

# MAINE STATE LEGISLATURE

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



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

Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Saturday, April 24, 1937.

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

Prayer by the Rev. Mr. Stiles of Hallowell.

Journal of the previous session read and approved.

**First Reading of a Printed Bill**

An act imposing a tax on wine and spirits sold by or through the State Liquor Commission (H. P. No. 1895) (L. D. No. 1042)

**Passed to be Engrossed**

(H. P. No. 1893) (L. D. No. 1069)  
An act relating to the canning of clams.

(H. P. No. 1894) (L. D. No. 1070)  
An act relating to licenses and certificates for selling clams.

**Passed to be Enacted  
(Emergency Measure)**

H. P. 1889: An act amending the law relating to unemployment compensation.

The SPEAKER: This bill 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 the 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 two voting in the affirmative and one in the negative, 102 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

**Finally Passed**

(S. P. No. 524) (L. D. No. 1062)  
Resolve in favor of appropriating money for the maintenance, supervision and use of State Parks.

(S. P. No. 525) (L. D. No. 1063)  
Resolve relative to the participation by the State of Maine in the New York World's Fair to be held in the year nineteen hundred and thirty-nine.

**Orders of the Day**

On motion by Mr. Ellis of Rangeley, it was voted to take from the table an act to correct technical errors in various laws, S. P. 533, L. D. 1071 tabled by that gentleman on April 23rd, pending reference;

and on further motion by the same gentleman, the rules were suspended, and the bill had its three several readings without reference to any committee and was passed to be engrossed in concurrence.

The SPEAKER: On the committee of Conference on the disagreeing action of the two branches of the Legislature with respect to S. P. 480, L. D. 261, an act relating to reports of towns of excise tax payments, the Chair appoints as conferees on the part of the House: Messrs. Donahue of Biddeford, Flanders of Auburn and Russ of Caribou.

The SPEAKER: The House is awaiting the receipt of papers from the Senate, and the Chair understands that the gentleman from Bangor, Mr. Eddy, moves that the House recess until 11:30 A. M.

The motion prevailed, and the House so recessed.

**After Recess—11:35 A. M.**

Called to order by the Speaker.

**Papers from the Senate**

(Out of order and under suspension of the rules)

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to exemptions of motor trucks from registration, S. P. 332, L. D. 596, reporting that both branches recede and pass the bill to be engrossed as amended by Senate Amendment C.

(Signed)

Messrs. Osgood of Oxford

Fernald of Waldo

Miss Laughlin of Cumberland

—Committee on part of Senate.

Messrs. Philbrick of Cape Elizabeth

Thorne of Madison

Bird of Rockland

—Committee on part of House.

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

In the House, the report of the Conference Committee was accepted in concurrence.

Thereupon, the House reconsidered its former action whereby the ought not to pass report of the committee was accepted.

Thereupon, the bill was substituted for the report of the committee in concurrence.

The rules were suspended and the bill was given its three several readings.

Thereupon, on motion of Mr. Maheu of Waterville, the reading of Senate Amendment C was disposed with, and that amendment was adopted in concurrence.

Thereupon, the bill as amended by Senate Amendment C was passed to be engrossed in concurrence.

From the Senate: An act relating to exemption of estates from taxation (H. P. No. 1873) (L. D. No. 1044) which was passed to be engrossed in the House on April 17th as amended by House Amendment A.

Comes from the Senate with the amendment and bill indefinitely postponed in non-concurrence.

In the House, on motion by Mr. McGlaulin of Portland, the House voted to insist and ask for a committee of Conference.

Mr. McGLAULIN: Mr. Speaker, I might say to the House that I shall offer another amendment which I think is satisfactory all around.

The motion to insist and ask for a committee of Conference prevailed, and the Chair appointed as conferees on the part of the House: Messrs. McGlaulin of Portland, Mosher of Farmington and Fellows of Augusta.

The SPEAKER: The Chair wishes to say that at this stage of the session it is necessary frequently for the House to take up papers of which no advance notice has been given, and therefore suggests that it is highly advisable that members hold themselves in readiness to attend, and that they be in their seats whenever the House convenes at the sound of the gong.

(House at ease)

After Recess—12:15 P. M.

#### Paper from the Senate

(Out of order and under suspension of the rules)

From the Senate: Bill an act relating to local option provisions, S. P. 515, L. D. 1045, which was passed to be engrossed in the House on

April 20, 1937, as amended by House Amendments B and C, in non-concurrence.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Philbrick of Cape Elizabeth, a viva voce vote being taken, that body voted to insist and ask for a committee of Conference.

The Chair appointed as conferees on the part of the House: Messrs. Philbrick of Cape Elizabeth, Thorne of Madison and Sleeper of Rockland.

On motion by Mr. Ellis of Rangeley,

Recessed until 2 P. M.

After Recess—2:45 P. M.

Called to order by the Speaker.

The SPEAKER: The House is very fortunate this afternoon in having as its guests three former Speakers of the Maine House of Representatives, and the Chair, with great pleasure, presents Honorable William L. Bonney, Speaker of the House in the 78th Legislature of twenty years ago. (Applause, the members rising.)

The SPEAKER: The Chair presents next Honorable Frank H. Holley, Speaker of the House in the 82nd Legislature of 1923. (Applause, the members rising.)

The SPEAKER: And the Chair also presents the Hon. Franz U. Burkett, Speaker of the House in the 86th Legislature of 1933. (Applause, the members rising.)

The SPEAKER: The Chair wishes to say that the bill providing for old age assistance, for the minimum educational program and for raising revenue therefor, was sent to the printers, and the Chair understands that it will not be received from the printer's office until some time after four.

(Out of order and under suspension of the rules)

#### Reports of Committees

Mr. Fellows from the Committee on Taxation on remonstrances against any tax on amusements (H. P. 1645, 1653, 1664, 1678, 1679, 1698, 1713, 1714, 1716, 1717, 1718, 1719, 1734 and 1735 reported that same be placed on file.

Same gentleman from same Committee reported same on petition re-

lating to the apportionment of motor vehicle registration fees (H. P. No. 1699)

Same gentleman from same Committee reported same on petitions in favor of a State income tax (H. P. 1686, 1726)

Same gentleman from same Committee reported same on remonstrances against increase in tax on tobacco products (H. P. 1654, 1640, 1725)

Reports read and accepted and sent up for concurrence.

#### **Passed to be Engrossed**

(H. P. No. 1895) (L. D. No. 1072)  
An act imposing a tax on wine and spirits sold by or through the State Liquor Commission.

(On motion by Mr. Fellows of Augusta, temporarily tabled pending passage to be engrossed.)

(Out of order and under suspension of the rules)

#### **Passed to be Enacted**

(Emergency Measure)

S. P. 508, L. D. 1032: 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.

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 being 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. 179) (L. D. No. 254)  
An act relating to Emergency Municipal Finance Board.

(H. P. No. 1836) (L. D. No. 993)  
An act relating to sale of alcohol.

#### **Finally Passed**

(H. P. No. 1892) Resolve creating a Recess Committee on tax equalization.

#### **Passed to be Enacted** (Emergency Measure)

S. P. 527, L. D. 1066: An act to create and allocate a General Highway Fund for State Road, State Aid and Third-class Highway Construction.

The SPEAKER: This bill 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 being had,

One hundred and twenty-three voting in the affirmative and none in the negative, 123 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

(Emergency Measure)

H. P. 1848, L. D. 1009: An act relating to licenses of importers of malt liquors; emergency.

The SPEAKER: This bill 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 being had, One hundred and twenty-one voting in the affirmative and none in the negative, 121 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. 529) (L. D. No. 1065)  
An act to clarify the administration of the liquor laws.

(H. P. No. 1575) (L. D. No. 716)  
An act relating to shipping claims beyond the borders of the State.

(H. P. No. 1887) (L. D. No. 1068)  
An act relating to snow removal.

The SPEAKER: This completes the papers in the possession of the Clerk.

On motion by Mr. Sleeper of Rockland, the House voted to reconsider its action taken earlier in today's session on H. P. 1894, L. D. 1070, an act relating to licenses and

certificates for selling clams, whereby the bill was passed to be engrossed.

Mr. Sleeper then presented House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. No. 1894, L. D. No. 1070, bill, an act relating to licenses and certificates for selling clams.

Amend said bill by adding after the word "clams" in the 2nd, 4th, 5th and 6th sentences of the 2nd paragraph thereof the words 'quahaugs and mussels'.

Further amend said bill by adding after the word "dug" in the 4th sentence of the 2nd paragraph of said bill the words 'or taken'.

And further amend said bill by adding after the word "clams" in the 5th and 6th sentences of paragraph 3 of said bill the following words 'quahaugs and mussels'.

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

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 in non-concurrence and sent up for concurrence.

The SPEAKER: The House may be at ease to reassemble at the sound of the gong.

(House at Ease)

After Recess—5:40 P. M.

Called to order by the Speaker.

#### Papers from the Senate

(Out of order and under suspension of the rules)

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on L. D. 1058, entitled an act to provide for old age assistance, to guarantee a minimum educational program and to provide revenues therefor by means of miscellaneous taxes reporting that the Senate reconsider the indefinite postponement of the bill and the adoption of Senate amendments B, C, D as amended by Senate amendment A thereto, E and H; that the House reconsider the passage of the bill to be engrossed and the adoption of House Amendment A and that both bodies adopt Senate Amendments I and J and Senate Amend-

ment A to House Amendment A, submitted herewith, and enact the bill as amended by House Amendment A as amended by Senate Amendment A thereto, House Amendment B and Senate Amendments I and J.  
(Signed)

Messrs. Goudy of Cumberland

Friend of Somerset

Sewall of Sagadahoc

—Committee on part of Senate.

Murchie of Calais

Gyger of Cumberland

—Committee on part of House.

Comes from the Senate with the Conference Report accepted and the bill passed to be engrossed as amended by House Amendment A as amended by Senate Amendment A thereto and by House Amendment B and by Senate Amendments I, J and K in non-concurrence.

In the House:

Mr. GYGER of Cumberland: Mr. Speaker, I move that the House accept the report of the committee in concurrence, and in explanation I would like to give you the effect of the adoption of the various amendments as recommended by the committee of Conference. Should you follow the procedure as recommended by the committee, the result will be L. D. 1073, which you have before you. That document sets up for old age assistance, for the first year, \$1,500,000, and for the second year \$2,000,000. It sets up for education \$500,000 per year. It provides that the revenue be raised by a one per cent sales tax, and this tax will go out of existence June 30, 1939. A referendum is also provided to be acted on on the third Monday of August, which is August 16, 1937.

I think this will give you the effect of the various amendments as proposed by the committee.

Mr. DONAHUE of Biddeford: Mr. Speaker and Members of the 88th Legislature: I move that the report of the committee be indefinitely postponed. The House, this week, went on record against a sales tax. One of the opponents of the sales tax at that time described it as an octopus. I still believe it is an octopus. I do not care to go into the merits or demerits of the sales tax. That was fully discussed earlier this week, but I believe that the House, this week, definitely went on record as opposed to a sales tax, and I have seen nothing since

which would warrant a change in our vote.

The SPEAKER: The gentleman from Cumberland, Mr. Gyger, moves that the report of the committee of Conference be accepted. The gentleman from Biddeford, Mr. Donahue, moves that the report be indefinitely postponed. The question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the report be indefinitely postponed. The Chair recognizes the gentleman from Readfield, Mr. Newton.

Mr. NEWTON: Mr. Speaker, what is the question now before us?

The SPEAKER: The question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the report of the committee of Conference be indefinitely postponed.

Mr. NEWTON: Mr. Speaker, I do not know as I care especially to oppose this motion to indefinitely postpone. I think that still gives me an opportunity to make a motion which I want to make later, and I give notice now, if I may, that I shall move that the House insist on its former action and ask for a committee of Conference. I will explain a little later in regard to that.

I would like to say, in connection with the meeting of the Conference Committee, that I felt just a bit small, but I am still here. It is not really a report of the minority, but perhaps it will pass for that. I say I feel rather small. You remember the story that Sydney Smith tells of Lord John Russell, when he went down to Yorkshire, after the Reform Bill had passed, and the hunters of Yorkshire exclaimed, "What, 'that little shrimp carried the Reform Bill?" "Oh, no," said Smith, "he was a large man, but the labors of the bill shrunk him." I suppose that is one reason why I feel so small at this time. The committee had its troubles and stayed until a late hour and had a nice time together. The other members of the committee, I think, had all the meat and I had soup. We had our troubles.

I heard the other day about a man who was going out over Route 17 and finally stopped a young lady and said: "I have got to go to South Hope," and the lady looked at him and said: "Are you asking the direction or are you telling me your trouble?" (Laughter)

We had up the sales tax, we had

up the income tax, the poll tax, sometimes called the head tax, a tax on women, a tax on electricity, the gasoline tax, the tobacco tax, the amusement tax, and the property tax; and every one of these measures has come before this Legislature and has gone out of the southwest window of this building.

Now I will not oppose the gentleman's motion; I do not care whether the report is accepted or rejected; but out of courtesy to the other two members of this House I will be glad to have the report accepted instead of indefinitely postponed.

Mr. SLEEPER of Rockland: Mr. Speaker, I cannot start my speech with the oratorical procedure of apologizing to anyone for not agreeing with me because I feel that I have a right, as the elected Representative of a fairly large group, to my own ideas in the matter, and I feel that this bill is a fitting climax to this session of the Legislature. We have not the courage to pass a bill that will give us the revenue that we want. The very last part of this bill says that it shall be submitted for the approval or the rejection of the duly qualified voters and that of itself shows that we do not know what we are doing. We have not the courage to say yes or no.

The only just and logical bill is a combination sales and income tax and I will stand on it or ride on it until September. Do not be bullied into passing this sales tax. It is a dangerous matter. Think of the fellow who does not want to be saddled with this tax! Why not be fair? Why not do something for the people in this State who are not as fortunate as the rest of us? I agree in everything except party politics with the gentleman from Biddeford, Mr. Donahue. I say that this sales tax should be indefinitely postponed. (Applause)

Mr. PACKARD of Houlton: Mr. Speaker and Members of this Eighty-eighth Legislature: I certainly would not be performing my duty in the interests of the people and the county and the district that I represent were I to support a sales tax without an income tax. I consider that if this Legislature, with a Republican majority, passes a sales tax without an income tax, that the Republican party as well as the Legislature will contribute to the greatest political blunder in the

cause of service to the people and the party that has ever been committed in this State.

Summing up the remark that has been made, we seem to be doing more and more of less and less, and this is very near the climax of that possibility. I came down here for the first time, and I witnessed the susceptibility of the legislative body to what we may call the interests. In some instances their influences are good, and in some instances their influences are the opposite.

We learned in our economics that income indicates ability to pay. I have never heard that fundamental principle of economics refuted in either branch of this Legislature.

This morning I heard twelve reasons why the sales tax should not be passed, and I believe them to be sound. If this committee report becomes a law I will predict that nine-tenths of the people in the county that I come from will vote against it. A sales tax is not the will of the people in the north-eastern section of this State. I fear that there has been evident a too great degree of selfishness on the part of those who should see to it that that fundamental principle of economics obtains. I therefore agree with the gentleman from Biddeford (Mr. Donahue) and hope that this report will be indefinitely postponed.

Mr. WILKES of Portland: Mr. Speaker, it is needless for me to state that I am definitely opposed to any sales tax. The gentleman from Houlton, Mr. Packard, has stated that he heard twelve reasons why the sales tax should not pass. I just wish to give you seven short reasons based upon a report that was issued by a Taxation Committee in West Virginia: "First. It violates the first and most fundamental principle of equity in taxation in that it takes no account of ability to pay.

Second. It usually lays heavier burdens upon the necessities than upon the luxuries of life, upon the poor than upon the rich. In effect, it tends to be an income tax in reverse.

Third. It is condemned by nearly all economists.

Fourth. Some of the advantages claimed for gross sales taxes are of little value or of doubtful validity. Most of the real advantages can be secured by the use of other taxes which have less serious faults. If

the people generally thoroughly understood the effects of gross sales taxes as compared with other and direct taxes, they would not stand for them at all.

Fifth. Sales taxes are the devices of people who are unwilling to face facts, but seek their ends by indirection. Such taxes are much more prevalent among the Latin than among the Anglo-Saxon peoples, some of whom prefer to know just what they are paying for government services and why, and so are willing to pay direct property and income taxes instead of having exactions concealed in the enhanced prices of commodities which they buy.

Six. A sales discourages the development of new and promising industries by taxing them while they are making no net profit. A net income tax would be much more favorable to them, and later secure revenue when they are able to pay.

Seven. A gross sales, if heavy enough to yield substantial revenues, is particularly injurious to industries and business with large turnovers sold at narrow profit margins. That is, it is especially antagonistic to the economies of mass production with specialized and expensive machinery, in other words, to the type of industry that has put America in the forefront of the world."

