

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Saturday, April 17, 1937.

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

Prayer by the Rev. Mr. Gesner of Augusta.

Journal of the previous session read and approved.

From the Senate: Report of the committee on Agriculture on bill an act relating to agricultural societies, S. P. 194, L. D. 289, reporting same in a new draft, S. P. 493, L. D. 1031, under same title, and that it ought to pass.

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

In the House; the report was read and accepted in concurrence. Mr. Donahue of Biddeford, offered House Amendment A and moved its adoption, as follows:

House Amendment A to S. P. No. 493, L. D. No. 1031, bill an act relating to agricultural societies.

Amend said act by striking out the words "Sec. 1" and further amend said act by striking out everything after the second paragraph thereof.

Mr. DONAHUE of Biddeford: Mr. Speaker and Members of the Legislature: The Budget Committee and the Appropriations Committee both felt that by giving State stipends to the fairs in the sum of approximately sixteen thousand dollars, that, together with the proceeds which they receive from the pari-mutuel betting would be sufficient to permit them to carry on their affairs, and, at the same time, that was as far as the committee felt that the State should go in helping these fairs.

Under the present law the State of Maine receives three and a half per cent of the pool in payment of the services rendered by the State Racing Commission. Last year the State of Maine received approximately \$43,000. Eighteen thousand dollars was expended by the Commission in supervising the pari-mutuel betting at these fairs. The Budget Committee and the Appropriations Committee this year set up an approximate figure of \$50,000, as the amount which the State would receive under the present provisions of the law. This bill, in Section two, provides that to the amount of stipends as set up by the

Appropriation committee should be added \$15,000 from the receipts by the State of Maine under the three and one-half per cent provision.

From the stipend law an appropriation of \$2,800 dollars for the Androscoggin Poultry Association has been taken out; \$2,500 has also been set up for the Pomological Society, and the committee felt that there was no need of setting up additional money for these fairs.

Last year the return to the State of Maine under the pari-mutuel law was \$25,000. If this bill goes through in its present form, the State of Maine will receive less than fifty per cent of the net return that they received last year. I hope the amendment will be adopted.

Mr. FINDLEN of Fort Fairfield: Mr. Speaker, I wish to explain the position of the Committee on Agriculture on this bill. Back in 1931 the fairs of the State were cut approximately \$15,000 from their State stipend. This bill, if passed in its present form, will merely put back in the State stipend the \$15,000 that was taken away in 1931.

Since the pari-mutuel has come to our fairs in 1935 they have turned in \$18,770 to the state; in 1936 \$43,632; and it is estimated that in 1937 they will turn back approximately \$61,000, if they run in proportion to the way they have the last two years.

Now there are a great many fairs in the State that do not have pari-mutuel betting. We feel as though agricultural exhibits are the foundation of all fairs. The fairs of the State cannot run very long on just horse racing. We feel that it is an opportunity for men in agriculture to exhibit their wares and to advertise their products, and since the proceeds of this increase is coming from the pari-mutuels themselves, we feel that it would be a great disadvantage to the agricultural fairs to take out this \$15,000. I certainly hope that this amendment is not adopted.

Mr. VILES of Augusta: Mr. Speaker, I would like to say just a few words supporting the amendment. Last year, the State received, as we have been told, \$43,000, of which about \$25,000 was a profit to the State, and, on a like basis, the agricultural fairs received approximately \$91,000. This money has been used by the fairs to remodel in some places and in some places to erect new grandstands and new

buildings, and it seems only fair to me that the State should be allowed to keep whatever profit it can make, as there is no question about the fact that the fairs have been able to greatly improve the shows that they put on under the present set-up.

Mr. LEE of Rumford: Mr. Speaker, I do not agree with the gentleman who has just spoken. I am in agreement with the gentleman from Fort Fairfield, Mr. Findlen.

Now it is true that the State received forty-three thousand and some odd dollars from the pari-mutuel racing. It is also true that the fairs receive a total of \$91,882.99 from the proceeds of the pari-mutuel. It was never the intention when the pari-mutuel bill was first conceived that it should give any money to the State whatsoever. When the bill was introduced it was for the purpose of helping agricultural fairs to get back on to their feet, as they had been on a down grade for many years. Back in 1933 I believe economy was spoken of, and two per cent of the per capita which was given to stipends at that time was cut, leaving but two per cent. This bill simply asks that it be restored, the four per cent, and take \$15,000 receipts of pari-mutuels for the State of Maine and return it to the agricultural fairs for the purpose of giving added incentive and inducement to those who raise blooded livestock and have agricultural exhibits to take to the fairs. There is no doubt in my mind, and there will be no doubt in the mind of any member of this Legislature, that the pari-mutuel bill has gone far beyond and done more than what was anticipated in the first place. Of the amount of \$91,882.99 which the gentleman says was received by the fairs in comparison with \$43,632.61 received by the State—and all these fairs, to my knowledge, the fairs have received seven and one-half per cent and the State three and one-half per cent, and of the fair's share of seven and one-half per cent, approximately three per cent has been used to pay those who have conducted the pari-mutuels for the fairs, and for the payment of racing officials and for other purposes, which cuts the fairs net receipts about fifty per cent. That would leave, in my estimation, somewhere around \$50,000 spread out over all the agricultural fairs in

the State of Maine which have pari-mutuel racing.

