

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

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### HOUSE

Wednesday, March 24, 1937.

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

Prayer by the Rev. Mr. McWhorter of Augusta.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair with great regret announces the absence of the gentleman from South Portland, Mr. Richardson, who is serving his fifth consecutive term in the House, and who, because of illness, will probably be unable to be present at any time during the remainder of the session. It becomes necessary, therefore, to appoint someone to serve as monitor in the first division during the absence of the gentleman from South Portland, and the Chair appoints for that purpose the gentleman from Rockland, Mr. Bird.

From the Senate: Report of the Committee on Judiciary on Bill "An Act to amend Chapter 15 of the Public Laws of 1937, entitled 'An Act Appropriating Monies for Overdrafts already incurred due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for which no Legislative Appropriations have been made'" (I. B. No. 1) reporting as follows:

"The Committee received the petitions from the Secretary of the Senate Thursday March eleventh. In view of the lack of facilities for safekeeping in the committee room, the petitions were immediately placed in the custody of the Secretary of State. Your committee then prepared instructions covering the examining of the petitions as to the signing and certifications thereof in accordance with Sec. 22 of Article XXXI of the Constitution as supplemented by Sec. 4 of Ch. 181 of the Public Laws of 1931 and pursuant to the opinions and instructions of the Attorneys-General from 1911 to date. With the cooperation of the Secretary of State and under the direction and supervision of the committee and after notice to the attorneys for the parties who presented said petition, the petitions were examined and signatures counted.

As a result of such check and count your committee reports that

it finds not more than 7769 apparently lawful signatures on said petitions which comply with the constitutional and statutory requirements referred to. This being less than the number of names required by the constitution for the initiation of laws by the people, the committee finds the petitions so obviously defective that no further check as to the genuineness of the names has been made and the committee deems no further hearing is necessary. Therefore your committee reports that no initiated bill which conforms to constitutional and statutory requirements is before the Legislature and no action in reference to the purported initiated bill I. B. 1 can be lawfully taken by this Legislature."

Comes from the Senate, read and accepted.

In the House, on motion by Mr. Ellis of Rangeley, the report of the committee was accepted in concurrence.

### Senate Bills in First Reading

S. P. 247, L. D. 383: An act confirming the action of the town of Cranberry Isles in taking over a certain wharf and authorizing the raising and expending of moneys for maintenance of same.

S. P. 189, L. D. 288: An act relating to vital statistics.

S. P. 252, L. D. 394: An act to extend the charter of the Patten Water Power Company.

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act relating to beauty culture to include registering and licensing of barbers and barber shops and to create a Board of Barber Examiners, S. P. 192, L. D. 451.

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

In the House, on motion by Mr. Maxell of Orient, bill and report tabled pending the acceptance of report in concurrence.

From the Senate: Bill an act amending the borrowing provisions of the charter of the city of Bangor, S. P. 113, L. D. 125, which was passed to be enacted in the House on February 16th and passed to be engrossed in concurrence in the House on February 11th.

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

In the House, on motion by Mr. Higgins of Ellsworth, that body voted to recede and concur with the Senate in the indefinite postponement of the bill.

Remonstrance of Olson Jordan and 45 others of Brewer and vicinity against L. D. 473, Sunday Moving Pictures (H. P. 1746) (Presented by Mr. Churchill of Brewer)

Read and ordered placed on file.

The following petition was received, and upon recommendation of the committee on Reference of Bills was referred to the following committee:

### Ways and Bridges

Petition of Cumberland County Pomona Grange No. 15 in favor of S. P. 377, L. D. 618, bill an act to aid unimproved rural roads (H. P. 1747) (Presented by Mr. Gyger of Cumberland)

### Reports of Committees

Mr. Story from the Committee on Inland Fisheries and Game on remonstrance of Ernest E. Johnson of Belgrade Lakes and 23 others against H. P. 1450, L. D. 519, open season on fur-bearing animals and H. P. 1456, L. D. 524, bounty on foxes reported that same be placed on file.

Mr. Webber from the Committee on Public Utilities reported same on petition of John A. Walsh of Portland and 76 others in favor of L. D. No. 688, safety of railway travel.

Mr. Higgins from the Committee on Legal Affairs on bill an act relating to dogs (H. P. No. 1527) (L. D. No. 565) reported that legislation is inexpedient.

Same gentleman from same Committee reported same on bill an act relating to the game of beano (H. P. No. 1111) (L. D. No. 320)

Mr. Higgins from the Committee on Inland Fisheries and Game on resolve relating to fishing in Limestone Stream (H. P. No. 1412) reported leave to withdraw.

Mr. Dwinall from the Joint Select Committee on University of Maine reported ought not to pass on bill an act relating to military training in the University of Maine (H. P. No. 1610) (L. D. No. 727)

Mr. Findlen from the Committee on Agriculture reported same on

bill an act relating to State aid to agricultural societies (H. P. No. 1504) (L. D. No. 606)

Mr. Harriman from the Committee on Banks and Banking reported same on bill an act relating to registration of salesmen of securities (H. P. No. 1479) (L. D. No. 526)

Mr. Boothby from the Committee on Inland Fisheries and Game reported same on resolve relating to fishing in Crawford Lake in the county of Washington (H. P. No. 1677)

Same gentleman from same Committee reported same on resolve relating to fishing in Carrabasset River (H. P. No. 1265)

Mr. Davis from same Committee reported same on resolve closing McCrillan Brook to fishing (H. P. No. 1405)

Mr. Elliot from same Committee reported same on resolve relating to Jug-o-not Stream, so-called (H. P. No. 1280) as it is covered by other legislation.

Mr. Hascall from same Committee reported same on resolve relative to fishing in Moose River (H. P. No. 1410)

Mr. Higgins from same Committee reported same on resolve for screening Wilson Lake in the county of Kennebec (H. P. No. 1279)

Same gentleman from same Committee reported same on resolve relating to fishing for pickerel and pike, in Cochnewagan Lake (H. P. No. 1445)

Mr. Noyes from same Committee reported same on resolve relating to Game Preserves (H. P. No. 1497) (L. D. No. 552) as it is covered by other legislation.