It is needless for me to further state that this Legislature must be afraid when it states in title six of Document 1073, in the referendum clause: "Shall the act to provide for old age assistance, to guarantee a minimum educational program and to provide revenues therefor, as submitted by the 88th legislature to the people be accepted?" But it does not tell the people what the proposition is. This is certainly unfair to the people of Maine. They are entitled to know with accuracy what they are called to vote upon. You will note there is nothing to indicate in this referendum clause that there is an imposition of a sales tax.

I heartily agree with the remarks of the gentleman from Biddeford (Mr. Donahue), and I ask, Mr. Speaker, when this vote is taken that it be taken by a roll call, the yeas and nays.

Mr. BATES of Patten: Mr. Speaker, I realize I have not the eloquence of the other gentlemen who have preceded me, because, sir, I



am one of those unfortunate individuals whom this bill would seek to correct. I am one of those individuals, Mr. Speaker, who fell to the unfortunate part of life in that I was brought up in a rural community. I went to the little red schoolhouse, sir, on the hill, where there were approximately ten or a dozen pupils and one teacher. I do not have, sir, the advantages of the other gentlemen who were brought up in the larger towns, therefore, sir, I would be remiss in my duty if I did not represent that element.

I think, sir, that any child or individual in this State should have an equal opportunity with any other individual, therefore, I heartily approve of the amount which provides for the equalization program on education.

As far as the old age pension, sir, I cannot conceive how our good friend across the way, the gentleman from Biddeford, Mr. Donahue, can go against this bill when it provides for some of the provisions that he is so heartily in accord with. I do not think, sir, that this is the time to play politics with old and decrepit people or with uneducated children. I do not believe it matters whether or not you or I, sir, shall be in the Legislature two years from now. That is not the question; it is a question of what is the best for the State of Maine. I sincerely hope that the motion of the gentleman from Biddeford (Mr. Donahue) will not prevail.

I regret that I have not the eloquence to convince this honorable body that we should have an open season on the clam, or that we should allow Mr. Donahue to run his Legislature in Biddeford as he wishes. But I do think, sir, that we should be mindful of the old and decrepit people in the State of Maine. It is not we, Mr. Speaker, who should criticize them; it is they who should criticize us. They have passed on to this generation a great heritage. We have failed them, sir; they have not failed us. We should provide for them, because they did not lose their wealth and property through any fault of their own but through a fate in our government which failed them. Therefore, I hope the motion of the gentleman from Biddeford (Mr. Donahue) does not prevail.

Mr. DONAHUE: Mr. Speaker, I believe that if the gentleman from Patten, Mr. Bates, will look up

the Legislative Record at this session, he will find that my vote was a vote in favor of the old age pension bill, and that my vote on the educational program was a vote in favor of that program. I heartily agree with both of these programs, but I do object to having those two programs tied with the sales tax.

If my memory serves me right, when the Governor made his inaugural address to this body he suggested that any new programs calling for the expenditure of new money should be accompanied by the taxation methods which were to provide the revenue therefor, and, if my memory serves me right, I introduced into the session of this Legislature an old age pension bill, and, along with that old age pension bill I suggested certain methods of taxation to pay for the money which would be expended under that bill. I therefore hope that my motion will prevail.

Mr. BATES: Mr. Speaker, as I recall, if my memory serves me correctly—and if it does not I hope you will correct me—the bill of the gentleman from Biddeford, Mr. Donahue, provided for a lottery and so on and so forth. That reminds me of a statement that I read in the paper the other day regarding the Agricultural fairs. It told about how the mothers and children took their produce and their fancy work to the fairs and received prizes. While I was reading that a gentleman came along and I called it to his attention. He said: "Yes, it is true that they receive prizes, but the old man bets on the races and loses the whole damn business." (Laughter)

Mr. MURCHIE of Calais: Mr. Speaker and Members of the 88th Legislature: If some of the things I am about to say seem to take on a personal view, I ask your kind indulgence and consideration of a man who finds himself in a tough spot, not a spot of my seeking. I hark you back to a caucus some five or six weeks ago held by the Republicans of this Legislature. I felt called upon to tell that caucus how I felt and state my case, and, as you remember, I stated that I come from a section that is opposed to the sales tax, and that I would be compelled to go along with that idea. Nevertheless, I do remember of saying that night, always in a desire for cooperation with the Governor and the set-up

required, that I might be disposed to cooperate.

About ten days ago, at another caucus, I became involved in a sort of gentlemen's agreement, as I understood it, and while always against a sales tax, a certain guy got possession of that meeting and made a real meeting of it, made us observe the rules, used the gavel at the proper time, and following that gentlemen's agreement in that caucus I came forth feeling that I was morally obligated to go along with the combination sales and income tax.

Day before yesterday, or perhaps the day before that, I voted for the sales and income tax. When this combination did not pass the House, I felt that my moral obligation was off, and with a prospect then in sight of a miscellaneous tax measure under which, as it then appeared, we might escape the sales tax, I naturally went back to my first love and voted against a sales tax measure.

You understand the situation as it is today. Both political parties are surely pledged to pensions for our aged people, and since it becomes most evident that a miscellaneous tax measure cannot be produced that will pay pensions and help us through the school situation and meet the other obligations that face us, I feel that the time has come when I must give way and go on with you for a sales tax; and before leaving the Governor, fix him up with a set-up of taxation that will meet our present needs.

Your Conference Committee, after an all-night session, and after many attempts to consolidate other measures, presents its findings which are now before us. It is as much as is needed at the moment; it is comparatively little taxation; but coupled with liquor, will meet the needs of pensions and schools as set up for the present, and while it does not do some of the things we had hoped to do, our committee feel that it is all the taxation we should attempt now until we really know to what extent old age pension needs are going to expand. To my mind there is the crux of the whole situation. We should not put on any more taxation than is absolutely necessary for the reason that it will take a year or more to learn just where this old age pension set-up is going to place us. Anyway, I

give you my word that your committee did its level best.

So with the hope that I can justify myself with the people at home, I submit, and in this I ask my friends in this Legislature, both Republicans and Democrats, to join. Let's get together, fix the matter up quickly and go home with satisfaction to ourselves, even if it is going to be hard to explain just why we stayed so long. But no matter what you do or how you decide, I would like, at this time, to make the statement that I have honestly enjoyed my contacts with every man and every woman in this Chamber.

Now, Mr. Speaker, for the reason that we are going home tonight, I feel like taking here a friendly crack at an individual whom we believe has delayed the progress of this Legislature two or three weeks. So in a spirit of fair play and with no prejudice I refer you to a bandit who rides along on a newspaper wave, shooting his darts and insinuations at men in high places and from whatever vantage points he can obtain hearing, whether it be at the Rotary, in Gardiner, or the Legion at Waterville, or on the floor of this House. While we agree with the broad idea as worth while, it is nothing new and has been fought over in Legislatures for over a hundred years. Why not give our Governor and his Council an opportunity to go on and begin the work of economy that I know they have in mind. For the reason stated, that the idea has some merit, it cannot be called a washout, but it is surely a handout of beautiful language coming from the lips of a man who surely is vaccinated with a Victor needle.—language which, whitewashed with economy, does not in any way convey what it seems to intend to mean.

Mr. SLEEPER: Mr. Speaker, I hate to keep agreeing with the gentleman from Biddeford (Mr. Donahue) because up until now I have always been a good party man, and I hope that I will continue to be one. But I also think of our Governor. I would like to see him be re-elected, but if he allows his party to put through any such penalty on poverty as the sales tax would be, without any other companion tax, speaking from a selfish point of view, his chances and my chances too—I am selfish in the

matter—are going to be pretty tough of being re-elected.

Now, speaking from a purely partisan point of view, if the Republican members of this House feel they do not wish to have any part of an income tax, turn it down, and you will not be re-elected, and the Democrats will come in your place and will probably pass an income tax of from five to ten per cent.

I will say too, in reference to the gentleman who preached economy, that everything that he said had a strange tinge of truth in it, and that the people outside of Augusta feel that he has indeed been their champion. I think so, and I hope that the next election will prove his stand.

This referendum which we have so graciously given to the people—and we have hinted, or rather, we have threatened that if they do not pass it they will not get their old age pension, they will not get their schools—it is almost a Hobson's choice, Mr. Speaker. In other words, if they do not let this thing be crammed down their throat they have got to starve to death. If we are going to be so grand and glorious and so faithful, why do we not give them their choice of all three kinds of taxation? Why tell them to take this or nothing? Why not be fair in the matter? So again, though it is against my party principles, I agree with the gentleman from Biddeford, (Mr. Donahue) that this sales tax measure will be indefinitely postponed. (Applause)

Mr. ELLIS of Rangeley: Mr. Speaker, I think if both parties would not think so much about what is going to happen two years from now and give more thought to the platform that they were elected to this Legislature on, we would be better off. Both platforms contained a plank that said we were definitely on record for old age pensions. Now you come in here and say you do not want old age pensions and indefinitely postpone them.

We have discussed every tax bill that there is, we have appointed two committees, and both of them have brought in the recommendation that the sales tax is the only feasible tax we could have here, and you try to turn their report down. I hope the motion does not prevail and that the old people will be taken care of.

Mr. FLANDERS of Auburn: Mr.

Speaker, it has been my privilege to serve on the committee of fifteen, and we discussed many forms of taxation. This House voted a few days ago to go on record as in favor of a sales tax and an income tax, and that did not pass the Senate. Now I think, as my seatmate here, the floor leader, has said, we are paying too much attention to what is going to happen two years from now. That recalls to my mind what happened in my own city last June. I had been opposed to a sales tax, but I came out and said that I would not sign up or agree not to support the sales tax, and they said that was going to be the end of my election in the primaries and in the September election. The result was that I got more votes than any of the others. I think we are too scared of what the voter is going to do if we vote for a sales tax. I am thinking today more especially of those six or eight thousand old people in our State of Maine that are looking to this Legislature. What are they expecting us to do? They are expecting us to provide a way for old age pensions, and the Educational Department is expecting us to provide equalization in that way.

Now we have battled here for sixteen weeks, and I say the only thing to do is to come to the agreement which this committee did last night. I certainly hope the motion of the gentleman from Biddeford, Mr. Donahue, does not prevail.

Mr. NEWTON: Mr. Speaker, it seems to me that there is an effort being made to confuse the issue. There is not one of us who does not want these old age pensions and this provision for the improvement of our schools. The other day we passed a measure and a part of it is in this measure which is now before us. That measure had the same provision for taking care of the old and for taking care of the schools. Do not think, because you turn this bill down, that we are going back on that. We are not. At the proper time I shall move that we insist and call for a committee of Conference on the bill which we last sent over to the other body.

Mr. THORNE of Madison: Mr. Speaker and Members of the House: I had hoped that it would not be necessary for me to make any remarks on the merits of this legislation today; but I feel that I would not be doing my full duty by my

constituents and the people of the State of Maine and my own conscience if I did not at least say something in behalf of this bill and against the motion of the gentleman from Biddeford (Mr. Donahue).

My conception of the duty of a member of this Legislature is at least twofold. First, to obey the dictation of the people who sent him here, and, if he is unable to find out what all the people want, then, after careful investigation and mature consideration, to obey his honest impulses. It has been well said in this House that wherever we come from, whatever may be our geographical location, each and every member of this Legislature represents the whole people of the State of Maine, and we should strive to do our best for the whole people of this State.

I want to say that when I came here I was favorable to a combination sales and income tax. I have voted for the combination sales and income tax already in this House. I have also voted against the two per cent sales tax. I would like now to vote for a one per cent sales tax as a compromise measure for the people of the State of Maine. In this bill there is a referendum which submits it to the people for them to finally decide. We are definitely committed to an old age assistance program, and it is well that we should be so committed because, if there is one thing that ought to be done by the legislators of this State without regard to party affiliation or geographical location, it is to protect and take care of the old people, the deserving and needy old people of this State. To do this it is necessary for you to forget your prejudices and your pride of opinion, and concede something to reach an agreement, not for yourselves, but for your business and your constituents and the whole people of this State; and I believe that this measure now before us is such a measure which we should agree upon.

This bill has finally reached this House for deliberation and decision after a rough and stormy passage, and it is my firm belief that it is our duty, without regard to party affiliation, to get behind this bill and oppose the motion of the gentleman from Biddeford (Mr. Donahue), for the benefit of all the people. (Applause)

Mr. FADDEN of Hiram: Mr.

Speaker, I want to stand up here and say that I am in favor of the old age pension, but I do not look with any particular favor on this bill. We have got to do something, we do not dare to go home from here without providing for old age assistance, and I hope the motion of the gentleman from Biddeford, Mr. Donahue, prevails.

Mr. BELANGER of Biddeford: Mr. Speaker, I am for this old age pension and have been so since 1923. I belong to the body of men who believe that when the United States government allowed fifteen dollars of Federal money, and we have thirty-eight states in the Union who were paying the old age pension that we should go along with it. I believe in this educational bill, but I do not believe that we should steal from Peter to give to Paul. This sales tax is the most unjustifiable thing you can put on here. You are going to strike the poor people and not the rich. They say that it is only one per cent, but I can figure it my own way and it is fifteen or twenty per cent. The grocery man will charge a cent more a pound on his goods and so on. He will have an advantage. If anybody kicks, he will say "sales tax, sales tax". Naturally the man with a family will have to pay ten or fifteen per cent more for his goods. They tell you about competition. What is the competition with all of the chain stores or any of these stores? They do not cut prices; they just follow the regular store. If one of the regular stores sells for ten cents, they sell for nine; if they raise the price to eleven cents, the chain store follows right behind it with ten cents. That's tax is simply robbing Peter to give to Paul, and I am against the sales tax of any form alone.

Mr. NOYES of Franklin: Mr. Speaker, I think that it is my duty to explain to the members of the House my vote. I have proposed two or three methods of taxation aiming to avoid a sales tax and to avoid an income tax, and I still say at this time that it is my firm belief that of the proposed methods of taxation none of them will fill the bill, and I am convinced that I must vote for a sales tax. I am happy to think that I only need to vote for a one per cent sales tax. I am in disagreement with those people who feel that a sales tax is an unjust burden upon the poor

people, and I submit to you this reason: The money which will be derived from a sales tax will be used to pay old age pensions to the poor people. I submit to you that thirty per cent of the money we derive from this sales tax will be paid by non-residents of the State of Maine and I submit to you that the greater part of that seventy per cent will be paid by the middle class and by the upper class; not more than ten per cent of the money collected by this sales tax will be paid by the poor people, and, with the thought in mind that for every dollar we collect from this sales tax the Federal government matches for old age pensions, and if the poor people of the State of Maine pay ten cents and get back two dollars, I feel that they have made a mighty good bargain, and I feel that the Governor of our State can go out and face the people under these conditions. I hope that the motion of the gentleman from Biddeford (Mr. Donahue) will not prevail. (Applause)

Mr. WILKES: Mr. Speaker—

The SPEAKER: Does the gentleman from Portland desire to speak for the third time on the same question?

Mr. WILKES: Mr. Speaker, I just wanted to move—

The SPEAKER: The gentleman from Portland, Mr. Wilkes, asks unanimous consent of the House to speak for a third time on the same question.

Mr. WILKES: I was just going to move the previous question.

Mr. HINMAN of Skowhegan: Mr. Speaker, I think perhaps if some of the members of the House can speak two or three times that perhaps you will let me speak once.

To begin with, I want to say this: That I have come to love every person in this Legislature, it makes no difference to which branch they belong, and in anything that I say please do not feel that I am criticizing your judgment or criticizing your attitude, or that I expect to have you come over to my viewpoint; but I do want to state a few facts as I see them.

To begin with we came into this Legislature with a perfect right not to know what form of taxation we were going to turn to. We were justified in that. It was entirely proper that we should have that viewpoint. There are those who came here committed. That was

entirely wrong, because they have no right to become committed before they knew what the problem was and the means of raising money for it. Be that as it may, assuming we did come with open minds, we had a right to consider the various forms of taxation, and that has been done.

Now we have heard a lot about economy, and we have heard a lot about grabbing up in the air and taking fifty thousand dollars here and a hundred thousand and a half a million there, and we are going to change things all over in a few minutes. But government is not run that way, neither are tax problems run in that way.

We have been here for about sixteen weeks; we have talked taxes, and we had a perfect right to talk taxes. We had a right not only to talk taxes but we had a right to talk many forms of taxation, but, I tell you, that we no longer have that right, and we have not that right for this reason: We have gone through the session; we have considered every form of taxation that any man has chosen to present; we have considered all phases of it; we have had a Taxation Committee; we have had a committee of fifteen also; we have now had a Conference Committee, and this group of men chooses to say that at this late date, when it is time to go home, that they are not going to accept the opinion of any one of those groups; they are not going to accept their judgment; they are going to utterly disregard the information that they have from their investigation, and they are still going to reach out for the impossible.