There is no doubt but what pari-mutuel racing in the State of Maine has added a great deal to the agricultural fairs, inasmuch as it has brought added receipts and added income through attendance and racing. If we return \$15,000 to these agricultural fairs, they will, in turn, give larger premiums to the farmers who exhibit their livestock, and the poultry raisers and for other agricultural exhibits.

I believe, as many others do, that agriculture should be given every chance to advance, and we should not in any way curtail or cut down anything which will be beneficial to agriculture.

A short while ago this Legislature saw fit to increase the appropriation of the University of Maine \$100,000, and that of the Maine Development Commission, \$100,000. I believe that it is only fair and just that agriculture should be permitted to receive this small sum in comparison with those I have previously stated, and I hope that the amendment is not adopted.

Mr. RUSS of Caribou: Mr. Speaker and Members of the House: I feel that perhaps the true meaning of this amendment has not been brought out. If this Legislature wants to appropriate \$15,000 or any number of dollars in addition to what it has already done for agriculture and the agricultural fairs, that is a question for you to decide; but for this Legislature to take away from the estimated figures of the Budget Committee and also from the figures which the Appropriations Committee have had to work with all during this session and give it to another department of the State, I think you can all readily agree with me that you are just throwing that budget report \$15,000 out of line.

We felt, when we considered agriculture—and Mr. Washburn, our very able Commissioner, appeared before us, and you will notice that we granted him practically what he asked for—we felt that we were most generous. We certainly do not want to take away that which is needed; but every department in this State is anxious to have that department the predominating department. That is only natural.

You must not overlook the fact that, as the member from Rumford (Mr. Lee) has pointed out, this in-

crease in attendance caused by pari-mutuel betting has greatly benefited all of the fairs. The pari-mutuel end of horse racing has far exceeded anything that we expected a few years ago, and, considering the financial condition that the State is in, it seemed to the committee on Appropriations that to return that money to the general fund of the State was the only fair way to use it.

So far as the agricultural fairs being any great asset to the pari-mutuel end of it, I simply want to call your attention to the races at Old Orchard. There are no agricultural exhibits there, and you will see that their attendance is far greater than any other spot in the State.

I feel that the agricultural fairs have had all that the State can honestly afford to give them. They have received not only that small amount of money which was taken away from them in 1931, but have received \$91,000 from the pari-mutuel, so that today they are getting far more than they had before, and now they are asking for their old original amount plus the proceeds from this pari-mutuel. I sincerely hope that this amendment is adopted.

Mr. WYMAN of Benton: Mr. Speaker, I move the indefinite postponement of House Amendment A to L. D. 1031.

The SPEAKER: Does the gentleman refer to Legislative Document 1051, the bill now under consideration? The gentleman from Benton, Mr. Wyman, moves that House Amendment A be indefinitely postponed. The Chair recognizes the gentleman from Fort Fairfield, Mr. Findlen.

Mr. FINDLEN: Mr. Speaker, there is a mistake in the number. The bill is 1031 instead of 1051. There is a mistake in the printing.

The SPEAKER: The Chair thanks the gentleman from Fort Fairfield. The correct number of the document is 1031. The pending question is on the motion of the gentleman from Benton, Mr. Wyman, that House Amendment A be indefinitely postponed. Is the House ready for the question?

Mr. HINMAN of Skowhegan: Mr. Speaker, I am just wondering if the Chair would explain to the House what the indefinite postponement of House Amendment A means, or may I?

The SPEAKER: The gentleman may explain if he wishes.

Mr. HINMAN: Mr. Speaker, as I understand it, this amendment is taking away from the agricultural fairs \$15,000 that they have requested, so that if you support the amendment you favor the appropriation of the \$15,000.

Mr. FINDLEN: Mr. Speaker, I think the gentleman from Skowhegan, Mr. Hinman, is in error—I beg your pardon—if you indefinitely postpone the amendment, I would suggest that you would leave the bill as it is written and as it was passed to be engrossed in the Senate.

Mr. HINMAN: I do not know what the difference is. As I understand it, if we indefinitely postpone the amendment we will then act upon the appropriation of \$15,000 for agricultural fairs.

The SPEAKER: The gentleman is correct.

Mr. RUSS of Caribou: Mr. Speaker, if I am correct, the bill as written would restore to the agricultural fairs \$15,000, which I, as a member of the Appropriation committee, object to on the grounds already explained; so that if you want to leave the appropriation figures as they are the amendment should be adopted.