Mr. Story from same Committee reported same on resolve relative to stocking Watchic Lake in Standish with fish (H. P. No. 1446)

Mr. Story from same Committee reported same on resolve in favor of the town of Frankfort (H. P. No. 947)

Same gentleman from same Committee reported same on resolve opening all tributaries of Belgrade Lakes and Messalonskee Lake to fishing (H. P. No. 1459) (L. D. No. 532)

Same gentleman from same Committee reported same on resolve opening all tributaries of China Lake to fishing (H. P. No. 1461) (L. D. No. 534)

Mr. Chase from the Committee on Legal Affairs reported same on bill an act relating to divulging

sources of information obtained by newspapers (H. P. No. 1526) (L. D. No. 677)

(Bill and report tabled by Mr. Dow of Kennebunkport, pending acceptance of report)

Mr. Chase from the Committee on Legal Affairs reported ought not to pass on bill an act relating to heat furnished in apartments (H. P. No. 1623) (L. D. No. 750)

Mr. Cole from same Committee reported same on bill an act licensing steam engineers and firemen (H. P. No. 1294) (L. D. No. 470)

Same gentleman from same Committee reported same on bill an act relating to penalty regarding willful and malicious killing of dogs (H. P. No. 1549) (L. D. No. 684)

Same gentleman from same Committee reported same on bill an act relating to the sale of plantation property by the plantation of Elliottsville (H. P. No. 1065) (L. D. No. 376)

Mr. Dow from same Committee reported same on bill an act relating to duties of municipal officers (H. P. No. 1296) (L. D. No. 472)

(Bill and report tabled by Mr. Demers of Sanford, pending acceptance of report)

Mr. Dow from the Committee on Legal Affairs reported ought not to pass on bill an act amending the city charter of the city of Portland (H. P. No. 882) (L. D. No. 308)

Same gentleman from same Committee reported same on bill an act relating to horse racing for trotters and pacers and creating a State Racing Commission (H. P. No. 1524) (L. D. No. 693)

(Bill and report tabled by Mr. Flanders of Auburn, pending acceptance of report)

Mr. Higgins from the Committee on Legal Affairs reported ought not to pass on bill an act to legalize entertainments of certain organizations on Sunday (H. P. No. 1167) (L. D. No. 432)

Same gentleman from same Committee reported same on bill an act relating to the registration and licensing of dogs (H. P. No. 1529) (L. D. No. 566)

Mr. Paul from same Committee reported same on bill an act relating to town ordinances (H. P. No. 1543) (L. D. No. 707)

Same gentleman from same Committee reported same on bill an act to regulate the practice of architecture and to provide for the ex-

amination and registration of architects (H. P. No. 1534) (L. D. No. 680)

(Bill and report tabled by Mr. Wilkes of Portland, pending acceptance of report)

Mr. Payson from the Committee on Legal Affairs reported ought not to pass on bill an act relating to the Gray Water District (H. P. No. 885) (L. D. No. 270)

(Bill and report tabled by Mr. Russell of Gray, pending acceptance of report)

Mr. Pike from the Committee on Legal Affairs reported ought not to pass on bill an act relating to dog racing and old age pensions (H. P. No. 1622) (L. D. No. 749)

(Bill and report tabled by Mr. Donahue of Biddeford, pending acceptance of report)

Mr. Dow from the Committee on Library reported ought not to pass on resolve for the purchase of one hundred copies of "The History of Windham, Maine" (H. P. No. 1551)

Same gentleman from same Committee reported same on resolve for the purchase of one hundred copies of "E. C. Plummer History of Bath" (H. P. No. 298)

Mr. Demers from the Committee on Public Health reported same on bill an act relating to support of State charges in State institutions (H. P. No. 1310) (L. D. No. 459)

Mr. Webber from the Committee on Public Utilities reported same on bill an act relating to exemption of milk collectors from common carrier law (H. P. No. 629) (L. D. No. 195)

Mr. Churchill from the Committee on Salaries and Fees reported same on bill an act to authorize the Board of County Commissioners of Penobscot County to pay for extra clerk hire in the Registry of Deeds (H. P. No. 1120) (L. D. No. 418)

Same gentleman from same Committee reported same on bill an act relating to the salary of the Recorder of the Old Town Municipal Court (H. P. No. 891) (L. D. No. 274)

Mr. Fernald from same Committee reported same on bill an act relating to the salaries of the State Liquor Commission (H. P. No. 1567) (L. D. No. 540)

Mr. Woodbury from the Committee on Towns reported same on bill an act to divide the town of Ashland and to create Sheridan Plantation (H. P. No. 1129) (L. D. No. 330)

Mr. Dow from the Committee on Legal Affairs reported same on bill an act to incorporate the Indian Point Village Corporation (H. P. No. 472) (L. D. No. 161)

Mr. Payson from same Committee reported same on bill an act relating to encroachment of land within the limits of highway (H. P. No. 1531) (L. D. No. 647)

Reports read and accepted and sent up for concurrence.

Mr. Carleton from the Committee on Public Buildings and Grounds reported ought to pass on joint order relative to use of wood as fuel in State-controlled plants (H. P. No. 1136)

Report read and accepted and the order passed and sent up for concurrence.

Mr. Higgins from the Committee on Legal Affairs on bill an act to provide for the surrender by town of Somerville of its organization (H. P. No. 883) (L. D. No. 269) reported same in a new draft (H. P. No. 1748) under same title and that it ought to pass.

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

Mr. Paul from the Committee on Legal Affairs reported ought to pass on bill an act to incorporate Yarmouth and Cousins Island Park and Development Company (H. P. No. 1067) (L. D. No. 358)

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

Thereupon, Mr. Paul of Portland, offered House Amendment A, and moved its adoption, as follows:

House Amendment A to H. P. 1067, L. D. 358, entitled an act to incorporate Yarmouth and Cousins Island Park and Development Company.

Amend said bill by adding at the end of the 2nd section thereof the following words, 'provided, however, this act shall apply only to territory included within the limits of the town of Yarmouth'.

Further amend said bill by adding after the word "persons" in the 1st line of section 3 thereof the word "are".

Further amend said bill by adding after the word "lease" in the 2nd line of section 5 the words 'the use of the bridge'.

Further amend said bill by striking out in section 6 the words "original cost" and substituting in place

thereof the words 'such price as shall be determined by the county commissioners to be its value'.

Thereupon, House Amendment A was adopted, and tomorrow was assigned for the third reading of the bill as amended.

### Reports of Committees (Continued)

Mr. Payson from same Committee reported same on bill an act to incorporate the Lincoln Water District (H. P. No. 1064) (L. D. No. 356)

Mr. Fergie from the Committee on Mercantile Affairs and Insurance reported same on bill an act relating to the rights of creditors and beneficiaries under insurance policies (H. P. No. 1552) (L. D. No. 686)

Mr. Fernald from same Committee reported same on bill an act relating to the Harrison Mutual Fire Insurance Company (H. P. No. 890) (L. D. No. 283)

Mr. Young from same Committee reported same on bill an act relating to domestic mutual insurance companies (H. P. No. 1299) (L. D. No. 482)

Mr. Dow from the Committee on Military Affairs reported same on bill an act relating to State Armories (H. P. No. 627) (L. D. No. 203) together with petition in favor of same (S. P. No. 410)

(Bill and report tabled by Mr. Hinman of Skowhegan, pending acceptance of the report)

Mr. Ford from the Committee on Salaries and Fees reported same on bill an act relating to the salary of Judge of Probate of York County (H. P. No. 1176) (L. D. No. 433)

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

### First Reading of Printed Bills

(H. P. No. 1742) (L. D. No. 852)  
An act regulating the transportation of poultry

(H. P. No. 1743) (L. D. No. 853)  
An act relating to investment of deposits of mutual saving banks

### Passed to Be Engrossed

(H. P. No. 1474) (L. D. No. 667)  
An act relating to testing computing weights or measures.