Now I say, gentlemen, that is not fair. I was glad to go along with the double form of taxation. It develops that perhaps we cannot be assisted by having the support of that double form of taxation. If we cannot have the support of that double form of taxation, we have no right to prevent this Legislature from adjourning by not getting together on this one that cannot be agreed upon. I submit to you, though I have probably worked with the gentleman from Biddeford (Mr. Donahue) as much as any man here, and I have come to think a great deal of him, and it is the first time we have differed, but I honestly feel that down deep in his heart he does not mean what he says.

The gentleman from Rockland (Mr. Sleeper) has made some reference to our Governor, what we have got to do for him. Now as long as we are not going along with the program that we know our Governor is opposed to, I do not believe we need to worry about this administration two years from now. I hope we have not come here to the Legislature either with promises or that we now find ourselves small enough so that we cannot go back to our home town with clear consciences if we feel that we have supported the only measure that will give us the revenue we need. After all we have no other measure that will give us the necessary funds. I do not think at this late date that we have a right to reach out for some other measure, some impossible Utopian scheme. Are you going to do it in this sixteenth week of the Legislature when we have had the best minds of this Legislature at work and, up to date nobody has presented any alternative. Therefore I hope the motion of the gentleman from Biddeford, Mr. Donahue, will not prevail.

I just want to say to you about the reference that has been made twice today about reasons why we should not adopt a sales tax. Those reasons are based upon wanting permanent taxation. We are not looking for permanent taxation; we are looking for that one measure that will take care of the emergency for two years, and there is no need of a precedent—the records of the experience of the sales tax are based upon a sales tax being placed for a permanent revenue measure, which we do not want, but as temporary measure it will fill our needs, it is the only measure that will, and I hope that we can get behind it and enact it.

Mr. RUSS of Caribou: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Caribou, Mr. Russ, moves the previous question.

Mr. MCGLAUFLIN of Portland: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MCGLAUFLIN: I would like to make a statement, Mr. Speaker.

The SPEAKER: The question of assent on the previous question is not debatable. To authorize the Chair to entertain the motion for the previous question requires the

assent of one-third of the members present. The gentleman from Caribou, Mr. Russ, has moved the previous question. As many as are in favor of entertaining the motion will rise and stand until counted.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion is entertained, and the question is, shall the main question be put now. As many as are in favor will say aye; those opposed no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the report of the committee of Conference be indefinitely postponed. The gentleman from Portland, Mr. Wilkes, has asked for the yeas and nays. Under the Constitution the yeas and nays are ordered at the request of one-fifth of the members present. As many as are in favor of having the vote by the yeas and nays will rise and remain standing until counted.

A division of the House was had.

The SPEAKER: Obviously more than a sufficient number having arisen, the yeas and nays are ordered unless doubted. The yeas and nays are ordered. The yeas and nays having been ordered, under the rules no member may leave his seat during the call of the roll or until the result has been determined and declared. The pending question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the report of the committee of Conference be indefinitely postponed. A vote yes is in substance a vote in opposition to the recommendation of the committee of Conference, and a vote no is in substance in favor of the recommendation. Those in favor of the motion will answer yes to the roll call; those opposed will answer no. The Clerk will call the roll.

YEA—Allen, Bowdoin, Ayer, Barter, Batchelder, Belanger, Boothby, Boucher, Bragdon, Brown, Bangor, Brown, Eagle Lake, Bruce, Burgess, Cambridge, Carleton, Church, Churchill, Colby, Cole, Coolidge, Demers, Dennison, Donahue, Douglass, Dorr, Dow, Jay, Dow, Kennebunkport, Dow, Norway, Dutil, Ellis, Fairfield, Erswell, Everett, Fadden, Fernald, Ford, Fuller, Goss, Hamel, Harkins, Harriman, Harris, Higgins, Dennyville, Howes, Jewett, Keller, Labbee, Larrabee, Larsen, Latno, Lee,

Leonard, Lord, Maheu, Mattin, Oakland, Maxell, Melanson, Merrill, Morgan, Newton, Packard, Parsons, Phair, Poulin, Prince, Detroit, Russell, Ryder, Seabury, Sleeper, Smith, Westbrook, Stoddard, Story, Tabbutt, Thurston, Varney, Viles, Wallace, Weatherbee, Weed, Wilkes, Woodbury, Wyman—80.

NAY—Alden, Allan, Portland, Bates, Bird, Bucknam, Buker, Chase, Crockett, Currier, Cushing, Davis, Day, Dean, Dwinal, Eddy, Elliot, Ellis, Castle Hill, Ellis, Rangeley, Emery, Fellows, Findlen, Flanders, Gyger, Haley, Hascall, Monmouth, Haskell, Lee, Haskell, Windham, Higgins, Ellsworth, Hincley, Hinman, Hodgkins, Lausler, Mack, Martin, Milford, Maxim, McGaughy, McGlauffin, Meserve, Mosher, Murchie, Norwood, Noyes, Owen, Palmer, Paul, Payson, Brooks, Payson, Portland, Peakes, Philbrick, Pike, Bridgton, Pike, Lubec, Plummer, Prince, Harpswell, Ramsdell, Ramsey, Robinson, Russ, Sawyer, Smith, Van Buren, Snow, Stilphen, Stone, Thorne, Webber, Whitney—65.

ABSENT—Fargue, Hammond, Porell, Richardson, Young—5.

Eighty having voted in the affirmative and 65 in the negative, the motion to indefinitely postpone the report of the Conference Committee prevailed.

Mr. ELLIS of Rangeley: Mr. Speaker, I move that the House recess until eight o'clock.

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

Mr. SLEEPER of Rockland: Mr. Speaker, the House having very definitely shown its stand, I now move you that we insist upon our previous stand in regard to the combination tax and ask for a committee of Conference. (Applause)

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves that the House insist and ask for a Committee of Conference. Is the House ready for the question? As many as are in favor will say aye; those opposed no.

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

Eighty-four voting in the affirmative and one in the negative, the motion that the House insist and ask for a second Committee of Conference prevailed.

(House at Ease)

The SPEAKER: The Chair appoints as conferees on the part of the House Messrs. Story of Washburn, Ryder of Orrington and Varney of Berwick.

On motion by Mr. Flanders of Auburn,

Recessed until eight o'clock this evening.

After Recess—9:30 P. M.

Called to order by the Speaker.

### Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to exemption of estates from taxation (H. P. No. 1873) (L. D. No. 1044) reporting that both branches recede and pass the bill as amended by House Amendment B submitted herewith.

(Signed)

Messrs. McGlauffin of Portland

Mosher of Farmington

Fellows of Augusta

—Committee on part of House.

Blanchard of Franklin

Burkett of Knox

Willey of Cumberland

—Committee on part of Senate.

Report read and accepted.

House Amendment B was offered as follows

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

Amend said bill by striking out the last sentence thereof, which reads as follows: "The word 'homes' as used in this paragraph shall mean the actual building, or such part or parts of a building as is occupied as a dwelling place by the person claiming exemption," and inserting in place thereof the following sentence: "The word 'homes' as used in this paragraph shall mean one single dwelling owned by the person claiming exemption, or a dwelling partially occupied by the owner and producing a revenue of less than \$260 per year."

The House reconsidered its former action whereby the bill was passed to be engrossed, and reconsidered its former action whereby House Amendment A was adopted.

Thereupon, House Amendment A was indefinitely postponed and House Amendment B was adopted, and the bill as amended by House Amendment B was passed to be engrossed and sent up for concurrence.

### Report of a Committee

(Out of order and under suspension of the rules)

Mr. Haskell from the Committee on Taxation on remonstrance against bounty on foxes (H. P. No.

1724) reported that same be placed on file.

Report read and accepted and sent up for concurrence.

### Papers from the Senate

(Out of order and under suspension of the rules)

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to out door advertising (S. P. No. 277) (L. D. No. 494) reporting that they are unable to agree.

(Signed)

Messrs. Friend of Somerset  
Fortin of Androscoggin  
Miss Laughlin of Cumberland  
—Committee on part of Senate

Messrs. Philbrick of Cape Elizabeth  
Higgins of Ellsworth  
Stilphen of Dresden  
—Committee on part of House.

Comes from the Senate read and accepted.

In the House, the report of the committee was read and accepted in concurrence.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on resolve relating to smelt fishing in Hancock County (H. P. No. 1313) (L. D. No. 460) reporting that they are unable to agree on House Amendment A but agree that the bill, new draft L. D. No. 898 be passed to be enacted.

(Signed)

Messrs. Lewis of Lincoln  
Wentworth of York  
—Committee on part of Senate.  
Noyes of Franklin  
Stilphen of Dresden  
—Committee on part of House.

Comes from the Senate with the report accepted and the resolve passed to be engrossed.

In the House, the report of the committee was read and accepted in concurrence.

Thereupon, the House reconsidered its former action whereby this resolve was passed to be engrossed; the House also reconsidered its former action whereby House Amendment A was adopted.

Thereupon, House Amendment A was indefinitely postponed, and the resolve was passed to be engrossed in concurrence.

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act to establish a State Safety Department (S. P. No. 522) (L. D. No. 1057) reporting that they are unable to agree.

(Signed)

Miss Laughlin of Cumberland  
Messrs. Friend of Somerset  
Marden of Kennebec  
—Committee on part of Senate.  
Ellis of Rangeley  
Gyger of Cumberland  
Hinman of Skowhegan  
—Committee on part of House.

Comes from the Senate read and accepted.

In the House, the report was read and accepted in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Final Report of the Committees on

Agriculture.  
Banks and Banking.  
Claims.  
Indian Affairs.  
Insane Hospitals.  
Interior Waters.  
Labor.  
Library.  
Maine Publicity.  
Mercantile Affairs and Insurance.  
Mines and Mining.  
Military Affairs.  
Pensions.  
Pownall State School.  
Public Health.  
Salaries and Fees.  
Sea and Shore Fisheries.  
State Lands and Forest Preservation.  
State Prison.  
State Sanatoriums.  
State School for Boys, State School for Girls and State Reformatories.  
Towns.  
University of Maine.  
Comes from the Senate read and accepted.  
In the House, read and accepted in concurrence.

From the Senate: Final Report of the Committees on

Education.  
Inland Fisheries and Game.  
Legal Affairs.  
Manufactures.  
Public Buildings and Grounds.  
Public Utilities.  
Temperance.



Come from the Senate read and accepted.

In the House, read and accepted in concurrence.

#### **Passed to be Enacted**

(Out of order and under suspension of the rules)

(H. P. No. 1893) (L. D. No. 1069) An act relating to the canning of clams

(H. P. No. 1894) (L. D. No. 1070) An act relating to licenses and certificates for selling clams

(S. P. No. 332) (L. D. 596) An act relating to exemptions of motor trucks from registration

(S. P. No. 533) (L. D. No. 1071) An act to correct technical errors in various laws

(House at Ease)

#### **After Recess—10:50 P. M.**

Called to order by the Speaker.

#### **Paper from the Senate**

(Out of order and under suspension of the rules)

From the Senate: Bill 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. 1884, L. D. 1058, on which the House voted earlier in the day to indefinitely postpone the report of the Committee of Conference and insist on its former action whereby the bill was passed to be engrossed as amended by House Amendments A and B, and asked for a second Committee of Conference.

Comes from the Senate, that body voting to adhere.

In the House:

Mr. SLEEPER of Rockland: Mr. Speaker and members of the House, I do not think that this action surprises any of us. It has been in the offing all day. I do not want to get personal on the subject, but this House has two courses of action to follow: We can either drain the sap out our spine, give up and agree like little dogs, or we can insist and still demand another committee of conference.

I am not going to burden you members with the ideas that we could pass. If certain members under this roof here feel that the old people should be assisted, and if they are so magnanimous that they want these old people to be able to vote on the question, why let the old people figure out the way in which the money is to be col-

lected. If they are to be so generous, so kind, so thoughtful, why not let them say whether they want to pay for taxes through a one per cent sales tax or allow the more fortunate citizens to help them with an income tax.

I cannot understand the attitude that this House takes. We were not all born with a silver spoon in our mouth. We must realize that there are some people who are not as fortunate as the rest of us. There was a man who realized that fact, and he is down to Washington to-day, returned by a majority of ten million. That man has catered to the forgotten man, and it has paid him big dividends, both politically and in the love of the people.

Now if this Legislature wants to go on record as continuing the old policy of ever protecting the vested interests, why, draw the sap out of your spines and vote to concur. But if you have the intestinal fortitude, or the guts, I say to vote to insist and ask for still another committee of conference and see if we cannot iron this thing out the way it should be ironed out, with a little justice for the fellow underneath. (Applause)

Mr. SEABURY of Yarmouth: Mr. Speaker, I believe that the time has arrived when fair men may be justified in changing their position. I believe I will not be accused of not stating my position in definite terms. I would be willing to stay here and fight indefinitely to carry out those terms if I thought there was a reasonable prospect of my succeeding. I do not claim to be weak or scared. I am neither one. But it is apparent that it is not the intention of the majority of this body that opinion shall prevail. It seems to me, under all the circumstances—the House has labored most diligently to attempt a reasonable and adequate solution of our problem—but it seems the minds of many men devolve into impossible situations. It therefore occurs to me that we may hope to gain nothing, and therefore I move that we recede and concur. (Applause)

The SPEAKER: The gentleman from Yarmouth, Mr. Seabury, moves that the House recede and concur. The Chair will inquire of the gentleman from Rockland whether he made any motion?

Mr. SLEEPER: I made a motion

that we insist and adhere to our previous action.

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves that the House insist, and the gentleman from Yarmouth, Mr. Seabury, moves that the House recede and concur. The pending question is on the motion of the gentleman from Yarmouth, Mr. Seabury, that the House recede and concur, which under the rules takes precedence. The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. MCGLAUFLIN: Mr. Speaker, I would like the privilege of facing the House.

You have patiently listened to me on a number of occasions, and I ask you to patiently listen to me once more for just a few moments.

There is in this State a certain class of people who, if there were a war, would not go; if there was work to do, they would not do it; if there are taxes to pay they will, if possible, avoid them; but when it comes to legislative enactments, you find them, through their lobbyists, using all the influence that they possess to prevent from levying taxes that will in any way affect them. They tell us that if we impose taxes on them they will leave the State and go to Florida,—and they do not want to go to Florida in the summer time. They frankly admit that they are of no use to the State of Maine until they die, and then we can expect some time an inheritance tax. Now we have been able to run the State in the past without their assistance in an income tax, and we can, if we have to, continue to run this State without their help.

As an attorney-at-law, I have had much to do with settling domestic difficulties, and when, on a number of occasions, a man has come to me and told me that he was having difficulties with his better half and they could not seem to get along I have laid down these rules: If anybody was going to tell him his faults, it should be his wife, as she was a privileged person. And I understand we have been told our faults. I have told him when there was trouble that he should be willing to go more than half way, because she would never yield, and, further, it was no disgrace to him in the end to yield.

We came up here with a full realization that we had a tremen-

dous task to perform. One of those tasks we performed early in the session, taking care of the overdraft. We have realized that we still had two big jobs to do: One, to provide for the old age pension, and the other, to take care of the schools—and I believe every last man and woman of us in this House have since we have been here, been determined to perform that task before we left these halls. We have gone on until this last day, and yet that has not been performed. From the early part of the session until now we have talked of taxes of various kinds. We have each had differences of opinion, but in this House, at least, there has been one principle that we have adhered to from first to last, and that is that we would pass no tax measures that lowered the moral principles of the State of Maine. Therefore we have killed the lottery and the various bills of that kind, and, before we leave this House tonight, we will kill the slot machine bill if it comes here, and our record is one to be proud of. But we must remember, as I have stated on one previous occasion, that we are here to represent the State of Maine. We represent our own localities so far as we can when it is not inconsistent with our duty to the State, but the State comes first. Now we have got to raise this money.

I want to say one thing more: When it comes to a matter of principle, I do not ask any man to yield; he will fight for his principles to the last drop of blood. But when it comes to the matter of taxation, like the income tax or the cigarette tax or the luxury tax or the sales tax, that is purely a question of judgment on our part and has nothing whatever to do with principle because none of these taxes are inherently right or wrong.

We have come to a point now where it is necessary for some of us to yield our judgment to the judgment of the majority. I came here myself opposed to the sales tax; I did not want the sales tax. But, as you all know, some weeks ago I came to the conclusion that it was impossible for us to raise the necessary tax in any legitimate way except by the sales tax, and therefore, in this hall, at the meeting of the committee on Taxation, when this place was filled with people from Portland opposed to the sales tax, I spoke for

the sales tax, well knowing that in so doing I was liable to offend my own people. I say this to show you that I do not ask you to yield where I am not willing to yield myself.