Mr. VARNEY of Berwick: Mr. Speaker, might I inquire if a motion to amend does not take precedence over a motion to indefinitely postpone, and, if that is correct, would not the proper question be on the motion to amend?

The SPEAKER: The gentleman would be correct if the motion to indefinitely postpone were to indefinitely postpone the bill, but the motion is to indefinitely postpone the amendment therefore the pending question is on the motion of the gentleman from Benton, Mr. Wyman, that the amendment, be indefinitely postponed. The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE and Gentlemen: It seems to me that one particular point here has been lost track of. This amendment is not an attempt to take away from the agricultural fairs their stipends, for this reason: There is already before the Legislature, Legislative Document 1050, and if you will look at it, you will see that allocates to the various fairs certain stipends which they will get anyway. Now the thought of the amendment is to object to their going further and dipping into the State Treasury to the extent of re-

ceiving further stipends. I think that point ought to be brought out. I personally am in favor of adoption of the amendment.

Mr. AYER of Union: Mr. Speaker, we took this matter up in the Agricultural committee and talked it over, and we feel that the granting of this \$15,000 to the agricultural fairs would only restore what the fairs had previous to 1931.

There has been quite a lot said about what the pari-mutuel has done for these different fairs, but we must remember that less than one-half of the fairs of Maine have pari-mutuels, and the Racing Commissioner, in conversation with her a while ago, said that she thought that it was inadvisable for any small country fair to run a pari-mutuel. Now it seems to me that it is the small fairs of the State of Maine that we want to assist. The fairs that have the pari-mutuels are benefited by them, no question about that, although last session, as the members who were present then knew, I was very much opposed to the pari-mutuel. Those fairs that are having it are doing well, and this extra \$15,000, as I understand it, the sponsors of the pari-mutuel are perfectly willing should go to the smaller fairs—and, of course, the same ratio right through—but it will assist the smaller fairs to keep going. I hope that the members of this House will be generous enough to the agricultural societies of this State, especially the smaller ones, to permit them to share in the benefits of this pari-mutuel racing.

Mr. FLANDERS of Auburn: Mr. Speaker and members of the House, I think we are all interested in agriculture in the State of Maine. I know the committee on Appropriations and Financial Affairs have felt that they should do whatever they could to promote the interests of the agricultural fairs. Now we have given them, as has been said here, most everything they have asked for. The Androscoggin Poultry Association asked us for an appropriation, and we gave them \$2800; the Maine Pomological Association asked for something, and we gave them \$2300, if I remember correctly.

Now the members who were here a couple of years ago can well remember that when this pari-mutuel bill was before the Legislature that was going to be a panacea for most

of our troubles, going to turn a great deal of money over to the State and assist us in our financial difficulties. Last year they turned over only \$25,000, and this year they come back asking for \$15,000 of that. I do not think it is a fair proposition.

One of the most successful fairs in the State of Maine is the Franklin county fair. They do not have the pari-mutuel; they are not asking for it; and they are a very successful organization, I should very much oppose the indefinite postponement of this amendment. I hope the House sustains the will of the committee on Appropriations and Financial Affairs in saving this \$15,000 to the appropriation.

Mr. LEE: Mr. Speaker, if I may be permitted to speak a second time I would like to enlighten the Legislature in regard to the statement just made by the gentleman from Auburn, Mr. Flanders, concerning Franklin county fair. I might state that that is a county-wide organization which has a membership to which practically every family in Franklin county belongs, and they contribute a certain amount each year, and that fair, to my knowledge is in the best financial state of any agricultural fair being conducted in the State of Maine today.

When the vote is taken, Mr. Speaker, I ask that an explanation be given relative to the yeas and nays on this matter, in order that the members may know which will be for and which against the postponement of the amendment.

The SPEAKER: Does the gentleman ask for the yeas and nays?

Mr. LEE: No, Mr. Speaker, an explanation, that is all.

Mr. DAY of Durham: Mr. Speaker, I think perhaps with the amendment here we have lost track of just what we are trying to do with the bill. Under the old law, as I understand it, no fair that allowed gambling could have any State stipend, and this bill originally was put in here to clarify that law, so that the Commissioner of Agriculture could pay to those fairs having pari-mutuel betting a stipend. Two years ago they had to come to the Governor and Council, because the Department could not pay it due to the law governing gambling at fairs. They had to come to the Governor and Council to get their stipend. If I am wrong somebody

will correct me. This year we have a resolve before us to reimburse the fairs for 1936, because of the fact that the Commissioner could not pay that stipend where gambling was allowed.

Now this bill was originally intended to clarify that law, so the Commissioner might know just what he could do. He could not pay to those fairs having the pari-mutuels this stipend. And then Section two was in regard to increasing that stipend, I think if those who have introduced this amendment had wanted to cut out the increase of \$15,000 it should have referred to Section two instead of "after Section one," because we would be defeating the thing we are trying to do if we cut out the entire bill.

