted House amendment A to House amendment A to the bill as read by the Clerk and as reported by the committee on Conference.

Thereupon the bill was passed to be engrossed as amended in non-concurrence.

From the Senate: Final report of the Committee on Aeronautics and Radio Control.

Comes from the Senate read and accepted.

In the House read and accepted in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the Committee on Judiciary reporting Ought to pass on bill An Act relative to the making of local regulations for Fishing by the Commissioner of Inland Fisheries and Game. (S. P. No. 190) (L. D. No. 140)

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

In the House, on motion by Mr. Mace of Augusta, tabled pending acceptance of the report in concurrence and specially assigned for tomorrow.

From the Senate: Majority report of the Committee on Military Affairs reporting ought not to pass

on bill an act to provide for the completion of the payment of a bonus to Maine Soldiers and Sailors in the War with Spain. (S. P. No. 163) (L. D. No. 92)

Report was signed by the following members: Messrs. Burkett of Cumberland, Burns of Aroostook—of the Senate; Graves of Mt. Desert, Hall of Bar Harbor, Tupper of Calais, Sewall of Bath—of the House.

Minority report of same Committee reporting ought to pass on same bill.

Report was signed by the following members:

Messrs. Bartlett of Oxford—of the Senate; Harriman of Prospect, Fortin of Lewiston, Eddy of Bangor—of the House.

Comes from the Senate Majority report read and accepted.

In the House:

Mr. TUPPER of Calais: Mr. Speaker, I move that the majority report be accepted.

The SPEAKER: The gentleman from Calais, Mr. Tupper, moves that the majority report be accepted in concurrence. The Chair recognizes the gentleman from Lewiston, Mr. Fortin.

Mr. FORTIN: Mr. Speaker and members of the House: As one who signed the minority report, I feel it my duty, as an ex-service man, speaking for the ex-service men, to briefly bring to your attention what I call this debt of honor that is owed to our Spanish War Veterans. The American Legion appeared at the hearing, and the Spanish War Veterans appeared. There is no doubt in the minds of those who signed the minority report that Governor Powers, on these very same muster grounds up here, promised Maine volunteers a bonus of one hundred dollars, to assist in the recruiting of volunteers.

It means an expenditure of about eighty thousand dollars, and I believe there are about one thousand Spanish War Veterans still living.

Governor Brann, in his inaugural address, said that: "Governor Powers, in 1898, promised Maine volunteers for the war with Spain a bonus of one hundred dollars. The State has paid \$22 on account of the bonus.

"There are now about one thousand Spanish Veterans in the State.

"There should be no further postponement of the State's duty in this matter. I recommend payment of



the bonus to the Maine Spanish American War Veterans, if the money can be found."

The attitude of the committee—those who signed the majority report—I believe, was that this was due these ex-soldiers, but in view of the fact that we have no funds available, it must be reported ought not to pass. Four of us signed the minority report, ought to pass. I hope that this House will take action for these soldiers.

Mr. TUPPER: Mr. Speaker and members of the House: The committee gave this resolve a very fair hearing. The committee on Appropriations, last session, gave it a fair hearing, and reported ought not to pass, and the House backed the committee up. There has been a resolve in every session of the Legislature since 1921, asking for this bonus, and it has never been granted.

Now the point at issue is: Did Governor Powers ever promise one hundred dollars to each man?

Two weeks ago, when we had the hearing, there were quite a number of Veterans there, and many of them said they were on the parade ground when Governor Powers promised this one hundred dollars. There is nothing on the record to prove it. It seems to me, if this had been promised, a resolve would have been put into the Legislature before 1921, because the war was over in 1899. There is no legal backing for the resolve. If there were only a moral backing, I am sure the House would want to pass it, but there is absolutely no record to back this up.

Now, with your forbearance, I will read from the inaugural address of Governor Powers in 1899. Governor Powers said: "I examined as to what the State did to aid enlistment in the early part of the war of 1861. I found that an extra session of the Legislature, called by Governor Washburn, in April of that year, passed an act, (chapter 63, section 2, Laws of 1861) authorizing and directing that a gratuity or bounty of \$22 be paid to each private; \$24 to each musician; \$26 to each corporal; \$34 to each sergeant, and to a first sergeant \$40, who would enlist and be mustered into the service of the United States, and that these several sums were paid to the first ten regiments organized. Later on

very much higher bounties were offered and paid.