(H. P. No. 1480) (L. D. No. 527)  
An act to amend the law relating to industrial banks investments, and loan and building associations.

(H. P. No. 1481) (L. D. No. 528)

An act relating to savings banks investments.

(H. P. No. 1738) (L. D. No. 843)  
An act to establish a Game Preserve in Caswell Plantation, county of Aroostook.

### Orders of the Day

On motion by Mr. Philbrick of Cape Elizabeth, the rules were suspended and that gentleman took from the table the nineteenth unassigned matter, an act to provide for the surrender by town of Carroll of its organization, H. P. 297, L. D. 95, tabled by that gentleman on March 19th pending passage to be enacted; and on further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, Mr. Payson of Portland, offered House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 297, L. D. No. 95, entitled an act to provide for the surrender by town of Carroll of its organization.

Amend said act by striking out in the first and second lines of section 3 thereof the words "shall take effect when approved but," and by adding to said act another section to be numbered section 4, and to read as follows:

'Sec. 4. In view of the emergency recited in the preamble, this act shall take effect when approved.'

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Payson, that House Amendment A be adopted.

The motion prevailed, and the bill as amended by House Amendment A was passed to be engrossed in non-concurrence, and sent up for concurrence.

On further motion by Mr. Payson, it was voted that the bill be sent forthwith to the Senate.

The Chair lays before the House the first tabled and unassigned matter, Senate report ought not to pass of the committee on Legal Affairs on bill an act relating to the support of paupers, S. P. 342, L. D. 613, tabled on March 16th by Mr. Fuller of China, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker, I move that the bill be substituted for

the report of the committee, and I would like to offer an amendment to the bill, which I understand will remove the objections to it.

The motion prevailed, the bill was substituted for the report, and the bill had its two several readings.

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

House Amendment A to S. P. 342, L. D. 613, an act relating to the support of paupers.

Amend said bill by inserting after the word "present" in the fourth line thereof, 'without the consent in writing of the overseers of the poor of such town or city.' And further amend said bill by striking out the last sentence of section 1 thereof.

On motion by Mr. Payson of Portland, the bill and amendment were tabled pending the adoption of House Amendment A.

The Chair lays before the House the second tabled and unassigned matter, Senate report ought to pass of the committee on Legal Affairs on bill an act to provide for the perambulation of the Maine and New Hampshire boundary line, S. P. 345, L. D. 614, tabled on March 16th by Mr. Hinman of Skowhegan, pending acceptance of the report in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Hinman, the bill and report were retabled pending the acceptance of the report in concurrence.

The Chair lays before the House the third tabled and unassigned matter, House report ought to pass of the committee on Judiciary on bill an act relating to absent voting, H. P. 1163, L. D. 429, tabled on March 16th by Mr. Varney of Berwick, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Varney, the bill and report were recommitted to the committee on Judiciary and sent up for concurrence.

The Chair lays before the House the fourth tabled and unassigned matter, bill an act relating to registration fees to be paid for motor vehicles used for the carrying of passengers for hire and operating over regular routes, H. P. 875, L. D. 310, tabled on March 16th by Mr. Murchie of Calais, pending third

reading; and the Chair recognizes that gentleman.

Mr. Higgins of Ellsworth, offered House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 875, L. D. 310, entitled, an act relating to registration fees to be paid for motor vehicles used for the carrying of passengers for hire and operating over regular routes.

Amend said bill by striking out in the 28th and 29th lines thereof the words 'in any foreign country' and substituting in place thereof the following words, "between any point or points in any adjacent foreign country and any point or points in this state more than fifteen miles from the place of entry into this state."

Thereupon, House Amendment A was adopted, the bill had its third reading and was passed to be engrossed as amended by House Amendment A, and sent up for concurrence.

The Chair lays before the House the fifth tabled and unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to pawn-brokers and dealers in junk and second hand goods, H. P. 1540, L. D. 708, tabled on March 17th by Mr. Harris of Minot, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Harris, the bill and report were retabled pending acceptance of the report.

The Chair lays before the House the sixth tabled and unassigned matter, House report ought not to pass of the committee on Inland Fisheries and Game on resolve relating to ice fishing in Eagle Lake and St. Froid Lake, in Aroostook County, H. P. 863, tabled on March 17th by Mr. Brown of Eagle Lake, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. BROWN: Mr. Speaker, I move that the resolve be substituted for the report.

Before coming to this Legislature I received a petition signed by fifty or sixty people living at Eagle Lake. Most all of the people of Eagle Lake signed that petition. The man who gave me this petition told me that he had taken it up with the Super-

visor of Inland Fisheries and Game, and there was one of the wardens present at the time, and they told him that they did not see why this was not all right, that these two lakes should be just the same as all of the lakes in Aroostook County, that is, all the lakes but two. I took this petition and showed it to two of the wardens in my section and they told me the same thing, that they did not see why these two lakes were set off separately and could not be fished the same as other lakes in Aroostook County. We have St. Agatha Lake and we have Cross Lake—17, Range 4, in Aroostook County, that have this privilege.

When I came down here, I took this matter up with Mr. Stobie and he asked me if they wouldn't overdo this by fishing for smelts and catch some big fish. I told him that I did not think there was any difference in regard to St. Froid Lake and Eagle Lake than there was with most all of the other lakes, that they have done it there and they would do it elsewhere. He told me "You have got the privilege of fishing for big fish February 1st, March and April." So I asked him for the fishing laws, and he gave them to me. Looking at them, I thought probably it was that way. The last of January I went up home, and I took it up with two of the wardens and they told me: "No, you cannot fish for big fish in February, March and April."

This resolve asks for ice fishing for smelts when the ice forms on the lake until the ice goes out in the spring, and also fishing for big fish in February, March and April. This is the same as with most of the lakes in Aroostook County, and I do not see why these two particular lakes should be set off from all the rest.

Some twenty-five or thirty years ago there were smelts put in these lakes as it was claimed for food for the big fish. Well, these smelts are getting so numerous that they are eating up the spawn of the big fish. When these smelts were put in there, we had what we called the togue—some people call them lakers—and we also had trout. We had no salmon, and salmon were put in at the same time. Well, we have no togue now. It looks to me as though the smelts had eaten all the eggs



of the togue, and there are no more. About ten years ago you could catch a few, but they were all large and you could not catch any small ones. So it looks to me as though the smelts had eaten up the eggs of the togue, which we had in the lake at that time, and I think they are eating all the eggs of the salmon and trout which we have there now. They are so numerous that in the spring of the year they go up the mouth of a little brook and spawn and the people can dip them up with a dip net, but in the spring of the year they are spawning and they are not very good; they are better when the ice is on the lake.