Mr. DONAHUE: Mr. Speaker, the purpose of this amendment is not to defeat the entire bill. The Appropriations committee feels that the fairs who are not pari-mutuel should receive their share of the State stipends which have been set up. The only purpose of this amendment is to keep the budget in balance and not to provide an additional \$15,000 for State stipends for fairs.

The SPEAKER: It is the understanding of the Chair that this amendment would eliminate from the bill that provision for \$15,000 for the fairs. The pending question is on the motion of the gentleman from Benton, Mr. Wyman, that the amendment be indefinitely postponed. Therefore a vote in favor of the motion for indefinite postponement would, in substance, be a vote in favor of this appropriation for the fairs. A vote against the motion for indefinite postponement would be in substance a vote in opposition to the appropriation for the fairs. Is the House ready for the question? As many as are in favor of the motion of the gentleman from Benton, Mr. Wyman, that House Amendment A be adopted will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had. Fifty-one voting in the affirmative and 66 in the negative, the motion to indefinitely postpone House Amendment A did not prevail.

The SPEAKER: The pending question is on the adoption of House Amendment A.

Thereupon, House Amendment A was adopted and the next legisla-

tive day was assigned for the third reading of this bill as amended by House Amendment A.

From the Senate: Report of the committee on Temperance on bill an act to regulate and restrain the manufacture, sale, transportation, importation, traffic in and use of liquor, malt liquor, wine and spirits and to increase the fees for licenses, S. P. 370, L. D. 700, reporting same in a new draft, S. P. 508, L. D. 1032, under same title, and that it ought to pass.

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

In the House, the report of the committee was read and accepted in concurrence and the bill had its two several readings.

Mr. SLEEPER of Rockland: Mr. Speaker, I move that this bill be tabled pending the printing of House Amendment A.

Thereupon, the motion prevailed, and the bill and pending amendments were tabled pending assignment for third reading.

From the Senate: Bill an act relating to mileage compensation for county officials, H. P. 1761, L. D. 871, which was passed to be engrossed in the House on April 9th as amended by House Amendment A. in non-concurrence.

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

In the House, that body voted to reconsider its former action whereby the bill was passed to be engrossed. The House then reconsidered its former action whereby House Amendment A was adopted.

The SPEAKER: The pending question is on the adoption of Senate Amendment A to House Amendment A, and the Clerk will read that amendment.

(Senate Amendment A to House Amendment A read by the Clerk)

A viva voce vote being taken, Senate Amendment A to House Amendment A was adopted in concurrence.

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

Orders

On motion by Mr. Flanders of Auburn, it was

Ordered, that the Superintendent of Printing be hereby authorized to exchange the mimeograph equipment purchased pursuant to a House order passed by the 86th Legislature for new equipment suitable for continuing the furnishing of duplicate copies of such requirements of the Legislature as may be necessary from time to time, the cost of the same to be paid out of the contingent expenses of the Legislature.

Reports of Committees

Mr. Martin from the Committee on Public Health reported ought not to pass on bill an act relating to sale of poisonous drugs without prescription (H. P. No. 1559) (L. D. No. 689) as it is covered by other legislation

Report read and accepted and sent up for concurrence.

Mr. Donahue from the Committee on Appropriations and Financial Affairs on bill an act relating to a State Racing Commissioner (H. P. No. 1862) (L. D. 1014) which was recommitted, reported same in a second new draft (H. P. No. 1882) under title of an act relating to the State Racing Commission and that it ought to pass

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

Report "A" of the Committee on Taxation on bill an act to guarantee a minimum educational program and to provide for the equalization of educational opportunity for the youth of the State of Maine (H. P. No. 1821, L. D. No. 955), and bill an act to provide for old age assistance (H. P. No. 1863, L. D. No. 1029) with instructions to consolidate the same with revenue provisions report a consolidated bill "A" under title of an act to provide for old age assistance, to guarantee a minimum educational program and to provide revenues therefor by means of miscellaneous taxes" (H. P. No. 1884) and that it ought to pass

Report was signed by the following members:

Messrs. Burkett of Knox
—of the Senate.

Burgess of Rumford
Coolidge of Livermore
Ayer of Union

—of the House.

Report "B" of the Committee on Taxation on bill an act to guarantee a minimum educational program and to provide for the equalization of educational opportunity for the youth of the State of Maine (H. P. No. 1821, L. D. No. 955) and bill an act to provide for old age assistance (H. P. No. 1863, L. D. No. 1029) with instructions to consolidate the same with revenue provisions reporting a consolidated bill "B" under title of an act to provide for old age assistance, to guarantee a minimum educational program to relieve property from its present burden of taxation and to provide revenues therefor by means of a sales tax (H. P. No. 1883) and that it ought to pass

Report was signed by the following members:

Messrs. Blanchard of Franklin
Sewall of Sagadahoc
—of the Senate.
Maxim of Portland
Fellows of Augusta
Haskell of Windham
—of the House.