"I consulted with Colonel Kendall, who commanded the regiment, and with several captains of the different companies, and they informed me that some of their men had been in the strikes in Lewiston and Biddeford and must have aid. I told them to send out recruiting officers to the towns and cities where the companies of the 1st Regiment had been organized, and endeavor to fill up these companies with the least possible delay, and I authorized him and them to state to all men enlisting that they should have the same treatment and the same gratuity as was given by the act of April, 1861, to the soldiers of the first ten regiments, assuring them that I would either raise the necessary funds to do this myself, or call an extra session of the Legislature, and recommend that it be done, in which event I had no doubt it would be.

"After due deliberation, I finally decided, under all the circumstances, to pay this bounty to the men on my own personal responsibility, trusting and believing that after you had a full knowledge of the facts, the needs of the men and the urgency of immediate enlistments, that wisdom and propriety, as well as the necessity of so doing, would commend itself to your judgment, and the act be ratified by you. There are certainly as cogent reasons for paying this small bounty to these volunteers as there were to those in 1861. Many of the men were in pressing need of some money to purchase little necessary articles for themselves, and others must have something to send to their very destitute families or leave them in want."

Now Mr. Speaker, the Governor said nothing about more money being owed to these soldiers. I cannot conceive of Governor Powers promising the men on the parade ground in Augusta that they would get one hundred dollars—and they were paid twenty-two dollars—and failed to keep his word. I hope that the majority report will be accepted.

The SPEAKER: The question before the House is on the acceptance of the majority report of the committee on Military Affairs, ought not to pass, on bill an

act to provide for the completion of the payment of a bonus to Maine Soldiers and Sailors in the War with Spain. The Chair recognizes the gentleman from Lewiston, Mr. Fortin.

Mr. FORTIN: Mr. Speaker, I hate to ask it, but I would like to have a division of the House when the vote is taken.

The SPEAKER: The gentleman from Lewiston, Mr. Fortin, asks for a division of the House when the vote is taken. Is the House ready for the question? All those in favor of the motion of the gentleman from Calais, Mr. Tupper, to accept the majority report ought not to pass on bill an act to provide for the completion of the payment of a bonus to Maine Soldiers and Sailors in the War with Spain will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

Seventy-two having voted in the affirmative and 36 in the negative, the motion prevailed, and the report of the committee ought not to pass was accepted.

From the Senate: Bill an act relative to qualifications of applicants for admission to the Bar (H. P. No. 1776) (L. D. No. 811) which was indefinitely postponed in the House on April 2nd.

Comes from the Senate that body insisting on its former action whereby the bill was passed to be engrossed and asking for a Committee of Conference and with the following Conferees appointed on its part: Messrs. Burkett of Cumberland, Pinansky of Cumberland, Burns of Aroostook.

In the House:

Mr. CASWELL of Gorham: Mr. Speaker, I move that the House recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I move that we adhere to our previous action.

The SPEAKER: The motion of the gentleman from Rockland, Mr. Sleeper, is out of order. The Chair recognizes the gentleman from Lincoln, Mr. Weatherbee.

Mr. WEATHERBEE: Mr. Speaker, I feel it my duty to rise and inject a slight breath of unprofessional purity into all this sordid

and sultry legal atmosphere. I am not a lawyer, but, as was pointed out here the other day, I am one of the so-called budding lawyers, the so-called budding lawyer on the Judiciary committee. I still have some study ahead of me before I am going to be able to burst forth in full bloom. However, as one who has studied law, at this time I feel I may be in a position to realize the value to a person studying law of some previous extensive training in college.

I think every one in this House will agree with a member of the Bar Examiners Board of Maine, when he said before the Judiciary committee, when this bill was being studied, that what we need in this State is more good lawyers. I believe the tendency of this bill will be to produce more good lawyers, instead of, as has been said, working a hardship on the ambitious boy who wants to become a lawyer.