I see no reason why these two lakes should be any different from the other lakes in Aroostook County. The law says that you can fish all the lakes and ponds in Aroostook County the same as I am asking for these two lakes, and I do not see why these two lakes should be set off as different from the rest of the lakes in Aroostook County. I do not think there is any member of this Legislature who would want me to dictate how the lakes and ponds shall be fished in his particular section, and the same thing should apply here. If I thought that this would spoil the fishing in Eagle Lake or St. Froid Lake, I would not be here asking for this legislation. I was up this last week to Eagle Lake and I did not find any man who is opposed to this. All the wardens whom I saw and all the guides at Eagle Lake said that they saw no reason why this resolve should not pass. I hope, members of the House, that this resolve may have passage. I hope that you members of the Legislature will see that it is done. I thank you.

The SPEAKER: The gentleman from Eagle Lake, Mr. Brown, moves that the resolve be substituted for the report.

Mr. STORY of Washburn: Mr. Speaker, I do not wish to speak against Mr. Brown, but there should be some explanation why the committee brought in this report. They now have the right to fish for smelts in those waters, and in the opinion of the committee it was not the smelts that killed their lake fishing or togue fishing. It was the same thing that we now wish to prevent. The committee decided that it was unwise to open those lakes to ice fishing for salmon and trout at this time, as many people there are out

of work; and while we realized that the trout and salmon would be an advantage to them, would it be worth enough to them to compensate for the money that will be brought in there next summer by the sports? For these reasons I still maintain that the reports of the committee should be accepted.

(At this point President Burns of the Senate, took a seat beside the Speaker, amid the applause of the House)

Mr. BROWN of Eagle Lake: Mr. Speaker, I did not hear all that the gentleman said but I think he said that he had heard that they had overdone fishing for smelts and caught big fish when they were fishing on the ice for smelts. I want to refer you to the fact that lots of lakes are open in this way, and if it is overdone in Eagle Lake and St. Froid Lake, they would be doing it in these other lakes in Aroostook County. We are only asking for the same treatment at Eagle Lake and St. Froid Lake as is given the other lakes in Aroostook County. I move that this resolve have passage and I hope that you Legislators will agree with me on the matter.

The SPEAKER: The question is on the motion of the gentleman from Eagle Lake, Mr. Brown, that the resolve be substituted for the ought not to pass report of the committee. Is the House ready for the question? As many as are in favor of the motion of the gentleman from Eagle Lake, Mr. Brown, that the resolve be substituted for the ought not to pass report of the committee will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the resolve was tabled for printing under the joint rules.

The Chair lays before the House the seventh tabled and unassigned matter, bill an act relating to a State Geologist, H. P. 1696, L. D. 823, tabled on March 17th by Mr. Hinman of Skowhegan, pending first reading; and the Chair recognizes that gentleman.

On motion by Mr. Hinman, the bill was retabled pending first reading.

The Chair lays before the House the eighth tabled and unassigned matter, House Order relative to statement of receipts and expenses

of the Department of Inland Fisheries and Game, tabled on March 17th by Mr. Flanders of Auburn, pending passage; and the Chair recognizes that gentleman.

On motion by Mr. Flanders, the order received passage.

The Chair lays before the House the ninth tabled and unassigned matter, House report ought to pass in new draft of the committee on State Lands and Forest Preservation on bill an act relating to the Knox Arboretum, H. P. 1123, L. D. 420, new draft H. P. 1697, tabled on March 17th by Mr. Flanders of Auburn, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion by Mr. Flanders, the bill and report were retabled, pending acceptance of the report.

The Chair lays before the House the tenth tabled and unassigned matter, House report ought not to pass, of the committee on Mercantile Affairs and Insurance on bill an act relating to the standard form insurance policy, H. P. 684, L. D. 225, tabled on March 17th by Mrs. Latno of Old Town, pending acceptance of the report; and the Chair recognizes the lady from Old Town, Mrs. Latno.

On motion by Mrs. Latno, the bill and report were retabled pending acceptance of report.

The Chair lays before the House the eleventh tabled and unassigned matter, House report, ought not to pass, of the committee on Public Health on bill an act relating to beauty culture, H. P. 1558, L. D. 687, tabled on March 17th, by Mr. Weatherbee of Lincoln, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WEATHERBEE: Mr. Speaker and Members of the House: I move that the bill be substituted for the report, in order to give me an opportunity to offer House Amendment A; and I would like at this time to explain my reasons for doing so.

I introduced this bill, an act relating to beauty culture, by request. I did not know anything about it at the time, and I found out very soon that it was a very intricate subject.

We had a very interesting hearing before the Public Health Com-

mittee; the room was full of lovely ladies and beauty parlor students throughout the State. I was very much pained to discover they thought I was entirely wrong. I was even more pained to discover later on that the committee decided I was entirely wrong, and before very many minutes had passed I began to think myself I was wrong, and now I know I was wrong. (Laughter)

I do not intend in any way to criticize the report of the committee on this matter. I think they were quite right, and had I been a member of the committee I would have voted the very same way. But I did discover at that hearing and since that time that there is one evil which exists in the relations of the beauty parlors to the beauty schools which I do believe is a serious one, and which I hope to be able now to correct, and which my bill, incidentally, was intended to correct, and that is the evil of free work. I would like to tell the members of the House as best I can just what the situation is in regard to this matter.

Now the students of a beauty school taking a six months' course must necessarily have someone on whom to practice, and it is customary to practice upon other students, upon the teachers and attendants of the school, and upon members of the public, usually persons who could not otherwise afford to have that work done.

I think most of the schools are very fair in regard to this matter, because they know that their students, these same lovely ladies who so opposed it a few weeks ago, will soon be out in practice earning their own living, and they will feel very keenly any unfair competition on the part of the beauty schools who allow their students to work indiscriminately on members of the public free of charge.

I have assured myself since that time—and I have investigated as carefully as possible—that this privilege of free work is opposed to some extent in some localities. Now if you have a hundred students in your school—and some schools have more and some slightly less—that means on some days of the week there may be a hundred or possibly two hundred jobs of free work done upon members of the public by the students of this school; and you can see in a small

city that this is a very serious blow to the legitimate operator of a beauty shop in that city to lose that hundred or two hundred jobs. Of course all of these one hundred or two hundred people would not be having paid-for work done, but there is a serious blow from this free and unfair competition.

Now we have at this time before the House a number of fair trade bills. There is the so-called grocers' bill, the druggists' bill and the tobacco company bill. These bills are intended to protect the honest merchant and retailer from unfair competition by someone who sells goods, for reasons of their own, below their cost. Now I am completely in harmony with the spirit of these bills. Just consider for yourselves, you druggists and grocers and other retail merchants who are in the House, and just suppose you were faced with competition of free work being done in your community, possibly on a large scale. What if you had your competitor giving away your goods day after day, instead of simply selling them below cost?