Report "C" of the Committee on Taxation on bill an act to guarantee a minimum educational program and to provide for the equalization of educational opportunity for the youth of the State of Maine (H. P. No. 1821, L. D. No. 955) and bill an act to provide for old age assistance (H. P. No. 1863, L. D. No. 1029) with instructions to consolidate the same with revenue provisions reporting a consolidated bill "C" under title of an act to provide for old age assistance, to guarantee a minimum educational program to relieve property from its present burden of taxation and to provide revenues therefor by means of sales and income taxes (H. P. No. 1885) and that it ought to pass

Report was signed by the following members:

Messrs. Blanchard of Franklin
—of the Senate.
Ellis of Fairfield
Maxim of Portland
—of the House.

On motion by Mr. Ellis of Rangeley, the bills and several reports were tabled and 500 copies of each ordered printed pending the acceptance of any one of the reports.

Mr. MAXIM of Portland: Mr. Speaker, I would like to ask the unanimous consent of the House to make a motion, the effect of which

would be to expedite the printing of these bills.

The SPEAKER: The gentleman from Portland, Mr. Maxim, asks unanimous consent to make a motion relating to these bills. Is there objection? The Chair hears no objection and the gentleman may proceed.

On motion by Mr. Maxim, the rules were suspended and the Clerk instructed to send consolidated bills, A, B and C, directly to the printer.

First Reading of Printed Bills and Resolves

(H. P. No. 1878) (L. D. No. 1055)
An act relating to construction of State Aid roads in Indian Township

(H. P. No. 1879) (L. D. No. 1056)
An act relating to the establishment and maintenance of stations or police barracks for weighing trucks

(H. P. No. 1874) (L. D. No. 1051)
Resolve in favor of Arthur Liberty of North Yarmouth

(H. P. No. 1875) (L. D. No. 1052)
Resolve in favor of R. Earle Haley of Rangeley

(H. P. No. 1876) (L. D. No. 1053)
Resolve in favor of George A. Johnson of East Machias

(H. P. No. 1877) (L. D. No. 1054)
Resolve in favor of Manzie I. Rogers of Bangor, Maine

Passed to be Engrossed

(S. P. No. 511) (L. D. No. 1035)
An act relating to outdoor advertising as amended by Senate Amendment B

(H. P. No. 1867) (L. D. No. 1037)
An act relating to liquor licenses

(H. P. No. 1870) (L. D. No. 1041)
An act relating to the ferry between Indian Island and Old Town

(H. P. No. 1871) (L. D. No. 1042)
An act to provide a pension for crippled persons

Mr. POULIN of Biddeford: Mr. Speaker, owing to the fact that I wish to offer an amendment, and the amendment not having been distributed at the present time, I move that the bill be tabled pending its third reading.

The motion prevailed.

(H. P. No. 1872) (L. D. No. 1043)
An act relating to exemptions from taxation.

Mr. McGLAUF LIN of Portland: Mr. Speaker, I wish to offer House Amendment A to this bill and I would like to speak on the pro-

posed amendment and would also like the privilege of facing the House.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to H. P. No. 1873, L. D. No. 1044, bill, an act relating to exemption of estates from taxation.

Amend said bill by deleting from the 17th and 18th lines thereof the words "homes and personal property" and inserting in lieu thereof the word 'estates';

Further amend said bill by inserting after the word "sections" in the 29th line of said bill the words 'excepting, however, persons having an annual income of \$1,200 or more';

And further amend said bill by striking out the last sentence of said bill, the same being new matter and underlined in the bill.

Mr. McGLAUF LIN: Mr. Speaker, this bill was the only bill that I, myself, have introduced into this Legislature without request.

Prior to 1935 there was a provision of law that soldiers of the war of 1861 to 1865, the Indian wars, and the war with Spain,—that they and their widows should be exempted from taxation up to the extent of \$5,000. Two years ago this Legislature amended that law by striking out the word "estates" and substituting thereof the words 'homes and personal property.'

My attention was called to this law in this way: There was a soldier's widow in Portland who owned a little two-family house which had been exempt under the previous law. She called me one day on the telephone and announced that she had been taxed for one-half of her real estate. She had a little pension and she got a little revenue from the rent, all of which she needed, and she did not know how she was going to meet this tax. Supposing that there was some mistake in the matter, I took the matter up with the City Treasurer of Portland, and I found that this amendment had been made in the last Legislature. I thought that provision was entirely unjust, and therefore I introduced in this Legislature a bill to restore the law to its former position. I argued that matter before the Taxation Committee. There was no opposition at all. I pointed out to that committee the unfairness of that law because it discriminated between soldiers and widows of soldiers in the same class, and that

measure came back into this House in a new draft, L. D. 1044, which nearly escaped my attention, in which the committee not only left the law as it was after the change in 1935, but they added a paragraph which provided that that person had to live in the house, or a part thereof, to gain any exemption at all. In other words, if some poor old widow was so old that she could not live in her own house, but went to live with somebody else and paid her board, she could not get exemption because she got a little income from her house. That struck me as being exceedingly unjust, and I want to take just a few moments of your time to call your attention to some things that possibly you have forgotten.