Now I do not believe that this bill does work a hardship, unless you will say that to require more training, more extensive training, and a desirable training, can be said to work a hardship. In fact, under the terms of this bill, a boy is not even required to attend college, if he is so situated that he cannot attend college, but he must have completed those studies so as to enable him to be accepted as a member of a third-year class of a Maine college or certain other colleges and he can do this by extension courses in his own home.

I do not need to elaborate, I think, on the grounds so ably presented by the gentleman from Gorham, Mr. Carswell, when we discussed this question before, and he pointed out to you the great advantage of protecting the public from under-trained lawyers.

This bill, I think we can see, is not a bill to keep ambitious boys out of the legal profession, but the purpose of the law is to require further training, which certainly is needed in this present day, with our complicated economic life; because no matter how ambitious a boy is, if he is under-trained, and if he lacks the background of training, he is very likely to be a poor lawyer and make mistakes in practicing on members of this House and other citizens of the State. For this reason, I hope that the

motion of the gentleman from Gorham, Mr. Carswell, will prevail.

Mr. SLEEPER of Rockland: Mr. Speaker, I dislike very much to take up any more time on this question. It has certainly been talked over enough, and I thought the defeat was given it the other day was very decisive. The fact remains, however, that the bill calls for two years of college education, and at this time that is a hardship.

Do the members of this House who grace the majestic mansions of the Bar Association admit that the present system does not produce fine and intelligent lawyers? If they think it does not, I cannot agree with them. As I said before, I have the greatest respect for the members of the legal profession in this House.

Now I understand that this bill is aimed at a certain institution in Portland. It has been said that hundreds of students have entered that school and but thirteen have passed the examination and become members of the Bar Association. If that is the case, then I say there is nothing very dangerous to the legal profession of this State coming from that school. I believe that what is well enough should be let alone, and I think I can say, to the laity anyway, that the average citizen of Maine is very well satisfied with the character and type of the lawyers we have now, and certainly, at this time, with economic conditions as they are, this is not a time to demand two years of college education from any young boy who wishes to study law. I hope the motion of the gentleman from Gorham, Mr. Carswell, to recede and concur with the Senate will not prevail.

Mr. CARSWELL: Mr. Speaker, as far as I know, this bill is not aimed at anyone. It is not intended to hurt any institution in Portland or anywhere else in the State. This bill is simply for the protection of the people, so that when you employ an attorney, you will have one with sufficient educational background to advise you correctly.

If you will read the revised statutes, you will find that the Bar Examiners Board at the present time may raise the entrance requirements if they see fit. Let me read the last paragraph: "The board

shall, however, have power to establish such higher grades of standing as to them may seem proper." If they desire to raise the educational standards, it may be done. This bill will stop various lawyers, unscrupulous ones, perhaps, from getting boys, ambitious young men, who are not qualified to become lawyers, who never will become good lawyers in their lives, and taking their money and tutoring them, fooling them, making them believe that in years to come they may be shining lights before the Bar of Maine. This bill, as I said, is for the protection of the public, for your constituents at home. It is a bill, if we consider it carefully without prejudice, without bias, that you cannot help seeing the good it will do.

The SPEAKER: The question before the House is on the motion of the gentleman from Gorham, that the House recede and concur. Is the House ready for the question? All those in favor will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had.

Sixty-four having voted in the affirmative and 44 in the negative, the motion prevailed; and on further motion by the gentleman from Gorham, Mr. Carswell, the bill was passed to be enacted.

From the Senate: Bill an act relating to the time limit of adjustment and payment of all fire losses; penalty. H. P. 64, L. D. 20, on which the House accepted the majority report of the committee, and passed the bill to be engrossed on March 27th.

Comes from the Senate with the minority report of the committee reporting ought not to pass accepted in non-concurrence.

In the House, on motion by Mr. Palmer of Island Falls, the House voted to insist on its former action and ask for a committee of Conference.

The SPEAKER: The Chair will appoint the committee later.

From the Senate: Bill an act relating to the sale of intoxicating liquors, H. P. 1530, L. D. 67, which was passed to be engrossed in the House on March 6th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. WENTWORTH of Kennebunk: Mr. Speaker and members of the House: I wish to state that I am willing to surrender at this time to the opponents of this bill.