Now this, I think, is a serious cause of friction in some centers between the beauty parlors and the beauty schools, and I would like very much to do away with it. The beauty parlors, of course, are very strongly in favor of the amendment I will offer. I have made an attempt to contact representatives of beauty schools, and I find, with one exception, beauty schools appear to be in favor of this amendment, because for the most part they intend to deal fairly with operators of beauty parlors, and for the most part they confine their free work to working people who otherwise would be unable to pay for it, and they make systematic attempts to contact ladies in old ladies' homes and other charitable institutions who would not be paying for beauty parlor work.

I certainly do not want to appear discourteous to the committee at this time. I would ask to have this bill recommitted, so that I can submit my amendment. The time is getting very short in this session now, and I spent a couple of weeks trying to contact representatives of beauty parlors and beauty schools in order to convince myself that my amendment was right. Since I drew up the amendment this morning I have had opportunity to speak to three members of the Public

Health Committee, who tell me they do not object to my offering this amendment.

This amendment is nothing radical at all; it simply provides that beauty schools shall do no free work except upon the pupils of said schools and the immediate families of such pupils, or upon persons who otherwise could not afford to have this work done; and they shall keep a record of this work, which will be available to the beauty parlor board any time the board desires to check on it to see if they are taking unfair advantage of the act.

In the interest of fair competition and in the interest of the protection of the operators of beauty parlors, who feel that in some localities they are being unfairly discriminated against by operators of beauty schools due to this unfair practice, I ask that you allow me to substitute the bill for the report and pass the bill as amended by House Amendment A. I now move that the bill be substituted for the report.

The SPEAKER: The gentleman from Lincoln, Mr. Weatherbee, moves that the bill be substituted for the ought not to pass report of the committee. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was substituted for the ought not to pass report of the committee and given its two several readings.

Mr. Weatherbee presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 1558, L. D. 687, entitled an act relating to beauty culture.

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

'No school of hairdressing and beauty culture shall practice hairdressing and beauty culture upon any person other than the pupils of said schools and the immediate families of such pupils and upon persons who are not able to pay anything for such service. The schools shall keep accurate records of all free work performed therein with the names of such persons upon whom free work is given, and the date of such service, which records shall be available to the board upon demand.'

On motion by Mr. Martin of Oak-

land, the bill was tabled pending adoption of the amendment, and 500 copies of the amendment ordered printed.

The Chair lays before the House the twelfth tabled and unassigned matter, House report ought not to pass of the committee on Temperance on bill an act relating to tie votes in liquor referendum questions, H. P. 465, L. D. 157, tabled on March 18th by Mr. Elliot of Thomaston, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Elliot it was voted that the report of the committee be accepted and sent up for concurrence.

The Chair lays before the House the thirteenth tabled and unassigned matter, bill an act relating to plumbing, H. P. 1730, L. D. 842, tabled on March 18th by Mr. Martin of Oakland, pending first reading; and the Chair recognizes that gentleman.

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

On motion by Mr. Alden of Auburn, the bill was retabled, pending motion of Mr. Martin of Oakland that the bill be indefinitely postponed.

The Chair lays before the House the fourteenth tabled and unassigned matter, an act relating to hunting of raccoons, H. P. 1723, L. D. 838, tabled on March 18th by Mr. Boothby of Shapleigh, pending acceptance of report of committee on Bills in Third Reading; and the Chair recognizes that gentleman.

On motion by Mr. Boothby, it was voted that the report of the committee be accepted; the bill was given its third reading, passed to be engrossed and sent up for concurrence.

The Chair lays before the House the fifteenth tabled and unassigned matter, majority report ought to pass and minority report ought not to pass of the committee on Legal Affairs on bill an act to permit Sunday moving pictures, H. P. 1297, L. D. 473, tabled on March 19th by Mr. Higgins of Ellsworth, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. HIGGINS: Mr. Speaker and

Members of the House: For a number of years I have heard a statement made as though it were a truism, and that statement was that a majority was always wrong. I did not pay great attention to that or accept that as a truism, and have not up to this time. But I have to confess that during the past twelve months two events have taken place that have caused me to believe that it is worthy of consideration. The first event was a little happening of national scope last November that caused me to have a bit of feeling that there might be some truth in it; and the second momentous event was the majority report of the committee on Legal Affairs. With these two facts before me, I am willing to think at least that possibly there is some merit in that statement, that the majority is never right.

These moral questions such as Sunday movies we all have our minds made up on and there is little that I can say here this morning that could change any of your thoughts about the way you are going to vote. The brief remarks I shall make are not made with the thought that I can change the minds of any of you. I would like to be able to; but these are matters that those of us who have reached years of mature judgment have made up our minds upon pretty much. My thought this morning is merely to present to you the reasons why we come in here with a minority report.

One of our first reasons is this: We cannot see the necessity of Sunday moving pictures.

A couple of years ago people came before this Legislature and had the Sunday laws changed in such a way that sports could be permitted on Sunday and admissions charged. And I can see some merit in the proposition; I can see the fairness of the argument that there are men who enjoy sports, who work six days a week and who have no opportunity to enjoy a baseball game, therefore let us give it to them on the seventh day.

But that is not our position on Sunday movies. We have not that situation at all. Practically every adult and child in the State of Maine can go to the pictures six days a week, and there is no necessity of going on the seventh day. So one of our first points is that we cannot see the real necessity for

having Sunday moving pictures. And the second objection, and one that is more serious in our minds even than the first, is the matter of commercializing Sunday. That we who hold in the minority position feel is a most serious question: Do we as a Legislature, as a House at least, wish to commercialize Sunday to a greater extent than it is already commercialized? These are all pries, trying to open up that seventh day and place it in the same identical position as the six others, and we feel it should not be so.

I mentioned the matter of Sunday sports. That bill went through in 1933, if I recall correctly, and the thought was that men should be given that opportunity to enjoy sports on Sunday when they could not at other times; and the argument back at that time was used that they could be out in the air; it is fine for them to be out of doors; it is healthy. They said that is all we want, and they told the committee that is all they wanted. Now was that correct? The legislative history of this year shows it was not correct because the proponents came here and asked that indoor sports be added to outdoor sports, exactly contrary to the position they held in 1933. I would also like to call your attention to the fact that they did not come back in 1935. I think they should be congratulated. They at least showed the grace of waiting by one session of the Legislature.

Is that the only bill that was brought in to change the status of Sunday? Oh, no. We also had a bill presented which would open the way to professional athletics on Sunday, and I am not so sure but that it would even have excluded true amateurs from playing. In other words, the act of 1933 was just a wedge; it was just a pry. They come back this year and will be back two years from hence asking for further concessions.

We of the minority position—not the minority party, you understand—but the minority position in this report, feel that we should not commercialize Sunday to a greater extent.

Then we come to a third proposition—and this is the thought that ranks highest I believe with the group who signed the minority report—and that is the question of competition with your religious organizations in the State of Maine.