Some years ago, back of the memory of most of us, this country became in grave danger, and many men — thousands of men — from Maine went to what is known as the Civil War, and, if you think that those men did not suffer hardship and did not do something for this Country, I would like to have you go into the rotunda of this State House and look at those flags that were battered by shot and shell in that Civil War. I would like to remind you once more that when this war was at an exceedingly doubtful stage, and it was a question of whether the Union could be preserved, it was Maine men at Little Round Top, under the leadership of General Joshua L. Chamberlain, who saved the day at the Battle of Gettysburg and kept this Union alive.

I want to call your attention further to the fact that it was not merely shot and shell that these men suffered from but at times they had very little food. I have heard my father tell how they lived on hardtack and pork for days, and for those services they got the munificent sum of sixteen dollars a month on which to support their families. Think of it! A total of \$192.00 for a year's service for their Country, going through Hell to serve that Country. And that was not all. When it came down to the last days of that war, those men suffered other hardships. But they were bound to end that war if it killed off every one of those soldiers, and day after day they marched, until they could scarcely stand. I have heard General Chamberlain tell how his cavalry and his

soldiers marched until they dropped by the side of the road trying to keep up with their regiment, and I have heard my own father tell how when the flag of truce was raised by Lee, he himself was only one mile away and yet he was so tired that he did not stop to eat; he fell asleep where he was.

Incidentally, I want to say this: This may be a matter that does not interest you, but it does interest me. My father and forty-six of my relatives fought in that war, and every last one of them are now dead, — some of them never came back. Then we had a war with Spain, and some of you can remember in that war we fed our soldiers on rotten meat; the government did not even provide them with proper food, and they got distemper and were sick, and they lost their health, and many of them suffered tremendously. At last, when they came home, this State, wanting to express their appreciation for the soldiers that had given their time and their lives and their efforts for this country, passed a provision that for these men and their wives there should be an exemption of taxation to the extent of \$5,000.

Now I had heard it said that many and perhaps all of these people got a pension, and that these soldiers have been used pretty well; but I want to call your attention to the fact that the only thing that the State of Maine ever did for them was to provide for this exemption. And now I find that the reason for the change was due to the fact that down at Togus there was one man or a few men in the hospital there who owned a little property worth less than \$5,000 for which they received some income, and it was because there was complaint from that quarter that this amendment was made in 1935.

You hear, from time to time, those soldiers spoken of rather derisively, as though they were a bunch of bums who were trying to take advantage of the State of Maine. I just want to read to you a few words from Kipling's poem called "Tommy" because it is exceedingly pat:

"I went into a publi'-ouse to get a pint o' beer,

The publican 'e up an' sez, 'We serve no red-coats here.'

The girls be'ind the bar they laughed an' giggled fit to die"—

That is the attitude that some people take towards those men.
 "Yes, makin' mock o' uniforms that guard you while you sleep
 Is cheaper than them uniforms, an' they're starvation cheap;
 Then it's Tommy this, an' Tommy that, an' Tommy, 'ow's yer soul? But it's 'thin red line of 'eroes' when the drums begin to roll—
 While it's Tommy this, an' Tommy that, and Tommy, fall b'nd,
 But it's please to walk in front, sir, when there's trouble in the wind—
 For it's Tommy this, an' Tommy that, an' 'Chuck him out, the brute!
 But it's 'Saviour of 'is country' when the guns begin to shoot."

Now I am interested in this amendment that I have offered. It was the only bill, as I say, that I presented to this House. I say that the law as it now stands is unjust; it discriminates between soldiers and widows of soldiers in the same class. If a soldier's widow has \$5,000 in bonds, that, at six per cent, brings in an income of \$300, and she does not have to pay any tax; but if another widow of a soldier who happens to own a \$2,000 house is so old that she cannot live in that house—and I know of just such a case—and lives with some of the family and pays her board, she does not get any exemption.

The reason for my interest in this bill as it would be with that amendment is because it tends to promote fair play. In talking with some of the members of this House, I find that there are occasional cases where the soldier is quite well to do, and some of the members have felt that that person ought not to be exempt. I therefore have put in an amendment that provides that if they have an income of more than \$1,200 per year that property owner should pay a tax. Now I want to say that I have taken this matter up with two members of the Taxation committee; I have taken it up with the members of the committee who drew the new draft, and they are favorable toward my amendment, and I want to say further that I am tremendously interested in this amendment and if I have any friends in this House I want you to stand by me on this amendment. (Applause.)

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. McGlauffin, that House Amendment A

be adopted. As many as are in favor of its adoption will say aye; those opposed no.

A viva voce vote being taken, the amendment was adopted, and the bill as amended by House Amendment A was passed to be engrossed and sent up for concurrence.

Passed to be Engrossed

(Continued)

(H. P. No. 1415) (L. D. No. 603)
 An act relating to bastard children.