I introduced this bill because I thought the State of Maine was ready to adopt a more unpolitical method of selecting its employees for the State Liquor Stores.

It is very evident, however, that I am out of step with those who desire to make a political football out of the liquor set-up. I predict that it is the beginning of the end, because too much politics and liquor will never mix.

I have been told of cases where employees now working for the Commission, in order to get their jobs, had to promise that they would give their support in coming political campaigns, and in other cases in order that political debts might be paid, men have been appointed who were absolutely unqualified for the jobs.

Opponents of this bill have admitted to me that they had favorites whom they wanted to get jobs for, and that they feared for the results if an examination had to be taken. My sole purpose was to get rid of these political appointments by setting up an Examining Board, but I find that I am butting a stone wall, so therefore I move that the House recede and concur with the Senate.

The motion prevailed.

The SPEAKER: The Chair will announce at this time the committee of Conference on H. P. 64, L. D. 20, bill an act relating to the time limit of adjustment and payments of all fire losses; penalty: Messrs. Palmer of Island Falls, Ellis of Rangeley and Mace of Augusta.

### Reports of Committees

(Out of order and under suspension of the rules)

Majority report of the Committee on Inland Fisheries and Game reporting ought not to pass on bill an act relative to open season on moose (H. P. No. 433) (L. D. No. 116)

Report was signed by the following members:

Messrs. Bartlett of Oxford  
Schnurle of Cumberland  
Burns of Aroostook

—of the Senate.

Davis of Newfield  
Hescock of Monson  
MacKenzie of Jackman  
Burgess of Rumford  
Ryder of Orrington  
Sprague of Oakfield

—of the House.

Minority Report of same Committee reporting ought to pass on same bill.

Report was signed by the following member:

Mr. Thompson of Chelsea

—of the House.

Mr. DAVIS of Newfield: Mr. Speaker, I move that we accept the majority report.

Mr. ELLIOT of Thomaston: Mr. Speaker, I move that the bill and the reports be tabled, pending the motion of the gentleman from Newfield to accept the majority report, and be specially assigned for tomorrow morning.

The motion prevailed.

Mr. Flanders from the Committee on Banks and Banking reported ought not to pass on bill an act relative to the amount of loan and rate of interest (H. P. No. 421) (L. D. No. 114)

Mr. MacKenzie from the Committee on Inland Fisheries and Game reported same on bill an act relating to hunting of caribou and moose (H. P. No. 557) (L. D. No. 153)

Same gentleman from same Committee reported same on resolve relating to moose hunting in Waldo and Knox Counties (H. P. No. 562) (L. D. No. 158)

Reports read and accepted and sent up for concurrence.

Mr. Davis from same Committee reported same on resolve relating to moose hunting in Waldo, Lincoln and Kennebec Counties (H. P. No. 561) (L. D. No. 157)

Report read and accepted.

On motion by Mr. Stilphen of Dresden, the House voted to reconsider its action whereby it accepted the report of the committee; and on further motion by the same gentleman, report tabled pending acceptance and specially assigned for tomorrow morning.

Mr. Hescock from the Committee on Inland Fisheries and Game reported ought to pass on bill an act relative to smelt fishing (H. P. No. 193) (L. D. No. 618)

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

**Passed to be Engrossed**

(S. P. No 708) (L. D. No. 896) An act relating to purchase of herring.

(H. P. No. 1843) (L. D. No. 904) An act creating a Public Safety Commission for the town of Rumford Falls.

Mr. Burnham of Kittery presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. No. 1843, L. D. No. 904, bill, an act creating a Public Safety Commission for the town of Rumford Falls.

Amend the title of said bill by striking out therefrom the words "Town of Rumford Falls" and inserting in place thereof the following: "Rumford Falls Village Corporation."

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

(H. P. No. 1844) (L. D. No. 902) An act to incorporate the Brunswick School District.

(H. P. No. 1845) (L. D. No. 903) An act relating to registration number plates.

(H. P. No. 94) (L. D. No. 901) Resolve in favor of Caswell Plantation.