Some of you have been very much opposed to the sales tax; many of you have believed that it was a much better tax to have both the sales and the income tax, and every last one of you know that I have stood with you on that principle, and I still think that that is a fairer tax. But we have come to a point where apparently we must still further yield, if we are going to raise this money and perform the task that we came here to do.

Right here I want to say a word in regard to the members of the opposite party. We have been taught to believe that the members of the Democratic party belong to the horned tribe of Satan, but since I came to this House I have found the men and women here to be real human beings with thoughts and feelings like our own, and I am proud to list among my friends every last democratic member in this House. And I want to say to you whom I now call my friends in spite of politics it seems to me that this issue has come to a point where the interests of the State of Maine should transcend party politics. I am not trying to play politics. I care nothing for the politicians of either party. I am speaking entirely independent of any political influence, and I hope when this comes up for a vote that some of you will feel that it is your duty to go along with us and help us perform this task, because this too is your State, and you are pledged to help bring about the old age pension and to help support the schools. So, Mr. Speaker, I too am in favor of reconsidering our vote and passing the sales tax tonight.

Mr. VARNEY of Berwick: Mr. Speaker, I have been and now am definitely against the principle of a sales tax. I have consistently maintained that position since this Legislature convened nearly four months ago. I am equally definitely in favor of old age assistance and realize that the condition in which we found our treasury when this Legislature convened made it necessary for us to in some manner provide the funds with which to render that assistance. We are tonight apparently at an impasse. To continue to vote against this bill would,

in my opinion, result in the defeat of old age assistance.

In view of these circumstances, and in view of the fact that this bill contains the limitation of time which brands it as a temporary expedient, and in view of the fact that it provides a referendum by which all of the people may determine whether it should pass or not, and recognizing the fact that life itself is a compromise, that representative government can exist only through the principle of give and take, and that sometimes we must recede from our fixed opinions and give due respect to the opinions of others, I am therefore going to recede from my position on this matter and vote to recede and concur. (Applause)

Mr. PACKARD of Houlton: Mr. Speaker, I move that the yeas and nays vote be taken on this matter.

Mr. HINMAN of Skowhegan: Mr. Speaker, I, too, have been opposed to any new form of taxation. The people back home realize that I do not want any taxation, but owing to the predicament in which we find ourselves I, too, am willing to fall into line.

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

The SPEAKER: The gentleman from Dresden, Mr. Stilphen, moves the previous question. To authorize the Chair to entertain that motion requires the assent of one-third of the members present. As many as are in favor of entertaining the motion for the previous question will rise;

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the motion for the previous question is entertained. Shall the main question be put now? As many as are in favor will say aye; those opposed no.

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

Mr. SLEEPER: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. SLEEPER: If I understand correctly, Mr. Speaker, after this parliamentary procedure has been put in order, each man has five minutes to speak.

The SPEAKER: The gentleman would have had five minutes to speak on the question, "Shall the main question be put now." The de-

bate has been ordered closed by the adoption of the previous question.

The pending question is on the motion of the gentleman from Yarmouth, Mr. Seabury, that the House recede and concur, and the gentleman from Houlton, Mr. Packard, has asked for the yeas and nays. Under the Constitution the yeas and nays are ordered when one-fifth of the members present indicate their request that the vote be taken in that manner. As many as are in favor of taking the vote by the yeas and nays will rise.

A division of the House was had.

The **SPEAKER**: Obviously more than one-fifth of the members present having arisen, the yeas and nays are ordered. Under the rule, the yeas and nays having been ordered, no member is permitted to leave his seat during the roll call nor until the result has been determined and declared.

The question is on the motion of the gentleman from Yarmouth, Mr. Seabury, that the House recede and concur. As many as are in favor of that motion will answer yes to the roll call; those opposed will answer no. The Clerk will call the roll.

**YEA**—Alden, Allan, Portland, Barker, Batchelder, Bates, Bird, Brown, Bangor, Bucknam, Cambridge, Chase, Coolidge, Crockett, Currier, Cushing, Davis, Day, Dean, Dow, Jay, Eddy, Elliot, Ellis, Castle Hill, Ellis, Fairfield, Ellis, Rangeley, Emery, Everett, Fellows, Findlen, Flanders, Gyger, Haley, Haskell, Lee, Haskell, Windham, Higgins, Ellsworth, Hill, Hinckley, Hinman, Hodgkins, Jewett, Lausier, Mack, Martin, Milford, Maxim, McGaughy, McGlaulin, Meserve, Mosher, Murchie, Newton, Norwood, Noyes, Owen, Palmer, Paul, Payson, Brooks, Payson, Portland, Peakes, Philbrick, Pike, Bridgton, Pike, Lubec, Plummer, Prince, Detroit, Ramsdell, Ramsey, Robinson, Russ, Sawyer, Seabury, Smith, Van Buren, Snow, Stillphen, Story, Thorne, Varney, Viles, Weatherbee, Webber, Weed, Whitney—78.

**NAY**—Allen, Bowdoin, Ayer, Belanger, Boothby, Boucher, Brown, Eagle Lake, Bruce, Burgess, Carleton, Church, Churchill, Colby, Cole, Demers, Dennison, Donahue, Douglass, Dorr, Dow, Kennebunkport, Dow, Norway, Dutil, Erswell, Fadden, Fernald, Ford, Fuller, Goss, Hamel, Harkins, Harriman, Harris, Hascall, Monmouth, Higgins, Dennysville, Howes, Keller, Labbee, Larrabee, Larsen, Latino, Lee, Leonard, Lord, Maheu, Martin, Oakland, Maxell, Melanson, Merrill, Morgan, Packard, Parsons, Phair, Poulin, Russell, Ryder, Sleeper, Smith,

Westbrook, Stoddard, Stone, Tabbut, Thurston, Wallace, Wilkes, Woodbury, Wyman—64.

**ABSENT**—Bragdon, Buker, Dwinall, Forgue, Hammond, Porell, Prince, Harpswell, Richardson, Young—9.

Seventy-eight having voted in the affirmative and 64 in the negative, the motion to recede and concur prevailed. (Applause)

Thereupon, the House voted to reconsider its former action whereby the bill was passed to be engrossed. It also reconsidered its former action whereby House Amendment A was adopted.

Thereupon, Senate Amendment A to House Amendment A was adopted; also House Amendment A as amended by Senate Amendment A to House Amendment A was adopted.

Thereupon, Senate Amendments I, J and K were adopted.

Thereupon, the bill, as amended by House Amendment A, as amended by Senate Amendment A to House Amendment A, and as amended by House Amendment B, and as further amended by Senate Amendment I, Senate Amendment J and Senate Amendment K, was passed to be engrossed in concurrence.

**MR. SLEEPER**: Mr. Speaker, am I right in understanding that this bill has been passed to be engrossed?

The **SPEAKER**: The gentleman is correct.

**MR. SLEEPER**: Mr. Speaker, I would like to move that the House reconsider its action whereby the bill was passed to be engrossed to allow what seems to have been a considerable minority to prepare a House Amendment. That is a privilege that has always been granted to anyone. Therefore I would like to ask that the bill be tabled pending the preparation of an amendment.

The **SPEAKER**: The gentleman from Rockland, Mr. Sleeper, moves that the bill be tabled. As many as are in favor of that motion will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Forty-eight voting in the affirmative and 64 in the negative, the motion did not prevail.

#### **Paper from the Senate**

(Out of order and under suspension of the rules)

From the Senate: An act relating to local option provisions (S. P. No. 295) (L. D. No. 499) on which the

House earlier in the day voted to insist on its former action whereby the bill was passed to be engrossed as amended by House Amendments B and C in non-concurrence, and asked for a Committee of Concurrence.

Comes from the Senate that body voting to adhere to its former action whereby the bill was indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair awaits the pleasure of the House.

On motion by Mr. Ellis of Rangely, the House voted to recede and concur with the Senate.

(House at Ease)

#### After Recess

The SPEAKER: A veto message from His Excellency, the Governor.

State of Maine,  
Executive Department,  
Augusta, April 24, 1937.

To the Honorable Senate and House of Representatives:

I return herewith, without my signature, Legislative Document 871, "An Act Relating to Mileage Compensation".

This document seems both vague and unnecessary. It does not appear to amend any existing statute and, if enacted, would constitute a new chapter. There is ample authority vested in both state and county boards at the present time to accomplish all that this act purports to accomplish.

For this reason it seems unwise to me to approve what would result in being parallel mandatory law.

Respectfully submitted,

(Signed) LEWIS O. BARROWS,  
Governor.

The SPEAKER: The question, shall this bill become a law notwithstanding the objections of the Governor?

Mr. DONAHUE of Biddeford: Mr. Speaker, I move that the House have a roll call.

The SPEAKER: The gentleman's motion is unnecessary since the Constitution provides that the vote must be taken by the yeas and nays. The question is, shall this bill become a law notwithstanding the objections of the Governor? Is the House ready for the question?

Mr. PACKARD of Houlton: Mr. Speaker, may we have the bill read?

The SPEAKER: The Clerk will read the bill if there is no objec-

tion. Is there objection? The gentleman from Houlton, Mr. Packard, moves that the rules be suspended to permit the reading of the bill by the Clerk. Those in favor of the motion 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 thirty-one members being present, 51 voting in the affirmative, and 51 being less than two-thirds of the number of members present, the motion to suspend the rules did not prevail.

The SPEAKER: The question is, shall the bill become a law notwithstanding the objections of the Governor. Is the House ready for the question? As many as are in favor of the bill becoming a law, notwithstanding the objections of the Governor, will answer yes to the roll call; those opposed will answer no. Members must remain in their seats during the call of the roll and until the result is determined and declared. As many as are in favor of the bill becoming a law notwithstanding the objections of the Governor will answer yes to the roll call; those opposed will answer no.

YEA—Donahue, Elliot, Lausier, Messerve, Morgan, Poulin, Sleeper, Smith, Westbrook, Thurston—9.

NAY—Alden, Allan, Portland, Allen, Bowdoin, Barter, Batchelder, Bates, Belanger, Bird, Boothby, Boucher, Bragdon, Brown, Bangor, Brown, Eagle Lake, Bruce, Bucknam, Buker, Burgess, Cambridge, Carleton, Chase, Church, Churchill, Colby, Cole, Coolidge, Crockett, Currier, Cushing, Davis, Day, Dean, Dennison, Dorr, Dow, Jay, Dow, Kennebunkport, Dow, Norway, Dutil, Eddy, Ellis, Castle Hill, Ellis, Fairfield, Ellis, Rangeley, Emery, Erswell, Everett, Fadden, Fernald, Findlen, Flanders, Ford, Fuller, Goss, Gyger, Haley, Hamel, Harriman, Harris, Hascall, Monmouth, Haskell, Lee, Haskell, Windham, Higgins, Dennyville, Higgins, Ellsworth, Hinckley, Hinman, Hodgkins, Howes, Jewett, Keller, Larrabee, Larsen, Latno, Leonard, Lord, Mack, Maheu, Martin, Milford, Maxell, Maxim, McGaughy, McGlauffin, Merrill, Mosher, Murchie, Newton, Norwood, Noyes, Owen, Packard, Palmer, Parsons, Paul, Payson, Brooks, Payson, Portland, Peakes, Phair, Philbrick, Pike, Bridgton, Pike, Lubec, Plummer, Prince, Detroit, Ramsdell, Ramsey, Robinson, Russ, Russell, Ryder, Sawyer, Seabury, Smith, Van Buren, Snow, Stilphen, Stoddard, Stone, Story, Tabbutt, Thorne, Varney, Viles, Weatherbee,

Weed, Whitney, Wilkes, Woodbury, Wyman—123.

ABSENT—Ayer, Demers, Douglass, Dwinal, Fellows, Forgue, Hammond, Harkins, Labbee, Lee, Martin, Oakland, Melanson, Porell, Prince, Harpswell, Richardson, Wallace, Webber, Young—18.

Nine voting in the affirmative and 123 in the negative, nine being less than two-thirds of the members present, the veto was sustained.

### Report of a Committee

(Out of order)

Mr. Fellows from the Committee on Taxation reported ought to pass on bill an act to repeal an act to tax games of skill (H. P. No. 498) (L. D. No. 147)

Report read and accepted, and the bill having already been printed, was given its three several readings under suspension of the rules, passed to be engrossed and sent up for concurrence.

### Papers from the Senate

(Out of order and under suspension of the rules)

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature on bill an act relating to reports to towns of excise tax payments (S. P. No. 480) (L. D. No. 901) reporting that they are unable to agree.

(Signed)

Messrs. Fernald of Waldo

Fortin of Androscoggin

Wiley of Cumberland

—Committee on part of Senate.

Donahue of Biddeford

Flanders of Auburn

Russ of Caribou

—Committee on part of House.

Comes from the Senate read and accepted.

In the House: On motion by Mr. Donahue of Biddeford, report of the committee was read and accepted in concurrence.

### Finally Passed

(Out of order and under suspension of the rules)

(H. P. No. 1774) (L. D. No. 898)  
Resolve relating to smelt fishing in Hancock County.

### Papers from the Senate

(Out of order and under suspension of the rules)

From the Senate: Final report of the Committees on

Counties.

Commerce.

Judiciary.

Comes from the Senate the reports read and accepted.

In the House, reports read and accepted in concurrence.

The following Order:

Ordered, the House concurring, that the State Librarian mail to each member and officer of the House and Senate a copy of the Public Laws of this Session when completed (S. P. No. 535)

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

Mr. NEWTON of Readfield: Mr. Speaker and Members of the House: I intended to arise to a point of personal privilege, but, not having entirely recovered from my late defeat, I yield to the gentleman from Rockland, Mr. Bird, if it is in order.

Mr. BIRD of Rockland: Mr. Speaker, one hundred and fifty-one members of this House, male and female, Democrats as well as Republicans, have devoted their time as well as their ability to public service, even though at a personal sacrifice, believing always in the principles of our government as founded by the Constitution as created by our forefathers.

What service, Mr. Speaker, we have been able to render has been stimulated by your leadership. As the sun rises in the morning and radiates its inspiration as well as its influence over this God's earth, so you, Mr. Speaker, have called us to order each morning and radiated your influence as well as your warmth on us. In your guidance we have had confidence; by your accurate decisions, your deportment, your fairness, to each and every one of us, the history written will state that George E. Hill has made one of the best Speakers of our generation.

We would like to continue our friendship with you in person, but, as this is impossible, we can only do the next best thing, which is to present to you a lasting token of our regard, and when and after you have familiarized yourself with the rhythm of its tick, you will have learned that it speaks to you a language only known to yourself. It will say: "The members of this body love you, respect you, wish you a successful career and that God will bless you and your family." (Applause, the members rising.)

**SPEAKER HILL:** My friends and fellow members of the House of Representatives: Some years ago there lived an old gentleman down at South Hope. He was a butcher and his son was a butcher, and his son used to cut his hair. (Laughter and applause) The old gentleman was a lover of flowers, and he had in his garden a variety known as *Rhododendron Maximum Linnaeus* and *Kalmia Latifolia Linnaeus*. He claimed also to be a man of literary proclivities, and he had on his shelves many good looking books which he read industriously "by title only and without objection." And the son who was the hair-cutting butcher was elected to the Legislature. He came down here to Augusta, and, like the skipper of the good ship *Hesperus* "brought with him his little daughter to bear him company". They came down here for the winter, and then, after final adjournment in mid-July, they returned to South Hope. When they got back there, the old gentleman asked his little granddaughter about what happened in the Legislature and what the members did there. "Well, grandpa," she said, "Mostly they just sit there and smoke and everything else they do tomorrow morning at ten o'clock." (Laughter and applause)

I apprehend that in presenting me with this most handsome clock you conceived perhaps that I may have become so bound by that custom of doing everything "tomorrow morning at ten o'clock" that this might be of service to me from day to day in apprising me when that celebrated hour arrives.

This gift, my friends, is something I shall prize and cherish, as I shall cherish the recollection of our most pleasant associations here together. I thank you for this kind gift, and again I thank you very sincerely for the very great privilege of presiding here over your deliberations. Throughout the session you have been most patient in overlooking the shortcomings of your Speaker. When we convened here last January I invited your continued cooperation. In that you have never for one moment failed. As a result of your cooperation, we have been able here to transact business in an orderly and proper manner, and it is a source of satisfaction to me, and I regard it as a high tribute to the members of this House, that you have not indulged

in personalities or animosities in debating the many unusually difficult and perplexing problems with which this Legislature has been confronted.

Late this afternoon I received word that a very beautiful bouquet of flowers from the members of this House had been received in the local hospital in which my young daughter is confined, and I appreciate that very deeply. I thank you for the many courtesies you have extended to me and also to Mrs. Hill, as well as your gracious reception of my father. I want you individually when you can to come to my home in South Portland, or, whenever you may be in Portland, if it is more convenient for you, you will be most welcome at my office there.