Mr. BIRD of Rockland: Mr. Speaker, I offer House Amendment A and move its adoption.

The SPEAKER: The gentleman from Rockland, Mr. Bird, offers House Amendment A and moves its adoption. The Clerk will read the amendment.

House Amendment A to H. P. No. 1415, L. D. No. 603, bill, an act relating to bastard children.

Amend said bill by striking out all of the new and underlined matter.

Further amend said bill by adding at the end thereof the following:

'In the event that a Caesarian operation, so-called, is performed for the delivery of such bastard child such accusation of the respondent shall be sufficient, if made within five days next prior to the performance of such Caesarian operation upon her, to a duly registered physician, a duly registered osteopathic practitioner, or to a duly qualified registered nurse, and the allegations in the declaration shall be varied to accord therewith.'

A viva voce vote being taken, House Amendment A was adopted, and the bill as amended by House Amendment A was passed to be engrossed and sent up for concurrence.

Passed to be Engrossed

(Continued)

(S. P. No. 514) (L. D. No. 1046)
 Resolve in favor of several academies, institutes and seminaries.

Mr. CARLETON of Alna: Mr. Speaker, I move that the resolve be tabled pending second reading.

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

Thereupon, the resolve had its second reading and was passed to be engrossed.

On motion by Mr. Sleeper of Rockland, the House voted to reconsider its action whereby H. P. 310, L. D. 1009, which is a new draft, until title of bill an act relating to licenses of importers of

malt liquors; emergency, was passed to be engrossed.

Mr. SLEEPER: Mr. Speaker and Members of the House: As this measure is more or less of a taxation measure and produces revenue, and since the House will undoubtedly be in session next week, I would like to ask that the bill be tabled pending a clarifying amendment to be offered here and this will save a lot of red tape.

Thereupon, the bill was tabled pending its passage to be engrossed.

Passed to be Enacted
(Emergency Measure)

S. P. 481, L. D. 899: An act to appropriate moneys for the expenditures of State government and for other purposes for the fiscal years ending June 30, 1938, and June 30, 1939.

The SPEAKER: This is an emergency measure and requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had.

One hundred and twenty voting in the affirmative and none in the negative, 120 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

Passed to be Enacted

(S. P. No. 189) (L. D. No. 288)
An act relating to vital statistics.

(S. P. No. 208) (L. D. No. 294)
An act to ratify, confirm, and make valid the acts and doings of the Guilford and Sangerville Water District.

(S. P. No. 322) (L. D. No. 592)
An act relating to reckless driving.

(S. P. No. 491) (L. D. No. 1011)
An act to amend the charter of Lucerne-in-Maine Village Corporation.

(S. P. No. 495) (L. D. No. 978)
An act relating to Indians.

(S. P. No. 505) (L. D. No. 1025)
An act to extend suffrage to qualified voters in unorganized territory.

(S. P. No. 509) (L. D. No. 1030)
An act to provide for aid to the blind.

(H. P. No. 1829) (L. D. No. 979)
An act exempting trucks of farm products and certain lumbering

products from the Common Carrier Law.

(H. P. No. 1840) (L. D. No. 991)
An act relative to termination of registrations of motor vehicles.

(H. P. No. 1864) (L. D. No. 1033)
An act relating to county accounts.

Finally Passed

(S. P. No. 499) (L. D. No. 1010)
Resolve compensating a bidder on the General Howard Memorial.

(S. P. No. 503) Resolve creating a recess Committee on a State fund for workmen's compensation.

(S. P. No. 504) (L. D. No. 1024)
Resolve for repairs on the Kingman bridge.

Mr. CHASE of Baring: Mr. Speaker, I would like to inquire if H. P. 1575, L. D. 716, an act relating to shipping of clams beyond the borders of the State, has been returned from the engrossing department.

The SPEAKER: The Chair is informed by the Clerk that the document in question was delivered at the Clerk's office at 10:25 this morning, too late to be put on the printed calendar and taken up in the regular order.

Mr. CHASE: I would like to inquire, Mr. Speaker, if it can be brought before the House at this time.

The SPEAKER: Does the gentleman move that the bill be taken up at this time?

Mr. CHASE: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Baring, Mr. Chase, moves that the House proceed to the consideration of H. P. 1575, L. D. 716, bill an act relating to shipping clams beyond the borders of the State.

The motion prevailed.

The SPEAKER: This bill having had its three several readings in the House, and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, the committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that the bill be passed to be enacted?

Mr. VARNEY of Berwick: Mr. Speaker, I move that the bill be indefinitely postponed.