We are not arguing as to whether it is any worse on Sunday than on Saturday; that is not our proposition at all. Our proposition is this: Is it a fair point, a fair position for us to offer that strong competition to the churches of the State of Maine? And it is a definite competition and it is a strong competition.

We have in the State of Maine certain churches operating Sunday evenings, and this bill would allow movies to be carried on between the hours of three o'clock in the afternoon until 11.30 at night, in definite and direct competition with every church service that is carried on in the evening in the State of Maine. Now do we want to do that? Is that the thing we are after, to try to play up Sunday movies in competition with church services on Sunday evenings—and, more than that, in competition with every bit of Sunday School work that is done in the State of Maine? It does not come at the same identical hour, I admit. I have had a little experience with the situation, and I know that the youngster does not want to go to Sunday School at twelve o'clock in the morning when he is thinking about a movie at three in the afternoon. It is competition even with morning services and Sunday School services which take place at an earlier hour. Beyond that, we claim it is competition in this particular: It builds up an entirely different atmosphere in many homes in the State of Maine when you are reaching a point that you are letting that seventh day stand in the same identical category with the other six.

I will conclude by just asking the question of you members: Do you feel the step that we want to take is to commercialize Sunday to a greater extent? Is that the thing we are here for—to try to change Sunday and its observance to such an extent that we are going to permit Sunday movies.

Now I appreciate that local option feature, and we will hear much about it this morning. That is the only way, of course, that the bill could have been gotten to this point, with this local option feature. But let us keep this in mind: We can stop this change, this commercialization right here ourselves, without it going back and there being a fight in towns and cities in the State of Maine. And is not that a logical point for us to take? Isn't that the logical position for us to

be in when we return to our various communities, to be able to say that this problem confronted us and we held that particular ground? We did not do all that we could to help the change in Sunday observance, but, rather, we stood upon the position that has been maintained for many years. I wonder if that would not be a fine position for us to maintain as a Legislature?

There is just one more thing I want to mention, as there will be others who will carry on. This is Section 39 we are proposing to change. I just want to read the heading by which that section is entitled in the Revised Statutes. Section 39 is: "Business, travelling and recreation on the Lord's Day." We have already dropped any suggestion of a title with reference to the Lord's Day, but I am wondering if perhaps the thing we do not want to keep in mind here every minute is the very suggestion in its title, that it is the Lord's Day, it is the seventh day, the day that has been different, the day that should be different, because it is a benefit to every person in the State of Maine to have it so. (Applause)

The SPEAKER: Does the gentleman make any motion?

Mr. HIGGINS: Mr. Speaker, I will move the acceptance of the minority report, and when the vote is taken I request that it be by the yeas and nays.

The SPEAKER: The gentleman moves that the minority report of the committee, ought not to pass, be accepted. The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. MCGLAUFLIN: Mr. Speaker, I ask permission to face the House while I address the Speaker.

The SPEAKER: The gentleman must remain in his place but he may turn about all he wishes.

Mr. MCGLAUFLIN: Mr. Speaker, I wish, through you, at this time, to pay a tribute to the members of this House. I feel highly honored to be a member of this House and be associated with the fine men and women who are here. And why? Because I have found you to be men and women of character, of integrity, of ability, of honesty, of sound common-sense and with high ideals. The lobbyists do not frighten you, the Senate does not cow you and I admire your spirit.

Some of us will never return to this Legislature again. The Great

Reaper will sweep us from the floor of the arena of life one by one. We, ourselves, will soon be forgotten, but what we do in this House today is liable to affect generations yet unborn. I shall prize being a member of this House at this time as long as I live; but, while you are fearless and independent, yet you are subject to reason, and as I shall attempt in my feeble way to set forth my reasons for upholding this bill, I ask you to hear me patiently, and, if the reasons I give are not sound, then reject them, for I know that every last one of you is honest; but if the reasons I give are sound, I ask you to stand with me today.

Some of you are church members, that organization that has done more to build up this whole world than any other institution that ever existed. When I came to Augusta, a stranger to the most of you, I attended one of the Augusta churches, and there I beheld some of the members of this House whom I only recognized by sight. Immediately I thought to myself, those are the men and women I can tie to. Why? Because they stand for high principles. Some of you have been members of the Sunday School, another institution with lofty ideals, and we remember how, in those Sunday Schools every effort was made to prepare us to face the battle of life and to inculcate in our minds strength of character enough to overcome the temptations that are bound to beset us. Some of you are Masons. I attended that splendid meeting of Masons held at the Augusta Temple a few weeks ago, and I noted a large number of the members of this House present, and immediately the stock of every man that I saw there from this House who was a Mason went up one hundred per cent in my mind. And why? Because that institution stands for such lofty ideals, and I felt proud of the fact that I, too, am a Mason. Some of you are members of other institutions, like the Odd Fellows, the Knights of Pythias, the Knights of Columbus and the Grange, and all of those institutions profess to believe in an Almighty God,—all, I say, Mr. Speaker, and they all believe that when He said "Remember the Sabbath Day and keep it holy," it meant something that way. To my mind it means this: That God

in His wisdom foresaw that mankind, if left to itself in its greedy grasping for gain, would work day after day and would get in a constant treadmill of toil, and that it was vastly better for mankind to have one day's rest in every seven. To the man who takes that attitude He says, "Keep it holy"; and holy means sacred; sacred means something worth while, something to be prized. Therefore, so that man would not forget that it was for his own good to have one day's rest in seven, He said to keep it as something precious. To other men and women that command means something more. It means not only a day of rest but a day of worship.

Now whatever you do, the point of the matter is that we are starting in to open up the road that leads to the destruction of the Sabbath Day. Do I object to movies? No. Do I object to Sunday movies? No, as many of you present can testify who saw me looking at movies at the Blaine Mansion only last Sunday evening. What, then, do I object to? I am objecting to commercializing movies on Sunday. Only Monday I was talking with a barber in this city who takes the view, and rightly so, that "if you are going to allow the movies to open on Sunday, why can't I keep my barber shop open on Sunday, too." His ground of reasoning is sound, and when you once open that commercial door, a door for commercializing these things, the grocery man can come before us and say "There is a demand in my community to open my grocery store on Sunday"; and you say "Why, that's all right; that won't do any harm"; and you go to your clothier, and of course that is all right, and that does not do any harm. Gradually and slowly you eat away the foundations on which we stand until you have lost the great privileges which we have so highly prized in the past. Let me give an illustration! Some years ago I visited Grand Falls, New Brunswick, and I saw there the great pot holes that have worn out of the solid rock, some of them eight or ten feet across and many feet deep. What caused those pot holes? Years ago the water washed sand and gravel across those rocks, but made no perceptible impression. Again and again, and over and over

those rocks that sand and gravel was washed until in time it did make an impression and a depression, and then the water drove into those rocks and drove around, around and around, wearing and wearing and wearing, until it created deeper impressions and in time those great holes were worn out of the solid rock.