For three terms it has been my great pleasure to serve as a member of this House. I now leave never to return as a member, unless in the event of a special session. I cannot leave this hall after final adjournment without deep regret. But, I take with me this clock. It will accompany me throughout all the day long of my life; it will, I trust, be with me when the shadows lengthen and the evening falls, as a constant reminder of our common service and our mutual friendship and goodwill. I thank you very much. (Applause, the members rising.)

**The SPEAKER:** The Chair recognizes the gentleman from Readfield, Mr. Newton.

**Mr. NEWTON:** Mr. Speaker, I yield to the member from Bangor, Mrs. Currier.

**Mrs. CURRIER:** Mr. Clerk, for the past sixteen weeks you have served us well. You have performed your duties in this body in a manner pleasing to us all, and when we have come to you for advice and assistance, you have given it to us with a smile. During this session we have passed some very momentous legislation, and in addition to that we have not forgotten our porcupines and our bears. Neither have we forgotten our canine friends, and we have made the name of our lowly clam a memorable name in the legislative history of Maine.

Many times we have heard your oft-repeated statement, "No further verbal amendments are necessary," and thus you have assured us that the bills and resolves which we

have passed were ready for enactment.

Now we have come to the parting of the ways. Many of us will not be back when the gavel comes down for the opening session of the 89th Legislature, but there is one thing which we hope will be present on many occasions,—the face of our Clerk, Mr. Pease. In recognition, not only of your ability, but as an emblem of our friendship, I wish to present to you at this time a gift. May you spend many happy hours in this gift, and, when you do, will you remember those who composed the 88th Legislature? (Applause, the members rising.)

Mr. PEASE: Mr. Speaker—

The SPEAKER: The Chair recognizes the Clerk. (Applause)

Mr. PEASE: Members of the House of Representatives of the 88th Legislature: I think, Mr. Speaker, that we can now let the Legislature go home. (Laughter)

The kind words expressed by the member from Bangor cannot help but move a person. The compliments conferred upon me I shall accept, not for myself, but for others. I am reminded of the football player, played up in the newspapers and, to the unthinking public, the hero of the team, but to the real student of the game the most conspicuous on account of the team work of the other ten players. If I accepted these kind words without stating that I owed a great debt to my associates in the Clerk's office, and that it was through their efforts as much as my own, that satisfactory service has been rendered to this House by the Clerk's office,—if I fail to recognize that, I just fail, that's all, because no man ever had a finer working organization, individually and as an organization, than I have the honor to have in the Clerk's office. I pay them every possible compliment.

You know I once wrote a speech when I knew that I was going to have something presented to me, but I have forgotten all about it. I have not even had time to write a speech this week. I want to hand out a few compliments myself. I want to compliment my immediate superior, the Speaker, as one of the finest gentlemen that it has been my pleasure to know,—sincere, thoughtful, always courteous,—it has been an extreme pleasure for me to perform my duties under Mr. Speaker Hill.

Now, the House of Representatives and the individual members,—well, I just cannot say enough about this House of Representatives this year. They have been kind to me, they have overlooked my many, many shortcomings. It is a real House, and, if I might paraphrase Kipling, "You have kept your heads when all about you were losing theirs and blaming it on you. You have trusted yourselves when some men doubted you, and, best of all, you have made allowance for their doubts." (Applause)

Members of the House, we are closing the longest session of the Legislature since 1852, with a record that I am very confident you will be proud of.

As I complete my duties here and go back to private life and take with me this gift, I look forward to spending long hours—hours that I have not had for the last four months—in this gift of yours. I hope there is nothing suggestive about it, and I hope it is for a tired man and not for a retiring man.

I again repeat and again express the admiration that I shall carry with me for the Speaker and each and every member of this House. I always believe that the simplest language is the best,—I thank you. (Applause, the members rising)

Mr. NEWTON: Mr. Speaker, I yield to the member from Bethel, Mrs. Thurston.

Mrs. THURSTON of Bethel: Mr. Assistant Clerk, it gives me great pleasure to be honored and privileged tonight to make this presentation to you, and I deem it a special privilege to be able to state, as representing all of the members of the eighty-eighth Legislature, contrary to what has been the custom these last sixteen weeks or so, that the House unanimously agrees that you, Mr. Wing, have been outstanding to all members in your courtesy and kindness and cooperation throughout all these busy weeks. It is our loss that your close attention to your duties has made it impossible for us to know you all better. We hope that you will get a much deserved relaxation in this gift, and, further, the House again unanimously agrees in offering you their condolences on one very serious matter, the failure of the Sunday movie bill to pass, for we understand that you need that seventh day to make up for all the six days in all these weeks that you have



been unable to attend the movies, and we hope that this Chair will, in some measure, compensate you for your loss. (Applause, the members rising.)

ASSISTANT CLERK WING: Mr. Speaker and Members of the House: I certainly appreciate your kindness in going thus far to recognize the Assistant Clerk. As far as the Sunday movies go, I think that is something I have developed within a week or two. This movie racket—I walked out on them one day when they were pretty busy. They said it was all right, but they have not stopped talking about it in the office since. But, as a usual thing, I do not think I am quite so bad as that. I certainly do appreciate this present. I think that perhaps that part of it applies more than you really appreciate, because it is so comfortable that I am sure that after supper, when I have completed my customary five minutes of reading, that I shall enjoy the next two or three hours of sleep as I usually do, in that chair a whole lot better than the one which I use, which I have been using for thirty years now.

The Clerk has said about everything that I could say, but I certainly wish to second his statement that this Legislature to me has been especially pleasant. I have been around the Legislature for seven sessions now and take more or less interest in what is going on, and I am sure that I know each one of you a whole lot better than you know me. I can say frankly and candidly that I have enjoyed the work this session more than any of the others, and I really appreciate the membership of this House in a good many ways more than I have that of any other House. The one thing that appeals to me most is the courtesy and feeling which each of you have for the other; in fact, it was a custom here for a while that nobody got up to speak and opposed somebody else unless they begged their pardon in advance. But you certainly have shown the feeling, which I think we all appreciate, that everyone else is entitled to their ideas as well as we to ours, and I think that feeling has resulted in very satisfactory work in the House.

Another thing which has appealed to me is the large leadership in this House, composed, to quite an extent of comparatively young persons. Again saying that I certainly ap-

preciate this present as much as anything that you could give me, I know that as I take that customary two hours sleep before I am able to get up and retire permanently, that what few dreams I have will be of the pleasant times that I have had as Assistant Clerk of this House. I thank you. (Applause, the members rising).

Mr. NEWTON: Mr. Speaker, if I may have one of the pages. I yield to the member from Van Buren, Miss Smith.

Miss SMITH of Van Buren: Mr. Speaker, as a token of our appreciation and friendship, and in recognition of their ability, I take pleasure in presenting these fountain pens to our floor leaders, Mr. Ellis and Mr. Donahue, and to our Assistant Floor Leaders, Mr. Flanders and Mr. Demers. We wish them the best of luck. (Applause)

Mr. ELLIS of Rangeley: Mr. Speaker, for sixteen long weeks we have labored here shoulder to shoulder, and when any bunch of men and women can do that without any more friction than we have had here since January sixth and seventh I must say I think we are a wonderful bunch of men and women. For four terms, I have served in this House, and during that service I can truthfully say that I never have served with a bunch of men and women who have had the welfare of the State of Maine more at heart than these have, and I certainly appreciate the cooperation I have had from all of you, Democrats and Republicans alike, in these weeks, and I thank you kindly. (Applause)

Mr. FLANDERS of Auburn: Mr. Speaker and Members of the Eighty-eighth Legislature: It certainly has been a great pleasure for me to serve as Assistant Floor Leader. Three sessions ago when I first visited the Legislature I thought then you had the finest House and finest body of men it would be possible to get together. Two years ago I went home with the fondest recollection of my associations with you, and I can say tonight I certainly have appreciated the many kindnesses and the many friendships, and I want to pay my respects to our Speaker. I do not expect to come to the Legislature again, but I shall carry with me the many kindnesses that you have extended to me, and I know that as long as I live this will be one of the

bright spots in my life, my associations with you and the many good times we have had, and I want to say I think we have all worked for the best interests of our State. I thank you.

Mr. DONAHUE of Biddeford: Mr. Speaker and Members of the Eighty-eighth Legislature: If I recall the remarks that I made on the Legislative Record during the past week, I thanked each and every member of this Legislature for the kind support they gave me in a measure relative to the conservation of clams in the county of Suffolk in the Commonwealth of Massachusetts. It has been my pleasure during this session to serve on the Appropriations Committee, and, although I know that probably the Speaker of the House will rule me out of order when I refer to another body or another assembly of men, I say that notwithstanding the actions of that body we were able to conserve and protect the budget which was presented to you by the Appropriations Committee. There were many things in that appropriation bill which were criticised by the other body as not being in the interest of economy, but there is such a thing as false economy, and I wish to say that the members of the Appropriations Committee are very grateful to the members of this House of Representatives for the cooperation which they gave to us notwithstanding the objections of the Senator from Waldo to the contrary, and permitted us to pass our appropriation bill. It was my pleasure to serve on the Appropriations Committee together with nine other democrats, and we have attempted to give you a very sound appropriation bill.

Again, I wish to thank each and every member of the House of Representatives for the kind courtesies and cooperation which have been extended to us, and to wish each and every one of you the best of success and happiness during the rest of your lives. (Applause)

Mr. NEWTON: If the Sergeant-at-arms, the Assistant Sergeant-at-arms, and the Pages and the Messenger and the Doorkeeper will just come down the center aisle in good order. I now yield the floor to the lady from Old Town, Mrs. Latno. (Applause)

Mrs. LATNO: To our Sergeant-at-arms, Mr. Treworgy, to our Assistant Sergeant-at-arms, Mr.

Dan Foley, to our Doorkeeper, Mr. Hunter, and to the Pages, Messrs. Brown and Faulkinham, and to our Messenger, Mr. Day:

"At the right of the Speaker sat Frank and Earle  
To the left of the Speaker the boy with the curl  
George holds the door with a big leather strap  
To let you come in when you give him the rap  
And down at the front sits big handsome Dan  
A sight for the girls, what a man, what a man!  
Horace runs down the aisle with the greatest of ease  
To answer the summons of Clerk Harvey Pease  
These are the boys who have served us so long  
We hope they'll be back at the sound of the gong."

It is my great privilege to me as a member of the Eighty-eighth Legislature to present you these small tokens of affection. You have been constant, faithful and loyal. (Applause)

Sergeant-at-Arms TREWORGY: This is a new one on me. I never had it happen before and I feel like the bachelor at the prayer meeting. It seems they were calling for testimonies and the Parson asked Sister Jones if she would give her testimony. She said, "I'm just a meek and humble follower. I think my place is down behind the door out of sight." Those sentiments were applauded. Then the Parson said to the bachelor, "Mr. Brown, I would like to have you give your testimony." It was hard for Mr. Brown to think what to say, the same as it is for me now, but he said: "I am only a meek and humble follower and I think my place is down behind the door with Sister Jones." (Applause)

The SPEAKER: The Chair is proceeding under Orders of the Day, and the Chair recognizes the gentleman from Portland, Mr. Maxim.

On motion by Mr. Maxim, it was voted to take from the table H. P. 1895, L. D. 1072, an act proposing a tax on wine and spirits sold by or through the State Liquor Commission, tabled earlier in today's session pending its passage to be engrossed; and on further motion by the same gentleman the bill, under

suspension of the rules, was passed to be engrossed and sent up for concurrence.

### Recess

#### Passed to be Enacted

(Out of order and under suspension of the rules)

An act to provide for old age assistance, to guarantee a minimum educational program and to provide revenues therefor.

(H. P. No. 1873) (L. D. No. 1044)  
An act relating to exemption of estates from taxation.

The SPEAKER: The Chair will state that the regular tax bills, the supplemental appropriation bill, the road resolves, payroll resolves and several other bills and resolves are still to come before the House, and that it is important that members remain in attendance.

On motion by Mr. Ellis of Rangeley, the rules were suspended to permit that gentleman to present out of order several orders.

On motion by Mr. Ellis, it was Ordered, that the State Librarian be directed to forward bound copies of the Legislative Record to Members and Officers of the House at their home address.

On motion by Mr. Ellis of Rangeley, it was

Ordered, that the Speaker of the House be presented with the desk and chair used by him in his office during the present session. (Applause)

On motion by Mr. Ellis of Rangeley, it was

Ordered, that the Superintendent of Buildings be directed to deliver to the Clerk of the House at his home such equipment and supplies as the Clerk may deem necessary for use in completing and indexing the Journal of the House.

On motion by Mr. Ellis of Rangeley, it was

Ordered, that the State Librarian mail to each member of the House of Representatives the balance of the Legislative Record, beginning with April 16th, 1937, page 1017, after the close of the session.

On motion by Mr. Ellis of Rangeley, it was

Ordered, that the offices occupied

by the Speaker of the House and the Clerk of the House, and the equipment therein, remain under their respective control until released by them.

On motion by Mr. Ellis of Rangeley, it was

Ordered, that the Clerk of the House be presented with the desk and chair used by him in his office during the present session.

### Recess

From the Senate: Report of the committee on Taxation, reporting ought to pass on bill an act relating to licenses for retail stores, S. P. 369, L. D. 314.

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

In the House:

Mr. CHURCHILL of Brewer: Mr. Speaker, I move that the bill and report be indefinitely postponed.

Mr. MAXIM of Portland: Mr. Speaker, I want to explain to the members of the House the action of Taxation committee in making this report on this bill.

This retail store tax has been in effect now, I do not recall the number of years, but it is of comparatively recent origin. It is a graduated tax. It starts at \$1.50 for single stores and it increases until stores with chains having more than twenty-five stores, or up to twenty-five stores—I have not the bill in front of me, the tax is fifty dollars.

This is a highly discriminatory bill in that it makes no provision for the measurements of the amount of business done. Two stores, though beside each other, each doing a business of say \$100,000 a year, may be one an independent store paying \$1.50 and the other \$50 for the privilege of doing business.

I am not going to maintain here that the bill is not constitutional. I think the act is perfectly constitutional but it is one of those things that is thoroughly unjust and highly discriminatory and quite unreasonable so that it seems to me that the State of Maine has no right, no moral right, to tax different types of business enterprise or business management at a discriminatory rate—a differential rate.

Now in the hearing that was held on this bill, it was shown that the chain stores have become a valuable market for some of the products of

Maine. We had testimony before our committee from Aroostook potato growers that the chains were now operating to market Aroostook potatoes on quite a large scale. I do not know that I have the percentage on the sale of potatoes, but about seven thousand five hundred stores offer the product of Aroostook county for sale. The Aroostook farmers seem to be very eager that no discrimination shall be practiced against these stores. We also had testimony from members of the Governor's Council and others to the effect that the canners of this State are quite agreed that this bill should not operate further on the ground that the canners are doing a great deal of business with the chains and they do not wish to offend them by a continuance of this discriminatory legislation.

After the testimony we had as to these facts, it seemed to us and the committee—and they were unanimous in the verdict—that this was a measure that does not deserve to stand on our Statute books. As a revenue measure it has been a failure. Judged by the ordinary standards of the cost of administration, in the last year of its operation, it brought in about \$43,000 gross annually, of which \$7,000 was required for administration. About half of the amount comes in by check from the two large grocery chains. The cost of collecting this is nothing at all except a couple of postage stamps—that accounts for about \$20,000. To get the rest of the amount, \$23,000, costs about \$7,000, or, in other words, it costs about \$7,000 to collect a little more than half of the total amount. Now, averaging it over the entire volume of business, it costs about sixteen or seventeen per cent to administer this law. Now any tax student will tell you that any revenue measure which costs sixteen or seventeen per cent to administer is not a proper tax measure, and there is something fundamentally wrong with the type of taxation which it represents.

Now, in view of the fact that it is worth very little to the State, we felt that it was not necessary to keep it on the Statute books to produce revenue. Now perhaps the compelling reason, or the final reason, was this: Under this general sales tax which we just enacted it will be necessary for every retail store to take out a license, for which a dollar is charged. We can see no point

in piling one license upon top of another, and requiring the merchants to take out a license for themselves and a license for that when one license would cover the same privilege of doing business and answer the purpose. We held this bill back purposely until we saw the fate of the general retail sales tax. In view of the fact that that has been enacted, and in view of the fair probability that the electorate will sustain the action of this Legislature, it was our unanimous opinion that this act to repeal the existing tax on the retail stores should prevail, and therefore we brought in this report, ought to pass.