The Chair lays before the House the first matter tabled and specially assigned for this afternoon, House report ought not to pass of the committee on Judiciary on bill an act to require constables and collectors of taxes to be bonded by a surety company, H. P. 1175, L. D. 381, tabled on April 3 by the gentleman from Chelsea, Mr. Thompson, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. THOMPSON: Mr. Speaker, I am going to move to substitute the bill for the report. I would like to say that it has been said that this bill went along with the auditing bill. It does not seem as though it has had much to do with the auditing bill. This covers tax collectors and town treasurers, that they have to be bonded. I doubt if any of the members in this House would like to have your town treasurer or collector come to you and ask you to go their bond. It is rather embarrassing to refuse, and it would also be embarrassing, if you were elected town treasurer or collector, and asked somebody to go your

bond. That would be embarrassing. Now, here, gentlemen, is the place to cure that embarrassment.

I do not know whether there is anything more I can say. I have a few figures here from the Auditor's Department. A few of the towns have been audited. The town of Avon had a shortage of something over \$6,000. That was bonded by a bonding company. We could not get the exact figures as to which towns were bonded by bonding companies and which were bonded by individuals, but we did find out some of them. The town of Franklin had a deficit of \$666; Woolwich, some \$7,000, and that was bonded by personal bonds, and I understood that the bondsmen were three oldish gentlemen, and it practically ruined them. The tax collector's mother put in all she had, and still Woolwich is out \$2,000. St. George had a deficit of \$1,500; Denmark, \$4,000; Dresden, \$862; Chesuncook Plantation, \$6,696; Allagash Plantation, \$5,366; Plantation No. 33, \$72.98; the city of Bangor, \$55,000—I do not believe any of you members would like to be bondsman for that treasurer; Anson, \$7,600; Carmel, \$4,565.

Now some of these are bonded by bonding companies and some are bonded by towns. We do not know which, and we have not taken the time to find out.

There is the case right there. Of course any town has a right, in their town meeting, to decide whether they shall be bonded by a bonding company or by bondsmen in the town. There are many towns where the bondsmen thought they were all right, but when trouble came along, they evidently were not. I move to substitute the bill for the report.

Mr. PHILBRICK of Cape Elizabeth: Mr. Speaker and members of the House: I would like to say just a word in explanation of the committee's report. When this bill, and the accompanying bill, which is the following one on the calendar, were before the committee, the members of the committee, I believe, felt quite favorable to the purpose of the bill. We felt that it was right. We were told of cases, as Mr. Thompson has just told you, where there were deficits in the accounts of town officials, and there was a question before the town officers as to whether they

should enforce the bond against the poor widow of the man who had put up his bond as surety for the collector or treasurer. At the same time we had before us the bill calling for a compulsory audit. The action of this House was unfavorable to the auditing bill. We felt that indicated an unfavorable attitude on this bill in relation to the bonding of town officials, and therefore made this report. The gentleman from Chelsea, Mr. Thompson, has called the attention of the House to the situation, and I think I can say that I believe most of us on the committee will favor this bill if the House so wishes.

The SPEAKER: The question before the House is on the substitution of the bill for the report. Is the House ready for the question? All those in favor of the motion of the gentleman from Chelsea, Mr. Thompson, to substitute the bill for the report will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed; and under suspension of the rules the bill had its first two readings and tomorrow assigned.

The Chair lays before the House the second matter tabled and specially assigned for this afternoon. House report ought not to pass of the committee on Judiciary on bill an act to require city and town treasurers to be bonded by a surety company, H. P. 1176, L. D. 382, tabled on April— by the gentleman from Chelsea, Mr. Thompson, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. THOMPSON: Mr. Speaker, as these bills are sisters, I move that we substitute the bill for the ought not to pass report.

The SPEAKER: The gentleman from Chelsea, Mr. Thompson, now moves to substitute the bill for the ought not to pass report. 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; and under suspension of the rules the bill had its first two readings and tomorrow assigned.

Mr. SCATES of Westbrook: Mr. Speaker, I wish to present a Memorial and move its adoption.