Now you say that the Sunday movies do no harm and we all say that we can see no perceptible harm in that of itself. Then you open the grocery store and you cannot see any special harm in that. Then you open the other stores and you see no special harm in that; but, after a while, that little stream that is almost imperceptible grows into a large brook and finally it becomes a current that you cannot stop. Therefore I say that one of the reasons I am opposed to this bill is because it is opening a way to the future that, while not dangerous to you, is dangerous to your children and your children's children. I am no religious fanatic. I have no objection to your playing baseball, going fishing, riding or going to the movies on Sunday. This is up to your own conscience. I am not trying to regulate by law what you shall do. I am simply pointing out to you men and women who possess common sense that you are opening the door to a way that leads to trouble in the future because for whatever reason God gave us the Sabbath Day, it was for our own good.

Mr. Speaker, those of us who have read history have read about that great Roman Empire that was so great that no power could conquer it; yet Rome has passed from the face of the earth. And why? Because it disintegrated, it degenerated, it had moral paralysis. That is what killed Rome.

Let me give you another illustration: Just before I went to college I worked for the Lawrence and Lowell Street Railway Company in Lawrence, and I worked with pick and shovel with men of the ordinary type of working men, and I got acquainted with them. Five years later, after finishing my college course, I came back to Lawrence and I missed some of my old comrades. I said, "Where is Barney Collins?" Dead. I said, "What, dead? What happened to Barney?" Rum. "Where is Tim Murphy?"

Dead. "What, Tim dead too?" "Yes." "What caused his death?" Rum. "Where is Herb Faulkner, the foreman of the job?" Dead. "What happened to Herb?" Rum. Three young men who ought to be alive today, all dead inside of five years, and why? Because they did not have sense enough to look ahead just a little way to see that while the first glass did not do any harm, the second glass did not do any harm, the third, fourth and fifth glasses did not do any harm, but by and by those repeated glasses made a habit, and then the habit became so strong that only God Almighty could stop it and it killed them. My point is that little things in life may lead the way to trouble in the future, and, if we have any vision at all, unless we are so selfish that we say we do not care, we will be able to see that.

One thing more! This Legislature is a strong Legislature. Repeatedly I have been told by men who have known Legislatures that this is one of the best Houses they have ever seen. Now if a line is to be drawn, who is better able to draw that line than you men and women in this House today? Are you going to leave it to another Legislature and perhaps a weaker one? That is only one point.

Mr. Speaker, I apologize for taking so much time but I have a lot to say.

The **SPEAKER**: The gentleman is entitled to speak as long as he wishes.

Mr. **McGLAUFILIN** (Continuing): I have touched upon one argument and that is that it opens the door. Now there is another. Sunday is an ancient landmark in Maine. The Scripture says: "Remove not your ancient landmark." It is liable to lead to confusion. That is one of the great landmarks in the State of Maine.

The third reason why I oppose this bill is because you are going to offend the sensibilities of thousands of Christian men and women in this State who believe that Sunday is a sacred day, but that is not all, and here I come to the point which to me is the most important of all. The State of Maine has always stood for high ideals, and I am saying to you men and women today that the State that has for its motto "Dirigo, I Lead" is not going to lower its standard in this House, with my help today.

I want to speak just a word in rebuttal of some of the arguments that I have heard. I have been told that in some sections the movie people, for the privilege of holding those movies, contribute twenty-five dollars to a hospital and that that contribution does a great deal of good. I want to point out to you that that argument is unsound. That is the argument they put up when they tried to bribe this State into allowing lotteries, slot machines and gambling, and all the rest. Let me make my point clear so that there may be no misunderstanding about it. Supposing a man comes to some one of you members of this House and says "I will give you one hundred dollars to vote for or against a certain measure." You may say "What a lot of good I can do with that hundred dollars! I can give twenty-five dollars to the poor, I can give twenty-five dollars to a hospital, I can buy my wife a new dress and I will have twenty-five dollars left. Why, that will do me a whale of a lot of good. Why not sell my vote?" But, you say, that is bribery. Well, what is the harm of bribery? Why, you say, it is dishonest. Well, what is honor? Honor is the point of character that stabilizes life, and makes it possible for us to deal with one another on a sound basis. I will not sell my honor, I will not sell my high ideals. I will not retreat a single inch from my principles to please anybody, and I will not be party to lowering the standards of this House and this State. That stands for character, high ideals and belief in an Almighty God. (Applause).

Mr. **WILKES** of Portland: Mr. Speaker and Members of the 88th Legislature: I have listened to the remarks by my predecessors; I respect them and admire their contentions, and I have the deepest regard for their opinions. But also, being a member of this honorable and august body, I feel that I should be allowed, with your permission, to exercise my prerogative and express some ideas with reference to this proposed legislation.

First, by way of explanation, I wish to inform you that Legislative Document No. 473, entitled an act to permit Sunday moving pictures, which is now before this body with the local option clause in the third paragraph, is going to be changed by eradicating the words "until the municipal officers



of a city so vote"—and I understand from the gentleman who proposed the measure that he is preparing an amendment which will read that Section 39-G shall not be effective in any city until the voters thereof shall accept the same in a regular or special election. So, in effect, a measure of this type and kind will go directly to the people.

We of the State of Maine have long prided ourselves in saying to the rest of the Union that we are a sporting center, and a State which offers recreational attractions, and we should continue to be such.

We should liberalize our antiquated laws and enact progressive legislation. Our Commonwealth should allow every sane and reasonable advantage possible to its citizens and especially cater to those who visit our beloved State. We should follow the example of our sister state of New Hampshire and come within the category of the resort State of Florida, so as to be able to extend the same privileges that these vacationland states offer to its guests and tourists.

On our border line is the State of New Hampshire. They have permitted Sunday movies. I say to you: Are the morals of the people of New Hampshire any different from those of the people of the State of Maine? Is their crime rate any different than our State? We are part of the same heritage, soil and climate of the sturdy, rugged shores of rock-bound New England; yet they have seen fit to allow Sunday movies, this terrible destruction that you have heard so much about, the trouble that will come, the Roman Empire that will fall, and so forth.

Members, I should like to call your attention to some of the figures as to crime in these United States and particularly with reference to the shores and coast of New England. I have here an authoritative book entitled "Criminology and Penology" by John Lewis Gillin, Professor of Sociology in the University of Wisconsin. In a survey, "Crime and Its Repression" (Boston, 1913) by Professor Aschaffenburg, there is this quotation: "Days committed, Sundays, all crimes, 165; Mondays, 68; Tuesdays, 28; Wednesdays, 20; Thursdays, 20; Fridays, 17; Saturdays, 62. The others are "Unknown" and "Holidays."

Is that going to mean destruction,

members, if we go along and join hands with the majority of the other States in these United States? After all, I cannot see that the rest of the Union has degenerated, I cannot see that they have become destroyed. The moral fibre of youth would not be weakened if we had a measure of this type. By adopting this kind of an enactment it would be strengthened. As a matter of fact, the big argument which I have listened to with deep intent is the factor of commercialism. Just what is that? Is there any difference between playing golf on Sunday, paying a greens' fee, and going to the movies? What do you call that? Is not that commercialism? Is there any difference between Sunday movies and driving an automobile or keeping a store open on Sunday?