Mr. BIRD of Rockland: Mr. Speaker, I rise in the defense of the farmer as well as the canner, and my remarks will be very brief. Aroostook county is in favor of the repealing of this law as well as twenty Maine canners in the State of Maine. The chain stores have helped the farmers in recent years. They now enable the farmer to market his crop. The chain stores, members of this House, distribute seventy per cent of the potato crop of Aroostook county. The canning industry of the State of Maine, such as beans, corn, and squash, aggregating two million and a half cases, the chain stores, gentlemen, market ninety per cent of this product. The canning industry, which cans two million five hundred thousand cans, buy their products from twelve thousand farmers. These same chain stores put back into Maine more than they take out by a balance of eleven million dollars. That is why Aroostook county and the farmers and the Maine canners are favoring the repeal of this law.

Mr. FINDLEN of Fort Fairfield: Mr. Speaker, I wish to speak briefly on this chain store tax as it affects the people of Aroostook County. We are in the potato business, as you well know, shipping out in the run of a year from 40,000 to 60,000 carloads of potatoes. About 70 per cent of those potatoes go through chain stores. They present to us the finest method of merchandizing potatoes that we can possibly evolve. They buy the potatoes from our farmers, put them in the bags properly, properly brand them, properly grade them, and take them directly to the consumers and market them just exactly as they get them from us.

Now what do the other people do that handle potatoes? They take our good potatoes, and they buy some of our poor ones, and they take them to Boston and mix them up and then try to make a profit out of them. I am sure we are very much in favor of the A and P and the First National. This is a discriminatory tax against these two stores, the A and P and the First National, and I am sure it is a very unfair tax. They pay about twenty thousand dollars of this tax.

We are putting on an advertising program this next year, and we have taxed ourselves a cent a barrel for advertising purposes. This bill will bring us around one hundred to one hundred and twenty-five thousand dollars, we hope. We are going to the A and P and the First National and asking them to co-operate with us, and asking the railroads and everybody for potato business. They say to us "How do you expect us to advertise your goods when you put a discriminatory tax on our stores?" They say "We do not mind a regular tax, but if you are going to tax one store so much, tax them all so much and do not put a discriminatory tax on two stores that are handling seventy per cent of your produce?"

It is no doubt true that corn and all kinds of canned goods, the Maine Development Commission, under which this advertising fund will be spent, feel as though this tax ought to be repealed, and I hope that the motion of the gentleman does not prevail.

Mr. WILKES of Portland: Mr. Speaker, I realize the hour is getting very late, but we are all going home very shortly. Now in order that there may not be any misunderstanding, I want to state clearly that at the beginning of this session I introduced Legislative Document 148, which was an act to increase the license fee on chain stores. I have since, within the past few hours, learned that the committee is going to bring out a report ought not to pass. That I am perfectly willing to agree with. It would be inopportune at this time, and I do not believe you would pass it. But let us be cautious about repealing any present law.

Now I have no argument to make or quarrel to pick with the gentleman from Fort Fairfield, Mr. Findlen, who comes from the great county of Aroostook, but I would

like, at this time, to have you realize the seriousness of the situation and remind you that there are fifteen other counties in the State which should be taken into consideration.

I would like to call your attention to the remarks made in 1933, when the act first became a law by the gentleman from Masardis, Mr. Smith. I will just state one of his quotations. He comes from the county of Aroostook. He says: "In the year when we had 460,000,000 bushels of potatoes, I was operating and I sold that crop for myself and my farmers at a price of ninety-six cents per bushel. This last year we had 367,000,000 bushels and I was able to dispose of the crop for 43 cents per bushel. Let's see what happened: This was last fall and to tell you how much good they have done for the State of Maine and Aroostook county when the price of potatoes was around 35 cents per barrel what did the Great Atlantic and Pacific Tea Company do? They jumped out to every place in Aroostook county that was available. Hired potato houses and filled those houses with thirty-five and forty cent potatoes which the farmer was compelled to sell to them and the independent owner unable to buy. Go on a little further, what happened around the first of December? We advanced that market to 80 cents per barrel to the farmer and what did the A and P Company do. I will tell you what they did. They stepped off from the street, stopped buying from the farmers, opened up practically all of these doors of thirty-five cent potatoes and in three days broke the market fifteen cents a hundred. They put on sales in New York and Pennsylvania, and, as I say broke the market fifteen cents a hundred and cleaned out these thirty-five cent potatoes."

He goes on further, but I do not want to take too much of your time, because we are all tired and the session is about to come to a close. I have about there thousand signatures on petitions in my brief case requesting the passage of Legislative Document 148, on which I have no other alternative but to say that I humbly submit to the report of the committee that it ought not to pass, but we should be cautious about repealing this measure. It gives a little revenue to the State of Maine, forty thousand dol-

lars, and I do believe that chain stores—and I am not picking on either the A and P or the First National, because I have no quarrel with either one of them—but I do think they should come under some regulation. It is not discriminatory, or unreasonable. It has already been passed in some thirty states, and they have gone to the extent in the state of Idaho, where they have four hundred stores, of putting a tax of five hundred dollars on each store. Our license fee at the present time is no hardship or burden upon the chain stores and it should be maintained on the Statute books for the protection of the local independent merchants of the State. You will remember back during the depression years and the bank holiday that it was your local merchant who extended credit and whose ledger sheets showed red ink and not the chain stores. I trust that the motion of the gentleman from Brewer, Mr. Churchill, will prevail.

Mr. MOSHER of Farmington: Mr. Speaker, I feel it is my duty to say something in favor of the repeal of this law. As you all know, I am a canner, and I am also interested in the independent store in competition with the chain stores. For that reason I think I can speak fairly and honestly on this question, and, as a canner, I can speak with some authority on this matter also.

Ten years ago I felt a good deal as my friend from Portland does now on the matter, because at that time the chains were not buying heavily out of Maine; they were shipping western-packed canned goods into this State; but it is different today. Within five years I have sold one chain in two years' time sixty-five carloads of corn. Since this Legislature opened I had some corn to offer, and the best price that I could get offered me in the New England market was \$1.15 a dozen. I was asking \$1.25. The Atlantic and Pacific Tea Company inquired if we had any corn to sell, and I priced them this block of corn for \$1.25, and they came back with an offer of \$1.20 net, which, without brokerage, would amount to \$1.24, which was nine cents higher than any other independent stores in New England would pay for it.

There is another angle to this question that I would like to mention. In the canned goods business we find that there are years when we have large surpluses and there

is no other means to move those surpluses into the market but through the chain stores. The independent stores are not able to handle it. They have not got the merchandising methods that the chains have. For that reason alone, that they move our surpluses, it makes the situation healthier for the next year. Otherwise, we would be handicapped by carrying over this surplus, and the farmers would naturally suffer as a consequence. So I heartily am opposed to the motion to indefinitely postpone this bill.

Mr. WILKES: Mr. Speaker, I request that when the vote is taken, it be taken by a division.

Mr. FINDLEN: Mr. Speaker, I wish to put the gentleman from Portland, Mr. Wilkes, right on just one proposition. You know that we in the potato game, in a great many years, run into surpluses. This year there was a 360,000,000 bushel surplus, and the A & P and the chain stores were the one method of handling a tremendous part of that surplus.

Now we have changed our minds from six years ago. We should always retain the privilege of changing our minds when conditions change. They handle the merchandising of potatoes in a very fine way at the present time, but they were not doing it so good six years ago. Today they are doing a remarkable job, and now we feel that the tax should be repealed.

Mr. HASKELL of Lee: Mr. Speaker, I just want to say one word and that is this: That in my opinion the chain stores are doing business for the chain stores, and, regardless of any tax, they will keep right on doing business for the chain stores and not for the State of Maine.

Mr. RUSS of Caribou: Mr. Speaker and Members of the House: Certainly everything that the gentleman from Portland, Mr. Wilkes, and the gentleman from Lee, Mr. Haskell, have told you is true. Nevertheless, conditions change. You all realize that. If you stop and think of the changes that have been made in this country in the past ten or fifteen years, you wonder just what really has happened. When this law was enacted two years ago, it was at the request of the agricultural interests of the State of Maine. It was a discriminatory law, and nobody denied it. Up to that

time the agricultural interests of our State had been unable to deal with the various chain store interests of the nation in a satisfactory manner. We have been working with this group of merchants for several years, and, during the past two years, we feel that we have accomplished a very great deal. In fact, we feel that this law has served its purpose. They have shown us and proven to us during the past year that they can and that they will be of real assistance to the agricultural interests of this State. I realize that they are hard competitors. I cannot blame any merchant for wanting to see a discriminatory law. Nevertheless, we all know that is not exactly the right way to do business. The chain store is here; it is here to stay, and I feel that there is no question but what they can be of far more value to the agricultural interests of the State of Maine than we can expect to receive back from them in the way of any tax of this kind. We have gone over the matter with the various managers who speak for the chain stores, and they have promised us, upon their honor, that they will push Maine agricultural products throughout all of the eastern United States. They ask that this law be repealed, as it may possibly lead to future trouble. We want to work in harmony with these people. We realize they can do us an estimated amount of good. As one gentleman has already told you, they came to his rescue. I have talked, since I have been down here, with almost every canner in the State, and they stand united, so far as my knowledge goes, that this law should be repealed, and I strongly urge that this House at this time repeal this law.

Mr. PACKARD of Houlton: Mr. Speaker, I find myself somewhat torn between two forces, the force of the farmer who appeals for what he thinks is good business, and the appeal of the retail merchant who is in competition with the chain stores and who also appeals to me in the Maine Legislature for what he in turn thinks is good business.

I have a number of telegrams from farmers and dealers in Southern Aroostook, and I have a greater number of telegrams from merchants in Southern Aroostook. Since the number of telegrams I had from the merchants exceeded by considerable number those I had

from the farmers, I feel it is my duty to hope that this measure will be indefinitely postponed.

Mr. HINMAN of Skowhegan: Mr. Speaker and Members of the House: I would not take so much as thirty seconds if we had not got to be here anyway. As long as we have to be here, I want to bring out a phase of this question that nobody has talked about, and which is simply this: That we have a Taxation Committee who have unanimously agreed to a man, they have studied this question, and at this late hour it would seem to me very good judgment to follow that unanimous report of the committee, and I hope that the motion to indefinitely postpone will not prevail.

Mr. DONAHUE of Biddeford: Mr. Speaker, while I am utterly opposed to the chain stores and to their methods, when I appeared before the Taxation Committee a month ago I told them that unless they raised the rates so that the independent merchant could equitably compete with the chain stores, then the only thing for us to do was to repeal the present law. That committee has not seen fit to increase those rates, and I stand up on my original statement that the present law should be repealed.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Churchill, that the bill and report be indefinitely postponed. Is the House ready for the question? The gentleman from Portland, Mr. Wilkes, has asked for a division. As many as are in favor of the motion that the bill and report be indefinitely postponed will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had. Thirty voting in the affirmative and 54 in the negative, the motion that the bill and report be indefinitely postponed did not prevail.

Thereupon the report of the committee was accepted in concurrence, the rules were suspended and the bill had its three several readings and was passed to be engrossed in concurrence.

#### Paper from the Senate (Out of order)

From the Senate: Resolve in favor of the Chaplains of the Senate of the Eighty-eighth Legislature (S. P. No. 536)

Comes from the Senate received by unanimous consent, under suspension of the rules, given its several readings and passed to be engrossed without reference to a Committee.

In the House, on motion by Mr. Flanders, the resolve was received by unanimous consent, under suspension of the rules, given its two several readings and passed to be engrossed without reference to a Committee in concurrence.

#### Recess

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. McGLAUFFLIN: Mr. Speaker, under suspension and out of order, I would like to read a poem to the House. May I explain to the House that I scribbled off the first six verses of this poem here one day when there was some doubt as to what we were going to do. Later I wrote the last stanza.

I suppose that no such House  
Ever met this side of Heaven  
As the famous 88th  
That sat in one, nine, three-seven.

Each one had his own idea  
Of just what laws should be passed,  
Each was bound to have his way  
Fighting to the very last.

All men honest, without fear  
With ability to spare.  
Each one if he had his way  
Always willing to be fair.

Every one of them forgot  
That they represented Maine.  
They each voted for a tax  
That would cause the least of pain.

So they worked week after week  
Getting just nowhere at all.  
Each one bound to have his way  
Notwithstanding duty's call.

Although this House was the best  
That had ever raised a thirst  
They may yet obtain the record  
As the very, very worst.

But at last we got together  
Notwithstanding Nero's Rome,  
And with pride we close this session  
With the song of Home, Sweet

Home. (Applause)

#### Recess

#### Reports of Committees

(Out of order and under suspension of the rules)

Mr. Coolidge from the Committee on Taxation reported ought not to pass on bill an act imposing an income tax (H. P. No. 313) (L. D. No. 83)

Same gentleman from same Committee reported same on bill an act imposing an income tax (H. P. No. 1590) (L. D. No. 696)

Mr. Ellis from same Committee reported same on bill an act relating to abatement of taxes of a non-resident (H. P. No. 1584) (L. D. No. 656)

Same gentleman from same Committee reported same on bill an act relative to a cigarette tax (H. P. No. 900) (L. D. No. 261)

Same gentleman from same Committee reported same on bill an act relating to licenses for retail stores (H. P. No. 500) (L. D. No. 148)

Mr. Coolidge from same Committee reported same on bill an act defining, regulating and taxing games of skill (H. P. No. 1642) (L. D. No. 782)

Mr. Ellis from same Committee reported same on bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing, and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes (H. P. No. 1594) (L. D. No. 655)

Same gentleman from same Committee reported same on bill an act to provide old age pensions, to raise revenue and for other purposes (H. P. No. 207) (L. D. No. 62)

Same gentleman from same Committee reported same on bill an act relating to the tax on gasoline (H. P. No. 1322) (L. D. No. 476)

Same gentleman from same Committee reported same on bill an act imposing an excise tax on corporations supplying electricity (H. P. No. 1589) (L. D. No. 725)

Same gentleman from same Committee reported same on bill an act imposing an excise tax on corporations supplying electricity (H. P. No. 1588) (L. D. No. 724)

Same gentleman from same Committee reported same on bill an act providing for taxation of incomes of individuals and partnerships and franchises of corporations (H. P. No. 1592) (L. D. No. 691)

Same gentleman from same Committee reported same on bill an act



relating to a tax on the privilege of selling at retail (H. P. No. 1595) (L. D. No. 690)

Mr. Fellows from same Committee reported same on bill an act to provide for the raising of certain gasoline tax revenues and the allocation of the same to towns and cities (H. P. No. 1127) (L. D. No. 329)

Same gentleman from same Committee reported same on bill an act imposing a tax upon admissions (H. P. No. 1593) (L. D. No. 726)

Mr. Haskell from same Committee reported same on bill an act raising revenue for old age pensions and schools (H. P. No. 1591) (L. D. No. 695)

Mr. Maxim from same Committee reported same on bill an act to tax coin vending machines and to make legal the leasing, possession and operation of the same (H. P. No. 1643) (L. D. No. 783)

Same gentleman from same Committee reported same on bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes (H. P. No. 1320) (L. D. No. 485)

Reports read and accepted and sent up for concurrence.

The following papers were taken up out of order under suspension of the rules:

Mr. Maxim from the Committee on Appropriations and Financial Affairs and Taxation jointly on bill an act creating a Department of Taxation (H. P. No. 1470) (L. D. No. 654) reported that same be referred to the 89th Legislature as subject matter is to be studied by a Recess Committee.

Report read and accepted and sent up for concurrence.

From the Senate: Report of the Committee on Taxation reporting ought not to pass on bill an act regulating and defining games of skill (S. P. No. 402) (L. D. No. 812)

Final Report of the Committee on Appropriations and Financial Affairs.

Come from the Senate report read and accepted.

In the House, read and accepted in concurrence.

The SPEAKER: S. P. 502, L. D. 1028, a resolve creating a Recess Committee on Labor Relations calls for the appointment of two members of the committee on the part of the House by the Speaker. The Chair appoints to that recess committee Mr. Ellis of Rangeley and Mr. Mack of East Millinocket.

The SPEAKER: In section six of Chapter 254 of the Public Laws of 1933 the following provision is contained:

Before the adjournment of the Legislature biennially it shall be the duty of the President of the Senate to name two members on the part of the Senate, and of the Speaker of the House to name three members on the part of the House, to serve as a special committee to investigate the expenditures made and liabilities incurred by and on behalf of candidates seeking nomination to elective office and such committee shall meet in Augusta within five days next following any primary election, or convention to examine all returns of expenditures made under the provisions of Chapter 7 of the Revised Statutes as amended and all returns made in accordance with the provisions of this act.

Pursuant to these provisions the Chair appoints on the part of the House, Messrs. Pike of Bridgton, Dorr of Mexico and Noyes of Franklin.

The SPEAKER: The gentleman from Auburn, Mr. Flanders, asks unanimous consent to introduce several bills and resolves. The Chair hears no objection and declares the bills and resolves received.