### Memorial to the Honorable Director of the Federal Alcohol Control Administration

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the 87th Legislative session assembled, most respectfully present and petition the honorable Director of the Federal Alcohol Control Administration, as follows:

WHEREAS, the Codes for "the Alcoholic Beverage Industries as well as Treasury Department Regulations restrict the distribution and sale of distilled spirits to glass bottles; and

WHEREAS, the wooden barrel and keg were the standard containers for distilled spirits before Prohibition, and

WHEREAS, the manufacture of barrels and kegs may be one of this State's important industries; and

WHEREAS, the demand for wooden barrels and kegs has been drastically curtailed by restrictions which prevent their use as containers for the distribution and sale of distilled spirits; and

WHEREAS, a great many men in this State could be employed in this industry were it not for the lack of demand for barrels caused by these regulations; and

WHEREAS, the farmers of our State would benefit through the sale of potatoes for potato spirit, an industry requiring bulk shipments were it not for these restrictions; and

WHEREAS, these regulations which restrict the distribution and sale of distilled spirits to glass bottles have unfairly discriminated against an industry of this State, with severe injury to the industry, to its employees, to farmers interested in the sale of their products, and to the State as a whole; now therefore be it

RESOLVED: that we, your Memorialists, the Senate and House of Representatives of the State of Maine in Legislature assembled do hereby respectfully petition and urge that the Director of the Federal Alcohol Control Administration, shall make such rules and regulations, and amendments to such codes as now discriminate against the use of barrels and kegs in the distribution and sale of distilled spirits, and be it further

RESOLVED: That a copy of this

Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Director of the Federal Alcohol Control Administration, and to each of the Representatives and Senators representing the State of Maine in the United States Congress.

Mr. SCATES: Mr. Speaker, just a word of explanation. You will notice that under the ruling of the Director of the Federal Alcohol Control Administration that the distribution of distilled spirits must be made in bottles. Now we cannot in Maine compete in the glass business but we can in the stave business. I remember that years ago I used to drive all through the country and I would see a lot of cooperage establishments all along the side of the road. These cooperage institutions have faded from the picture. Now there should be some means whereby the cooperage business in this State may be brought back. I simply ask Washington to accept staves instead of bottles.

Thereupon the Memorial was adopted.

Mr. SAWYER of Brunswick: Mr. Speaker, I move to reconsider our vote of yesterday whereby we accepted the report of the committee on Judiciary ought not to pass on bill an act relating to the exemption of personal property from attachment. H. P. 1324, L. D. 577.

The motion prevailed.

Mr. SAWYER: Mr. Speaker, I now move to substitute the bill for the report for the purpose of offering an amendment which is not in opposition to the report of the committee.

The SPEAKER: The Chair will rule that that motion having been made yesterday and lost cannot be made again at this time except under suspension of the rules. The Chair thinks it is making the ruling fairly liberal at that. Does the gentleman from Brunswick wish to move that the rules be suspended?

Mr. SAWYER: I so move.

Thereupon the rules were suspended, by a viva voce vote, and the bill substituted for the report and the bill was given its two several readings.

Mr. SAWYER: Mr. Speaker, I now offer House Amendment A for the purpose of clarifying the stat-

ute, adding nothing to its intent. In 1933 a law was passed giving the exemption of a watch, wedding ring and household furniture,—changing it from one hundred dollars to two hundred dollars. There was also passed another law at the same session which apparently repealed what had previously been granted, adding some farming tools and implements which are included in this amendment. This amendment is simply to clarify the statute so that a layman in looking at it can see what is exempt, it consolidates the exemptions of Chapter 110 and Chapter 186 by repealing those two and then re-enacting the exemptions intended to be given under the two chapters 110 and 186.

House Amendment A is as follows:

House Amendment A to H. P. 1324, L. D. 577, entitled an act relative to the exemption of personal property from attachment.

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

R. S., c. 95, Par. 67, amended. Section 67 of chapter 95 of the revised statutes, as amended, is hereby further amended to read as follows:

Sec. 67. Personal property. The following personal property is exempt from attachment and execution:

I. The debtor's apparel; household furniture necessary for himself, wife and children, not exceeding \$200 in value, and 1 bed, bedstead, and necessary bedding for every 2 such persons.