Members, I have no conflict with the Sabbath. I am not attempting to request this Legislature to give the people of Maine Sunday movies—we do not come up here and ask you to give us motion pictures. All we ask is that you allow the cities and towns the right of franchise to exercise their right to vote on this measure.

Now how about the morals of certain cities and towns in our beloved State of Maine? It is my understanding, and I am reliably informed, that the city of Rockland has Sunday movies, that the town of Greenville has Sunday movies, that Bar Harbor has Sunday movies in the summer time; also Old Orchard Beach and Biddeford. Are the morals of those people affected any more than we of Augusta and Portland? I say no, there is a fallacy in that argument, ladies and gentlemen.

This bill is a reasonable one; it operates fairly and equitably. I do not disagree with the moral code nor with the virtues of your respective towns and the people you represent; but at the same time, ladies and gentlemen, I would like to have you respect the wishes and the desires of others. They, too, have a voice in our government. This is a government of laws, not of men, and we should have sane Sunday movie laws. When Sunday laws are enacted in accordance with popular wish, there is not only less violation of law, but there is no occasion for starting reprisals by one group against another.

Now another proposition with respect to morals: I have shown you the statistics with reference to crime in New England. Is it not the will and the purpose of this Legislature to enact laws which will prevent crime—sane laws? Are you not in your hearts convinced that it is better for the so-called younger generation to attend a motion picture show than to be in the streets or in bad company? It is that younger generation upon whom the burden of carrying on the future responsibilities of this government will some day be given. I might state this, that Sunday is not only a day on which people have an opportunity to indulge in excessive drinking, but it is a day on which the contacts of people are much more frequent than on any other day except holidays. That is the reason for so many crimes.

Now I do not want to take up the time of this body, as I know there are many important matters for us to deliberate upon. I only want to leave with you a brief outline of some of the reasons which I believe should have your indulgence and deliberation and consideration at this time. After all, in the final analysis, the question goes to the people; they are the real judges, not us. If it is all right in some parts of the State to have Sunday motion pictures, why discriminate. Isn't it, as a matter of fact, being operated illegally when it is being operated in these cities and towns I have mentioned? This bill simply attempts to legalize it. I daresay many of us in this Legislature have gone to Sunday movies, and perhaps we were committing a crime. This simply legalizes that situation. It should be corrected, or at least we should see that these laws are properly enforced.

Now we as individuals, assuming that we have sufficient intelligence to carry on our own affairs in strict keeping with all our morals and our codes, do not want to force our own private views or opinions upon the communities of the State. This country was founded, ladies and gentlemen, upon a true democracy and our government rests upon the will of the majority, not upon the desires or will of a few. I cannot believe that it is the intention of this body to divest the people of their rights to express their opinion on this matter. When this measure came up it had a full hearing, and

I am quite sure that the committee on Legal Affairs deliberated very carefully. The men and women who comprise that committee were selected because of their skill, their acumen and their legal ability. In going over this measure I have no doubt that they thought it best to use their mature judgment, and I say to this Legislature that we should accept and confirm the report of the majority of the committee.

Now another question arises with respect to Sunday moving pictures. We claim that we cater to a tourist trade. If that is so, we should carry out these principles in inviting others to the State. I realize we have great scenery here, the hills, the valleys, the lakes and streams—a God-given country; but I also want to impress upon you that we should have also the right to permit people to relax on Sunday. What about the laboring man who works six days a week, who attends Church in the morning and in the afternoon or evening, perhaps, would like to go to the movies and relax. Is there any particular crime about that? Are their morals reduced any? Members of the House, I say no, and the best proof of that is in the pudding. Look at the rest of the glorious United States. There is the answer. You know there is an old saying that an idle mind is the Devil's workshop, and I might add a familiar quotation that New England morals do not prevent us from sinning, they just prevent us from enjoying our sins.

Ladies and gentlemen, in a brief way I have attempted to express to you in a sincere manner what this measure proposes to do. The temporary decision rests with you but the final verdict, remember, rests with the people. That is why this local option provision was included, so that the people might have a chance to vote on it. Remember, when you vote on this question, to keep this uppermost in mind: You are not giving Sunday movies—remember that—you are simply allowing the people of the State of Maine to exercise their right of franchise. Let them decide it, or otherwise see that the present Sunday laws are strictly enforced. This is not an opening wedge. If the wedge is opened, it has been opened in Rockland and the other cities and towns that operate Sunday movies.

As I have stated before, I feel that

we have the same rugged character and the same moral fibre as the rest of the people in the State of Maine. By having Sunday movies I assure you that there will be a reduction in juvenile delinquency, that there will be a higher sex morality in this State. Those are some of the advantages, and when they propose to tell you that it is commercializing Sunday, I tell you that it is no different than any other thing that is being carried on. No one who enjoys going fishing, playing golf and driving a car on Sunday can say that Sunday movies are bad and that playing golf on Sunday is all right. Isn't it better to attend Sunday movies than to drive your car out in the woods somewhere and commit some sexual crime, or to spend Sunday playing cards in your home with the shades drawn and under cover of the night so that your next door neighbor cannot see what you are doing? We say that is breaking down the morale of the people of the country.

Members, you can believe me when I say that I, too, love this State. I, too, love that great seal of State, with the husbandman on one side, and the seafaring man on the other, and a pine tree in the center, and the moose or deer at the bottom. I, too, know what the latin motto "Dirigo", means "I Lead." Members of this House, I have been grateful for the opportunity afforded me to speak on behalf of this measure and I know that we all have a grave responsibility on our shoulders and for the best interests of Maine. I say that we should join hands with the rest of these United States and carry on our leadership. (Applause)

Mr. PACKARD of Houlton: Mr.

Speaker, I move the previous question.

The SPEAKER: The gentleman from Houlton, Mr. Packard, moves the previous question. To entertain the motion the consent of one-third of the members present is required. As many as are in favor of entertaining the motion for the previous question will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had.

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

The question now before the House is, shall the main question be now put? The question is debatable for not more than five minutes by any one member. Is the House ready for the question? As many as are in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the previous question was ordered.

Mr. ELLIS of Rangeley: Mr. Speaker, as I understand, there are four delegations due at the Blaine House at half-past twelve, therefore I move, under suspension of the rules, that the matter lie on the table.

The SPEAKER: The gentleman from Rangeley, Mr. Ellis, moves that the matter be tabled pending the motion of the gentleman from Ellsworth, Mr. Higgins, that the minority report of the committee ought not to pass, be accepted. Is this the pleasure of the House?

The motion prevailed.

On motion by Mr. Fadden of Hiram,

Adjourned until ten o'clock tomorrow morning.