On motion by Mr. Flanders of Auburn

Resolve on the payroll of the House of Representatives of the Eighty-eighth Legislature (H. P. 1898)

Resolve in favor of the Chaplains of the House of the Eighty-eighth Legislature (H. P. 1899)

Resolve in favor of clerks, stenographers and messengers of the several committees of the Eighty-eighth Legislature (H. P. 1897)

An act supplemental appropriation act to further provide for the necessary expenditures of a State Government for the fiscal years, ending June 30, 1938 and June 30, 1939 (H. P. 1896)

An act for the assessment of a

State tax for the year nineteen hundred and thirty-seven (H. P. 1890)

An act for the assessment of a State tax for the year nineteen hundred and thirty-eight (H. P. 1891)

Were received by unanimous consent, out of order and under suspension of the rules, the bills given their three several readings, the resolves given their two several readings passed to be engrossed, without reference to a committee, and sent up for concurrence.

From the Senate:

Resolve on the payroll of the Senate of the Eighty-eighth Legislature, S. P. 538.

Comes from the Senate received by unanimous consent, under suspension of the rules, given its several readings and passed to be engrossed, without reference to a committee.

In the House, received by unanimous consent, under suspension of the rules, given its two several readings and passed to be engrossed without reference to a committee in concurrence.

#### Passed to be Enacted

(Out of order and under suspension of the rules)

(Emergency Measure)

H. P. 1895, L. D. 1072: An act imposing a tax on wine and spirits sold by or through the State Liquor Commission.

The SPEAKER: This bill is an emergency measure and requires for its passage the affirmative vote of two-thirds 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 being had,

One hundred and eight voting in the affirmative and none in the negative, 108 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

H. P. 1890, An act for the assessment of a State tax for the year nineteen hundred and thirty-seven.

The SPEAKER: This bill 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 being had,

One hundred and eight voting in the affirmative and none in the negative, 108 being more than two-thirds the entire elected membership of the House, the bill was passed to be enacted.

#### Passed to be Enacted

H. P. 498, L. D. 147: An act to repeal an act to tax games of skill.

H. P. 1896: An act supplemental appropriation act to further provide for the necessary expenditures of State government for the fiscal years ending June 30, 1938 and June 30, 1939.

H. P. 1891: An act for the assessment of a State tax for the year nineteen hundred thirty-eight.

#### Finally Passed

H. P. 1899: Resolve in favor of the Chaplains of the House for the 88th Legislature.

#### Reports of Committees

(Out of order and under suspension of the rules)

Mr. Ellis from the committee on Ways and Bridges on the following resolves:

House Paper 1193—In favor of the town of Acton

H. P. 533—In favor of the town of Addison

H. P. 939—In favor of the town of Albion

H. P. 1391—In favor of the town of Albion

H. P. 138—In favor of the town of Alexander

S. P. 140—In favor of the town of Alfred

H. P. 509—In favor of the town of Alna

H. P. 522—In favor of the town of Alton

H. P. 1214—In favor of the town of Amity

S. P. 94—In favor of the town of Andover

H. P. 256—In favor of the town of Appleton

H. P. 234—In favor of the town of Arrowsic

H. P. 108—In favor of the town of Athens

H. P. 538—In favor of the town of Atkinson

H. P. 756—In favor of the town of Baldwin

- H. P. 753—In favor of the town of Baldwin  
 H. P. 18—In favor of the town of Bar Harbor  
 H. P. 1198—In favor of the town of Baring  
 H. P. 275—In favor of the city of Belfast  
 H. P. 528—In favor of the town of Belgrade  
 H. P. 936—In favor of the town of Belmont  
 H. P. 938—In favor of the town of Benton  
 H. P. 940—In favor of the town of Benton  
 H. P. 545—In favor of the town of Bingham  
 H. P. 410—In favor of the town of Blaine  
 H. P. 83—In favor of the town of Blanchard  
 S. P. 54—In favor of the town of Bluehill  
 H. P. 132—In favor of the town of Bluehill  
 H. P. 211—In favor of the town of Bowdoin  
 H. P. 1185—In favor of the town of Bowdoinham  
 S. P. 298—In favor of the town of Bowdoinham  
 H. P. 232—In favor of the town of Bradford  
 H. P. 162—In favor of the town of Bradley  
 H. P. 164—In favor of the town of Bremen  
 H. P. 250—In favor of the city of Brewer  
 H. P. 1190—In favor of the town of Brooklyn  
 H. P. 729—In favor of the town of Brooks  
 H. P. 906—In favor of the town of Brooksville  
 H. P. 1205—In favor of the town of Brownfield  
 H. P. 511—In favor of the town of Brownville  
 H. P. 403—In favor of the town of Bridgton  
 H. P. 322—In favor of the town of Bristol  
 H. P. 341—In favor of the town of Bridgewater  
 H. P. 550—In favor of Brighton Plantation  
 H. P. 399—In favor of the town of Buckfield  
 H. P. 385—In favor of the town of Bucksport  
 H. P. 389—In favor of the town of Bucksport  
 H. P. 728—In favor of the town of Burnham  
 H. P. 767—In favor of the town of Buxton  
 H. P. 264—In favor of the city of Calais  
 H. P. 263—In favor of the city of Calais  
 H. P. 157—In favor of the town of Cambridge  
 H. P. 255—In favor of the town of Camden  
 H. P. 155—In favor of the town of Canaan  
 H. P. 759—In favor of the town of Canton  
 H. P. 21—In favor of the town of Cape Elizabeth  
 H. P. 551—In favor of Caratunk Plantation  
 H. P. 150—In favor of the town of Caribou  
 H. P. 94—In favor of the town of Carmel  
 H. P. 259—In favor of the town of Carroll  
 H. P. 1387—In favor of the town of Casco  
 H. P. 765—In favor of Caswell Plantation  
 H. P. 505—In favor of the town of Chapman  
 H. P. 233—In favor of the town of Charleston  
 H. P. 325—In favor of the town of Charlotte  
 H. P. 98—In favor of the town of Cherryfield  
 H. P. 435—In favor of the town of Chester  
 H. P. 262—In favor of the town of Chesterville  
 H. P. 85—In favor of Chesuncook Plantation  
 H. P. 439—In favor of the town of Clifton  
 H. P. 939—In favor of the town of Columbia  
 H. P. 339—In favor of the town of Columbia Falls  
 H. P. 317—In favor of Concord Plantation  
 H. P. 136—In favor of the town of Cooper  
 H. P. 1234—In favor of the town of Corinth  
 H. P. 912—In favor of the town of Cornish  
 H. P. 913—In favor of the town of Cornish  
 H. P. 766—In favor of the town of Cornville  
 H. P. 107—In favor of the town of Cornville  
 S. P. 375—In favor of Criehaven Township  
 H. P. 330—In favor of the town of Cranberry Isle