II. All family portraits, Bibles, and schoolbooks in actual use in the family; 1 copy of the statutes of the state, a library not exceeding \$150 in value, a watch not exceeding \$10 in value, and a wedding-ring or engagement ring not exceeding \$10 in value.

III. All his interest in 1 pew in a meeting-house where he and his family stately worship.

IV. One cooking stove; all iron stoves used exclusively for warming buildings; charcoal, and not exceeding 12 cords of wood conveyed to his house for the use of himself and family; all anthracite coal, not exceeding 5 tons; all bituminous coal, not exceeding 50 bushels; and \$50 worth of lumber, wood, or bark.

V. All produce of farm until harvested; 1 barrel of flour; 50 bushels of oats, 50 barrels of potatoes; corn and grain necessary for himself and family, not exceeding 30 bushels; all other provisions raised or bought, and necessary for himself and family; and all flax raised on a half acre of land, and all articles manufactured therefrom for the use of himself and family.

VI. The tools necessary for his trade or occupation, materials and stock designed and procured by him and necessary for carrying on his trade or business and intended to be used or wrought therein, not exceeding \$100 in value, and 1 sewing machine and 1 washing machine not exceeding \$100 each in value for actual use by himself or family.

VII. One pair of working cattle, or instead thereof, 1 pair of mules or 1 or 2 horses not exceeding in value \$400, and a sufficient quantity of hay to keep them through the season. If he has more than 1 pair of working cattle or mules, or if the 2 horses exceed in value \$400, he may elect which pair of cattle or mules or which horse shall be exempt. If he has a pair of mules or 1 or 2 horses so exempt, he may also have exempt for each of said horses or mules, 1 harness not exceeding \$40 in value; and 1 horse sled not exceeding the same value; but if he has at the same time an ox sled, he may elect which sled shall be exempt.

VIII. Domestic fowl, not exceeding \$100 in value, 2 in swine, 1 cow and 1 heifer under 3 years old and the calves raised from them until they are 1 year old, or if he has no oxen, horse or mule, 2 cows, and he may elect the cows or cow and heifer, if he has more than are exempt, 10 sheep and the wool from them, and the lambs raised from them until they are 1 year old, and a sufficient quantity of hay to keep said cattle, sheep, and lambs through the winter season.

IX. One plough, 1 cart or truck wagon or 1 express wagon, 1 harrow, 1 yoke with bows, ring and staple, 2 chains, 1 ox sled, and 1 mowing machine, 1 corn planter, 1 potato planter, 1 cultivator, 1 horse hoe, 1 horse rake, 1 sprayer

or duster and 1 grain harvester and 1 potato digger.

X. One boat not exceeding 2 tons burden, usually employed in fishing business, belonging to an inhabitant of the state.

XI. The personal property of any copartnership, shall be exempt from attachment or mesne process or seizure on execution for any individual debt or liability of such copartner, but such copartner's interest in the partnership property may be reached and applied in payment of any judgment against him in the manner provided in section 39 of chapter 91."

Sec. 2. P. L. 1933, cc. 110, 186, repealed. Chapters 110 and 186 of the public laws of 1933 are hereby repealed.

Mr. HILL of South Portland: Mr. Speaker, as a member of the Judiciary committee I would like to say that I know of no objection to the amendment offered by the gentleman from Brunswick (Mr. Sawyer). The list of articles enumerated in the amendment which the Clerk has just read are all contained in the present law. The bill as originally introduced proposed to make a change in the substantive law by adding certain exemptions. The committee felt that would be inadvisable and reported the bill ought not to pass. There existed, however, as the gentleman from Brunswick has pointed out, some ambiguity and uncertainty arising from the fact that the last Legislature enacted two separate acts dealing with this subject. The amendment offered by the gentleman from Brunswick (Mr. Sawyer) proposes no substantive change in the law but would merely serve the purpose of consolidating those two acts and clarifying the situation.

The SPEAKER: The question is on the adoption of House Amendment A. Are you ready for the question?

A viva voce vote being taken, the amendment was adopted and tomorrow assigned for third reading.

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

Adjourned until 9:30 o'clock tomorrow morning.