Until the present time I have not said anything on this clam bill. I do not think that the views of the members of this Legislature from York and Cumberland Counties have been expressed. I thought, when I

came over here today, that this bill was not coming before the House for discussion this morning as several of our members are not present here in the House today. I also understand that the other counties along the coast are now in accord with York and Cumberland Counties and that the clam bill can eventually be fixed so that it will be satisfactory to everyone. All I ask now is that we wait until Monday before we act on it. This Legislature is coming back here anyway and I think it would be better to discuss this clam bill the first of the week, when we have time to do with it as we see fit; and I now move that it be tabled pending my motion to indefinitely postpone.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the bill be indefinitely postponed. The same gentleman further moves that the bill be tabled pending his motion for indefinite postponement and be specially assigned for Monday next. As many as are in favor of the motion to table will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Fifty-three voting in the affirmative and 42 in the negative, the motion prevailed, and the bill was tabled pending the motion of Mr. Varney for indefinite postponement, and specially assigned for Monday, April 19th.

Orders of the Day

On motion by Mr. Poulin of Biddeford, it was voted to take from the table H. P. 1871, L. D. 1042, an act to provide a pension for crippled persons, tabled by that gentleman earlier in today's session, pending its third reading.

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

House Amendment A to H. P. No. 1871, L. D. No. 1042, bill, an act to provide a pension for crippled persons.

Amend the title of said bill so that same shall read as follows: "An act to provide a census of crippled persons."

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

House at Ease

After Recess—1:15 P. M.

The Speaker in the Chair.

Mr. VARNEY of Berwick: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. VARNEY: Mr. Speaker, a few moments ago, when the clam bill came up for consideration, I succeeded in having it specially assigned for Monday. During the recess I discovered that the reason for wishing to bring it up at the present time was because some of the fellows who were interested in the bill could not be here on Monday, I want to be as fair with them as I would like to have them be with me. Some of those who are interested on my side are not here today, and for that reason I would ask the House to permit a reconsideration of my motion whereby it was specially assigned for Monday, and then have it specially assigned for Tuesday, when we can all be here and have an opportunity to express our views. I will say that this is with the consent of both sides, as I understand it.

Thereupon, the House voted to reconsider its former action taken earlier in today's session whereby this bill was specially assigned for Monday, April 19th; and on further motion by Mr. Varney the bill was specially assigned for Tuesday, April 20th, by a viva voce vote.

Paper from the Senate.

(Out of order and under suspension of the rules.)

From the Senate: Bill an act amending the law relating to unemployment compensation, H. P. 1869, L. D. 1034, which was passed to be engrossed in the House yesterday.

Comes from the Senate, recommended to the committee on Judiciary in non-concurrence.

In the House, on motion by Mr. McGlauffin of Portland, that body voted to recede and concur with the Senate in the recommitment of this bill to the committee on Judiciary.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April

19th, 1937, at ten o'clock in the forenoon, S. P. 523.

Comes from the Senate, read and passed.

In the House:

Mr. FINDLEN of Fort Fairfield: Mr. Speaker, I wish to present House Amendment A and move its adoption.

The SPEAKER: The Clerk will read House Amendment A.

House Amendment A to Joint Order relative to adjourning order.

Amend said order by striking out therefrom the following: "ten o'clock in the forenoon," and inserting in place thereof the following: "four o'clock in the afternoon."

Mr. FINDLEN: Mr. Speaker, my reason for offering this amendment is that some of us would like to go home over the week end and we cannot get back until about three o'clock Monday afternoon. I believe the same results could be accomplished from four o'clock on even though we had to work a little while in the evening. Therefore I hope that the amendment will be adopted.

The SPEAKER: The pending question is on the adoption of House Amendment A to the Joint Order. Is the House ready for the question?

Mr. ELLIS of Rangeley: Mr. Speaker, in order to get the sentiment of the House, I ask for a division.

Mr. HINMAN of Skowhegan: Mr. Speaker, there is one phase as to the hour of our meeting Monday that is of considerable importance. According to my understanding the printed copies of these tax bills will not be available until we come back on Monday. I think all of us will want to study those tax bills to some extent insofar as our capacities

will permit. Therefore it would seem to me that if we adjourn until four o'clock in the afternoon, that would be of benefit to all of us and give us a chance to study those bills Monday after we arrive here.

The SPEAKER: The pending question is on the adoption of the amendment. The Chair will say that the order sets the time for reconvening at ten o'clock on Monday forenoon and the amendment proposes to change the hour to four o'clock in the afternoon. The gentleman from Rangeley, Mr. Ellis, has asked for a division. As many as are in favor of the adoption of House Amendment A will rise and remain standing until counted and the monitors will make and return the count.

A division being had,

One hundred voting in the affirmative and 2 in the negative, the amendment was adopted, and the order as amended received passage in non-concurrence.

On motion by Mr. Sleeper of Rockland, it was voted that the order be sent forthwith to the Senate.

House at Ease

After Recess—1:45 P. M.

The Speaker in the Chair.

The SPEAKER: The Chair wishes at this time to say that since matters of great importance will come before the Legislature next week, it is highly important that every member of the House return and be present for each session that may be held until final adjournment.

On motion by Mr. Ellis of Rangeley,

Adjourned until Monday afternoon, April 19th, at four o'clock.