H. P. 1130—In favor of Crocker-town

H. P. 266—In favor of the town of Crystal

H. P. 52—In favor of the town of Cumberland

H. P. 51—In favor of the town of Cumberland

H. P. 720—In favor of the town of Cushing

H. P. 381—In favor of the town of Cushing

H. P. 1226—In favor of the town of Cutler

H. P. 751—In favor of the town of Crawford

H. P. 514—In favor of Dallas Plantation

H. P. 730—In favor of the town of Damariscotta

H. P. 216—In favor of the town of Danforth

H. P. 933—In favor of the town of Dayton

S. P. 374—In favor of the town of Dedham

H. P. 387—In favor of the town of Dedham

H. P. 92—In favor of the town of Denmark

H. P. 104—In favor of the town of Detroit

H. P. 245—In favor of the town of Dexter

H. P. 932—In favor of the town of Dexter

H. P. 96—In favor of the town of Dixmont

H. P. 86—In favor of the town of Dixfield

H. P. 568—In favor of the town of Durham

H. P. 835—In favor of the town of Dyer Brook

H. P. 8—In favor of Eagle Lake

H. P. 1203—In favor of East Machias

H. P. 254—In favor of East Machias

H. P. 507—In favor of the town of Easton

H. P. 161—In favor of the town of Eddington

H. P. 337—In favor of the town of Edgecomb

H. P. 1235—In favor of the town of Edgecomb

H. P. 932—In favor of the town of Edmunds

H. P. 917—In favor of the town of Elliot

H. P. 133—In favor of the city of Ellsworth

H. P. 834—In favor of the town of Embden

H. P. 516—In favor of the town of Etna

H. P. 237—In favor of the town of Exeter

H. P. 91—In favor of the town of Fairfield

H. P. 53—In favor of the town of Falmouth

H. P. 145—In favor of the town of Fayette

H. P. 231—In favor of Fort Fairfield

H. P. 525—In favor of the town of Fort Kent

H. P. 220—In favor of the town of Frankfort

H. P. 555—In favor of the town of Freedom

H. P. 171—In favor of the town of Freeport

H. P. 924—In favor of the town of Frenchville

H. P. 719—In favor of the town of Friendship

S. P. 87—In favor of the town of Fryeburg

H. P. 244—In favor of the town of Garland

H. P. 391—In favor of the town of Glenburn

H. P. 1186—In favor of the Bay Point Village Corporation

H. P. 127—In favor of the town of Gorham

H. P. 240—In favor of the town of Gouldsboro

H. P. 247—In favor of the town of Grand Isle

H. P. 333—In favor of the town of Gray

H. P. 517—In favor of the town of Greene

H. P. 158—In favor of the town of Greenbush

H. P. 159—In favor of the town of Greenfield

H. P. 82—In favor of the town of Greenville

H. P. 513—In favor of the town of Guilford

H. P. 140—In favor of the city of Hallowell

H. P. 393—In favor of the town of Hampden

H. P. 763—In favor of Hamlin Plantation

H. P. 520—In favor of the town of Hancock

H. P. 152—In favor of the town of Harmony

H. P. 242—In favor of the town of Harpswell

H. P. 532—In favor of the town of Harrington

H. P. 1210—In favor of the town of Harrison

H. P. 400—In favor of the town of Hartford

H. P. 153—In favor of the town of Hartland

H. P. 561—In favor of the town of Haynesville

H. P. 758—In favor of the town of Hebron

H. P. 390—In favor of the town of Hermon

H. P. 1221—In favor of Highland Plantation

H. P. 49—In favor of the town of Hiram

H. P. 50—In favor of the town of Hiram

H. P. 562—In favor of the town of Hodgdon

H. P. 438—In favor of the town of Holden

H. P. 1218—In favor of the town of Hollis

H. P. 380—In favor of the town of Hope

H. P. 1399—In favor of the town of Houlton

H. P. 326—In favor of the town of Howland

H. P. 743—In favor of the town of Industry

H. P. 16—In favor of the town of Isle au Haut

H. P. 402—In favor of the town of Jackson

H. P. 228—In favor of the town of Jay

H. P. 279—In favor of Jerusalem Plantation

H. P. 165—In favor of the town of Jonesboro

H. P. 95—In favor of the town of Kenduskeag

S. P. 213—In favor of the town of Kennebunk

H. P. 741—In favor of the town of Kennebunkport

H. P. 916—In favor of the town of Kittery

H. P. 556—In favor of the town of Knox

H. P. 523—In favor of the town of LaGrange

S. P. 45—In favor of the town of Lamoine

H. P. 257—In favor of Lang Plantation

H. P. 504—In favor of the town of Lebanon

H. P. 567—In favor of the town of Leeds

H. P. 1394—In favor of the town of Leeds

H. P. 93—In favor of the town of Levant

H. P. 274—In favor of the town of Liberty

H. P. 910—In favor of the town of Limerick

H. P. 564—In favor of the town of Limestone

H. P. 911—In favor of town of Limington

H. P. 557—In favor of the town of Lincolnville

H. P. 267—In favor of the town of Lisbon

H. P. 440—In favor of the town of Lisbon

H. P. 723—In favor of the town of Litchfield

H. P. 271—In favor of the town of Littleton

H. P. 270—In favor of the town of Littleton

H. P. 45—In favor of the town of Livermore

H. P. 44—In favor of the town of Livermore Falls

S. P. 53—In favor of Long Island Plantation

H. P. 241—In favor of the town of Lubec

H. P. 768—In favor of the town of Lyman

H. P. 166—In favor of the town of Machiasport

H. P. 925—In favor of the town of Madawaska

H. P. 109—In favor of the town of Madison

H. P. 141—In favor of the town of Manchester

H. P. 558—In favor of the town of Mapleton

H. P. 239—In favor of the town of Mariaville

H. P. 253—In favor of the town of Marshfield

H. P. 409—In favor of the town of Mars Hill

H. P. 89—In favor of the town of Masardis

H. P. 748—In favor of the town of Mechanic Falls

H. P. 540—In favor of the town of Medford

H. P. 734—In favor of the town of Medway

H. P. 1390—In favor of the town of Merrill

H. P. 87—In favor of the town of Mexico

H. P. 394—In favor of the town of Milford

H. P. 541—In favor of the town of Milo

H. P. 1397—In favor of the town of Minot

H. P. 750—In favor of the town of Minot

H. P. 922—In favor of the Plantation of Monhegan

H. P. 722—In favor of the town of Monmouth

H. P. 930—In favor of the town of Monroe

H. P. 340—In favor of the town of Monticello

H. P. 342—In favor of the town of Monticello

H. P. 273—In favor of the town of Montville

H. P. 277—In favor of the town of Morrill

H. P. 736—In favor of Mount Chase Plantation

H. P. 147—In favor of the town of Mt. Vernon

H. P. 329—In favor of the town of Mt. Vernon

H. P. 921—In favor of the town of Newburg

H. P. 249—In favor of the town of Newcastle

H. P. 6—In favor of the town of New Canada

H. P. 1194—In favor of the town of Newfields

H. P. 396—In favor of the town of Newport

H. P. 542—In favor of the town of New Portland

H. P. 238—In favor of the town of New Sharon

H. P. 778—In favor of the town of New Sweden

H. P. 746—In favor of the town of New Vineyard

H. P. 269—In favor of the town of Nobleboro

H. P. 715—In favor of the town of North Berwick

H. P. 418—In favor of the town of North Kennebunkport

H. P. 935—In favor of the town of Northport

H. P. 17—In favor of the town of North Haven

H. P. 60—In favor of the town of North Yarmouth

H. P. 169—In favor of the town of Norway

H. P. 272—In favor of the town of Oakfield

H. P. 529—In favor of the town of Oakland

H. P. 278—In favor of the town of Old Orchard Beach

H. P. 527—In favor of the city of Old Town

H. P. 388—In favor of the town of Orland

H. P. 537—In favor of the town of Orneville

H. P. 395—In favor of the town of Orono

H. P. 160—In favor of the town of Orrington

S. P. 44—In favor of the town of Otis

H. P. 1209—In favor of the town of Otisfield

H. P. 920—In favor of the town of Owls Head

H. P. 379—In favor of the town of Oxford

H. P. 276—In favor of the town of Palermo

H. P. 106—In favor of the town of Palmyra

H. P. 716—In favor of the town of Paris

H. P. 717—In favor of the town of Paris

H. P. 908—In favor of the town of Parsonsfield

H. P. 735—In favor of the town of Patten

H. P. 323—In favor of the town of Pembroke

H. P. 386—In favor of the town of Penobscot

H. P. 779—In favor of the town of Perham

S. P. 259—In favor of Perkins Plantation

H. P. 724—In favor of the town of Perry

H. P. 398—In favor of the town of Peru

H. P. 745—In favor of the town of Phillips

S. P. 158—In favor of the town of Phippsburg

H. P. 725—In favor of the town of Phippsburg

S. P. 297—In favor of the town of Pittsfield

H. P. 131—In favor of the town of Pittston

H. P. 129—In favor of the town of Pittston

H. P. 135—In favor of No. 14 Plantation

H. P. 128—In favor of the town of Plymouth

H. P. 519—In favor of the town of Poland

H. P. 1206—In favor of the town of Porter

H. P. 437—In favor of the town of Prentiss

H. P. 97—In favor of the town of Presque Isle

H. P. 221—In favor of the town of Prospect

H. P. 280—In favor of the town of Randolph

H. P. 515—In favor of Rangeley Plantation

H. P. 146—In favor of the town of Readfield

H. P. 328—In favor of the town of Readfield

H. P. 1187—In favor of the town of Richmond

H. P. 154—In favor of the town of Ripley

H. P. 552—In favor of the city of Rockland

H. P. 1675—In favor of the city of Rockland

H. P. 503—In favor of the town of Rockport

H. P. 137—In favor of the town of Robbinston

H. P. 726—In favor of the town of Rome

H. P. 718—In favor of the town of Roque Bluffs

H. P. 742—In favor of the city of Saco

H. P. 126—In favor of the town of Salem

H. P. 230—In favor of Sandy River Plantation

H. P. 774—In favor of the town of Sangerville

H. P. 937—In favor of the town of Searsmont

H. P. 224—In favor of the town of Searsport

H. P. 20—In favor of the town of Sebago

H. P. 539—In favor of the town of Sebec

H. P. 1192—In favor of the town of Shapleigh

H. P. 265—In favor of the town of Sherman

H. P. 1201—In favor of the town of Shirley

H. P. 530—In favor of the town of Sidney

S. P. 72—In favor of the town of Skowhegan

H. P. 56—In favor of the town of Skowhegan

H. P. 57—In favor of the town of Skowhegan

H. P. 46—In favor of the town of Smithfield

H. P. 90—In favor of the town of Smithfield

H. P. 151—In favor of the town of Solon

H. P. 833—In favor of the town of Somerville

H. P. 1197—In favor of the town of Somerville

H. P. 54—In favor of the town of South Bristol

S. P. 156—In favor of the town of Southport

H. P. 382—In favor of the town of South Thomaston

H. P. 148—In favor of the town of Southwest Harbor

H. P. 436—In favor of the town of Springfield

H. P. 733—In favor of Stacyville Plantation

H. P. 156—In favor of the town of St. Albans

H. P. 318—In favor of the town of Starks

H. P. 236—In favor of the town of Stetson

H. P. 101—In favor of the town of Steuben

H. P. 1383—In favor of the town of St. George

H. P. 565—In favor of the town of Stockholm

H. P. 218—In favor of the town of Stockton Springs

H. P. 219—In favor of the town of Stockton Springs

H. P. 744—In favor of the town of Strong

H. P. 760—In favor of the town of Sumner

H. P. 134—In favor of the town of Surry

S. P. 55—In favor of the town of Swans Island

H. P. 727—In favor of the town of Swanville

H. P. 261—In favor of the town of Temple

H. P. 535—In favor of the town of Thorndike

H. P. 213—In favor of the town of Topsfield

H. P. 149—In favor of the town of Tremont

S. P. 65—In favor of the town of Trenton

H. P. 332—In favor of the town of Trescott

H. P. 401—In favor of the town of Troy

H. P. 749—In favor of the town of Turner

H. P. 502—In favor of the town of Union

H. P. 536—In favor of the town of Unity

H. P. 534—In favor of the town of Unity

H. P. 246—In favor of the town of Van Buren

H. P. 1219—In favor of the town of Vassalboro

S. P. 157—In favor of the town of Vassalboro

H. P. 142—In favor of the town of Vienna

H. P. 15—In favor of the town of Vinalhaven

H. P. 214—In favor of the town of Waite

H. P. 1217—In favor of the town of Waldo

H. P. 518—In favor of the town of Wales

H. P. 524—In favor of Wallagrass Plantation

- H. P. 1188—In favor of the town of Warren  
 H. P. 775—In favor of the town of Washburn  
 H. P. 1189—In favor of the town of Washington  
 S. P. 142—In favor of the town of Waterboro  
 H. P. 434—In favor of the town of Waterford  
 H. P. 1233—In favor of the town of Wayne  
 H. P. 144—In favor of the town of Wayne  
 H. P. 566—In favor of the town of Webster  
 H. P. 1385—In favor of the town of Weld  
 H. P. 1199—In favor of the town of Wellington  
 H. P. 714—In favor of the town of Wells  
 H. P. 1202—In favor of the town of Wesley  
 H. P. 506—In favor of the town of Westfield  
 H. P. 139—In favor of the town of West Gardiner  
 H. P. 569—In favor of Westman-land Plantation  
 H. P. 508—In favor of the town of Whitefield  
 H. P. 512—In favor of the town of Williamsburg  
 H. P. 321—In favor of the town of Willimantic  
 H. P. 229—In favor of the town of Wilton  
 H. P. 1386—In favor of the town of Windham  
 H. P. 281—In favor of the town of Windsor  
 H. P. 1325—In favor of the town of Winn  
 H. P. 1220—In favor of the town of Winslow  
 H. P. 762—In favor of the towns of Monroe and Winterport  
 H. P. 223—In favor of the town of Winterport  
 H. P. 7—In favor of the town of Winterville  
 H. P. 721—In favor of the town of Winthrop  
 H. P. 1327—In favor of the town of Wiscasset  
 H. P. 777—In favor of the town of Woodland  
 H. P. 1230—In favor of the town of Woodstock  
 H. P. 1212—In favor of the town of Woolwich  
 H. P. 1131—In favor of Wyman-town  
 H. P. 61—In favor of the town of Yarmouth  
 H. P. 417—In favor of the town of York  
 H. P. 1328—In favor of the Westport-Wiscasset Ferry  
 H. P. 384—In favor of the Arnold Trail  
 H. P. 1213—In favor of the town of Alton  
 H. P. 88—In favor of the town of Ashland  
 H. P. 319—In favor of the town of Anson  
 H. P. 331—In favor of the city of Bath  
 H. P. 780—In favor of the town of Berwick  
 S. P. 97—In favor of the town of Boothbay  
 S. P. 96—In favor of the town of Boothbay  
 H. P. 1231—In favor of State Highway No. 7 in the towns of Brooks and Waldo  
 H. P. 412—In favor of the town of Burlington  
 H. P. 315—In favor of the town of Crystal  
 S. P. 299—In favor of the town of Buxton  
 H. P. 1204—In favor of the town of Camden  
 H. P. 757—In favor of the town of Chelsea  
 H. P. 130—In favor of the town of China  
 H. P. 941—In favor of the town of Clinton  
 H. P. 324—In favor of the town of Dennysville  
 H. P. 553—In favor of the town of Dover-Foxcroft  
 H. P. 1223—In favor of the town of Dresden  
 H. P. 163—In favor of the town of Dresden  
 H. P. 47—In favor of the town of Fairfield  
 H. P. 327—In favor of the town of Farmingdale  
 S. P. 95—In favor of the town of Fort Fairfield  
 H. P. 84—In favor of the Green-ville-Rockwood Road  
 S. P. 163—Appropriating Moneys for Relief of Towns in Hancock-Sullivan Bridge District  
 H. P. 739—In favor of the Hough-ton-Oquossoc Road  
 H. P. 1609—In favor of a road in Indian Township No. 3  
 H. P. 510—In favor of certain roads in Islesboro  
 H. P. 769—In favor of the town of Jackman  
 H. P. 1196—In favor of the town of Jefferson



H. P. 740—In favor of the town of Kennebunkport

H. P. 411—In favor of the town of Lincoln

H. P. 252—In favor of the town of Machias

H. P. 1208—In favor of the town of Mechanic Falls

H. P. 48—In favor of the town of Mercer

H. P. 260—In favor of the town of Milbridge

H. P. 1207—In favor of the town of Minot

H. P. 316—In favor of the town of Norridgewock

H. P. 914—In favor of the town of North Berwick

H. P. 1384—In favor of the town of Parkman

H. P. 1326—In favor of the town of Poland

H. P. 168—In favor of the town of Pownal

H. P. 215—In favor of the town of Princeton

S. P. 73—In favor of the town of Rumford

H. P. 22—In favor of the town of Scarboro

H. P. 58—In favor of the town of Skowhegan

H. P. 570—For aid in construction of Tatnic Road in South Berwick

H. P. 1211—In favor of the town of Topsham

S. P. 139—In favor of the town of Waldoboro

H. P. 1195—In favor of the town of Waldoboro

H. P. 776—In favor of the town of Washburn

H. P. 713—In favor of the town of Wells

H. P. 59—In favor of the town of West Bath

H. P. 1224—In favor of the town of Westport

H. P. 637—In favor of Wilson's Mills-Oquossoc Road

H. P. 222—In favor of the town of Winterport

H. P. 1389—In favor of Wiscasset-Westport Ferry

H. P. 926—In favor of the townships of Township 1, Range 9; Township 2, Range 9; Township 2, Range 10, and Township 3, Range 10, Piscataquis County

H. P. 1627—Providing for a survey for the location of a road along Lower Richardson Lake

H. P. 1608—In favor of the road leading from Brownville to Millinocket

reported a consolidated resolve (H. P. No. 1888) under title of resolve

for the construction, maintenance and repair of roads and bridges and that it ought to pass.

Report read and accepted and the resolve given its two several readings and under suspension of the rules, passed to be engrossed and sent up for concurrence.

### Recess

### Finally Passed

(Out of order and under suspension of the rules)

S. P. 538: Resolve on the payroll of the Senate of the 88th Legislature.

### Recess

### Reports of Committee

(Out of order and under suspension of the rules)

Mr. Ellis from the committee on Ways and Bridges reported ought not to pass on the following resolves:

H. P. 919—In favor of the town of Abbot

H. P. 406—In favor of the town of Albany

H. P. 320—In favor of the town of Anson

H. P. 1324—In favor of the road leading from Andover to South Arm

H. P. 738—In favor of the town of Andover

H. P. 1398—In favor of the town of Argyle

H. P. 1232—In favor of a certain road in the town of Ashland

H. P. 560—In favor of the town of Bancroft

H. P. 441—To compensate Birch Point Village Corporation for damage to road by State Highway Commission

H. P. 338—In favor of the town of Beals

H. P. 407—In favor of the town of Bethel

H. P. 103—In favor of the city of Biddeford

H. P. 1200—In favor of the town of Blanchard

H. P. 1382—In favor of the town of Bowdoin

H. P. 212—In favor of the town of Bowdoinham

H. P. 282—In favor of the town of Brunswick

H. P. 258—In favor of the town of Brunswick

H. P. 755—In favor of the town of Byron

H. P. 243—In favor of the town of Casco

H. P. 752—In favor of the town of Charlotte

H. P. 99—In favor of the town of Cherryfield  
 H. P. 1216—In favor of the town of Chesterville  
 H. P. 235—In favor of the town of Corinna  
 H. P. 764—In favor of the town of Connor  
 H. P. 547—In favor of Dead River Plantation  
 H. P. 100—In favor of the town of Deblois  
 H. P. 1191—In favor of the town of Deer Isle  
 H. P. 773—In favor of the towns of Dover-Foxcroft and Sangerville  
 H. P. 248—In favor of the city of Eastport  
 H. P. 918—In favor of the town of Eliot  
 H. P. 251—In favor of the town of East Machias  
 H. P. 413—In favor of the town of Enfield  
 H. P. 1215—In favor of the town of Farmington  
 H. P. 549—In favor of Flagstaff Plantation  
 H. P. 771—In favor of the Forks Plantation  
 H. P. 226—In favor of Fort Knox  
 H. P. 336—In favor of the town of Gray  
 H. P. 1388—In favor of the town of Gray  
 H. P. 408—In favor of the town of Greenwood  
 H. P. 404—In favor of the town of Gilead  
 H. P. 392—In favor of the town of Hermon  
 H. P. 1676—In favor of a road in Hibbert's Gore  
 H. P. 1222—In favor of Highland Plantation  
 H. P. 1395—In favor of the town of Hope  
 H. P. 102—In favor of the Porter settlement road  
 H. P. 521—In favor of the town of Hudson  
 H. P. 225—In favor of the town of Islesboro  
 H. P. 217—In favor of Lambert Lake Plantation  
 H. P. 909—In favor of the town of Limerick  
 H. P. 416—In favor of the town of Lowell  
 H. P. 415—In favor of the town of Lowell  
 H. P. 414—In favor of the town of Lowell  
 H. P. 915—In favor of the town of Kittery  
 H. P. 268—In favor of the town of Lisbon

H. P. 167—In favor of the town of Machiasport  
 H. P. 544—In favor of Mayfield Plantation  
 H. P. 928—In favor of the town of Milbridge  
 H. P. 927—In favor of the town of Milbridge  
 H. P. 761—In favor of the town of Monroe  
 H. P. 931—In favor of the towns of Monroe and Winterport  
 H. P. 1532—In favor of the town of Monroe  
 H. P. 1132—In favor of the town of Naples  
 H. P. 335—In favor of the town of New Gloucester  
 H. P. 543—In favor of the town of New Portland  
 H. P. 405—In favor of the town of Newry  
 H. P. 563—In favor of the town of Orient  
 H. P. 923—In favor of Perkins Plantation  
 H. P. 105—In favor of the town of Pittsfield  
 H. P. 548—In favor of Pleasant Ridge Plantation  
 H. P. 383—In favor of the town of Rangeley  
 H. P. 334—In favor of the town of Raymond  
 H. P. 559—In favor of Reed Plantation  
 H. P. 770—In favor of the town of Rockwood  
 H. P. 143—In favor of the town of Rome  
 H. P. 397—In favor of the town of Rome  
 H. P. 754—In favor of the town of Roxbury  
 H. P. 737—In favor of the town of Rumford  
 H. P. 227—In favor of the town of Sanford  
 H. P. 772—In favor of the town of Sangerville  
 H. P. 907—In favor of the town of Sedgwick  
 H. P. 55—In favor of the town of Skowhegan  
 H. P. 554—In favor of Stacyville Plantation  
 H. P. 1227—In favor of the town of Stoneham  
 H. P. 1228—In favor of the town of Stow  
 H. P. 14—In favor of the town of St. George  
 H. P. 19—In favor of the town of Trenton  
 H. P. 1396—In favor of the town of Turner

H. P. 1229—In favor of the town of Upton

H. P. 526—In favor of Wallagrass Plantation

H. P. 732—In favor of the town of Warren

H. P. 747—In favor of the town of Weld

H. P. 836—In favor of the city of Westbrook

H. P. 546—In favor of West Forks Plantation

H. P. 531—In favor of Townships No. 9 and No. 10

Report read and accepted and sent up for concurrence.

The SPEAKER: The Chair will say that the hour of adjournment is close at hand. The House is acting upon the last papers the Chair believes that are to come before it.

#### Finally Passed

(Out of order and under suspension of the rules)

(H. P. No. 1897) Resolve in favor of clerks, stenographers, and messengers of the several committees of the 88th Legislature

(H. P. No. 1888) Resolve for the construction, maintenance and repair of roads and bridges

(H. P. No. 1898) Resolve on the pay roll of the House of Representatives of the 88th Legislature.

(S. P. No. 536) Resolve in favor of the Chaplains of the Senate of the 88th Legislature.

Papers from the Senate, out of order and under suspension of the rules:

From the Senate: Final report of the committees on

Taxation.

Ways and Bridges

Comes from the Senate report read and accepted.

In the House, read and accepted in concurrence.

#### Recess

A message was received from the Senate through Senator Owen of Kennebec, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion by Mr. Ellis of Rangeley, that gentleman was charged with and conveyed the message to the Senate, informing that body that the House had transacted all

business before it and was now ready to adjourn without day.

That gentleman subsequently reported that he had conveyed the message to the Senate.

#### Recess

Paper from the Senate out of order and under suspension of the rules:

From the Senate: Ordered, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted upon all matters before them, and are now ready to receive any communication which he may be pleased to make.

Comes from the Senate, read and passed with the following members appointed upon its part: Senators Spear of Cumberland, Kennedy of Hancock and Potter of Penobscot.

In the House, read and passed in concurrence, with the following members appointed on the part of the House: Messrs. Higgins of Ellsworth, Fellows of Augusta, Story of Washburn, Ellis of Fairfield, Dow of Norway, Lausier of Frenchville and Hodgkins of Bar Harbor.

Subsequently Mr. Higgins for the committee reported that they had attended to their duties and beg leave to report that the Governor will communicate forthwith.

Out of order and under suspension of the rules.

From the Senate: The following communication:

State of Maine,  
Executive Department,

Augusta, April 24, 1937.

To the President of the Senate and the Speaker of the House:

I herewith transmit a list of the acts and resolves passed by the present Legislature.

I have approved a total of 350 acts and 155 resolves. I presented one veto.

I desire to add that you have considered an unusually large number of measures and the problems that have confronted you at times have been bewildering and seemed insurmountable. Your deliberations have been judicial and creditable.

The cooperation between the Legislature and the Executive has been most cordial and duly appreciated by me.

I have no further communication to make.

I wish you a safe return to your homes.

Respectfully submitted,

(Signed) LEWIS O. BARROWS,  
Governor.

Comes from the Senate read and ordered placed on file.

In the House, on motion by Mr. Palmer of Island Falls, ordered placed on file in concurrence.

The SPEAKER: And now with mingled pleasure and regret the Chair recognizes for the purpose of making the motion for final adjournment, the oldest member in the House, the gentleman from Levant,

Mr. Fernald. (Applause, the members rising.)

Mr. FERNALD: Mr. Speaker, I have the honor of being the oldest member of this House and the old man in its service, having been here forty years ago. I will now make a motion that I think will be pleasing to you all and it is this:

The House of Representatives of the Eighty-eighth Legislature does adjourn without day.

The SPEAKER: The gentleman from Levant, Mr. Fernald, moves that the House, at 11.52 p. m. on Saturday, April 24th, do now adjourn without day. Is this the pleasure of the House?

The motion prevailed and the House so adjourned.