

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, February 16, 1939.

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

Prayer by the Rev. Mr. Pressey of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill "An Act relating to Tuition for Indian Scholars in the Elementary Schools of Old Town" (S. P. 353) (L. D. 778)

Comes from the Senate, referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

Senate Bills Tabled

From the Senate: Bill "An Act relating to the Merchant or Marine Flag" (S. P. 348) (L. D. 772)

Comes from the Senate, referred to the Committee on Commerce.

In the House, on motion by Mr. Melanson of Cherryfield, tabled pending reference in concurrence.

From the Senate: Bill "An Act relating to Accounting by Charitable Organizations" (S. P. 391) (L. D. 764)

Comes from the Senate, referred to the Committee on Legal Affairs.

In the House, on motion by Mr. Gyger of Cumberland, tabled pending reference in concurrence.

From the Senate: Bill "An Act relating to Use of Trailers on Farm Tractors" (S. P. 383) (L. D. 788)

Comes from the Senate, referred to the Committee on Motor Vehicles.

In the House, on motion by Mr. Stilphen of Dresden, tabled pending reference in concurrence.

Senate Bills In First Reading

Bill "An Act relating to the Federal Employees' Credit Union of Maine" (S. P. 88) (L. D. 76); in new draft under title of "An Act relating to the Government Employees' Credit Union of Maine" (S. P. 309) (L. D. 511)

Bill "An Act relative to Game Preserve in Orrington" (S. P. 26) (L. D. 512)

Bills were read twice and tomorrow assigned.

From the Senate: The following Order:

ORDERED, the House concurring, that a committee of two, on the part of the Senate, with such as the House may join, be appointed to inquire into and report to the Legislature the feasibility of a special legislative committee to investigate the conviction of Paul N. Dwyer and Francis M. Carroll for the murder of Dr. James G. Littlefield (S. P. 247)

Comes from the Senate indefinitely postponed.

In the House, on motion by Mr. Farwell of Unity, the order was tabled pending consideration.

The following bill was transmitted by Revisor of Statutes pursuant to Joint Order, and upon recommendation of the Committee on Reference of Bills, was referred to the following committee:

Taxation

Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 1758) (Presented by Mr. Townsend of Bangor)

Orders

On motion by Mr. Ellis of Fairfield, it was

ORDERED, that the Secretary of State be requested to prepare for the use of the members of the Legislature two hundred copies of the list of legislative counsel and agents, as of February 18, 1939.

On motion by Mr. Winslow of Auburn, it was

ORDERED, that there be printed 500 additional copies of Bill "An Act Amending the Acts Relating to the Prevention of Fires" (H. P. 1434) (L. D. 613)

On motion by Mr. Ford of Saco, it was

ORDERED, that there be printed 500 additional copies of the following Bills:

Bill "An Act relating to Elections in the city of Biddeford" (H. P. 1162) (L. D. 481)

Bill "An Act to Provide a Police Commission for the city of Biddeford" (H. P. 1163) (L. D. 482)

Bill "An Act to Provide a Police Commission for the city of Saco" (H. P. 1167) (L. D. 486)

On motion by Mr. Varney of Berwick, it was

ORDERED, that on Wednesday of each week, beginning with Wednesday, February 22nd, all matters placed upon the table during the preceding week, and unassigned, shall be laid before the House by the Speaker, under Orders of the Day in the order in which they were placed upon the table, and until disposed of shall have precedence under Orders of the Day.

Reports of Committees Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relative to Possession of Firearms in the Night-time" (H. P. 500) (L. D. 154)

Report was signed by the following members:

Messrs. BURNS of Aroostook
HILL of Cumberland
—of the Senate.
McGLAUFILIN of Portland
VARNEY of Berwick
BIRD of Rockland
—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
—of the Senate.
Messrs. WEATHERBEE of Lincoln
HINCKLEY of So. Portland
—of the House.

Mr. FELLOWS of Augusta: Mr. Speaker, on the divided report of the Committee on Judiciary, on H. P. 500, L. D. 154, Bill "An Act relative to the possession of firearms in the Night Time," for some reason my name was omitted from the majority report "Ought not to pass," and I wish to make it a matter of record that I am opposed to the passage of this bill.

The SPEAKER: If there is no objection, the Clerk will record the name of the gentleman from Augusta, Mr. Fellows, on the majority report.

Mr. WEATHERBEE of Lincoln:

Mr. Speaker, and ladies and gentlemen of the House: As a member of the Committee on Judiciary who signed the minority report "Ought to pass" on this bill, I would like to take a few moments of your time to explain my position on the matter.

First, in case the members have not their bills before them, I will read it. It is very brief.

"No person shall have in or on any automobile or other vehicle, in the night, while upon any road or in the fields or forests, in any area frequented by game, any rifle or shotgun unless the same be securely wrapped or in a case."

I believe that this bill has real merit and I believe that it should pass, and I will tell the members why.

In the first place, I believe that it will be an aid in the conservation of game, which I consider and you members all consider to be a matter of vital interest to this State and the people of the State.

I imagine that most of the members will agree with me this far, that one of the most tragic chapters of our whole history is being written during this decade, and in years to come we shall look back with a great deal of disappointment and shame upon the period when one of our finest natural resources, our wild life, was being slaughtered and eliminated, in so many cases needlessly. I want to do everything within reason to prevent this dissipation of this fine natural resource, and I believe every one of you members wants to do everything within reason to protect our wild life too.

I am for this bill, secondly, because I believe that a large part of the cause of the destruction of our wild life and the cause of the extreme amount of poaching which is going on in this State is a disrespect among the public for the fish and game laws and a strange and unfortunate feeling of hostility which prevails between the game wardens on the one hand and the hunters and fishermen on the other hand, the two classes of people which have the same wishes in common and who should be the best of friends. I believe that this disrespect for the law and I believe that this hostility is caused in large part by an uncertainty, as the law now stands, as to whether a man is com-

muting an offence or whether he is not committing an offence.

I am for the bill, thirdly, because I believe it will protect innocent people who have an honest errand in the woods and in the field in the night time with a shotgun in their car. I believe it will protect them because it is one more step toward eliminating this uncertainty.

At the present time, our night hunting law is one of the most difficult of all hunting laws on which to get a fair verdict from the jury, the evidence is usually and almost always based upon such various interpretations. It is very seldom that the wardens intercept a poacher in the very act of killing a deer. In most cases the evidence simply shows the man was suspiciously in a field in a car in the night time or driving down a woods road and had a gun beside him on the seat of his car. The respondent, being arrested for night hunting, tells the Court that he was there in the field for an honest purpose, because he forgot and left his knapsack in the field that afternoon, or some other reason, and he says he had a gun in the car because he had just been hunting that afternoon or was just going hunting the next morning, and he had the gun on the seat beside him to prevent the gun from falling on the floor and being injured. That is the story that is told in nine out of ten cases.

I am a lawyer, who, in my short career before the bar, have tried as many game cases as any other kind of case. I imagine this is because I come from a hunting section, and, I blush to say I come from a poaching section. I think this summary I have given you is the evidence that is presented in most every one of these cases. Perhaps this respondent is telling the truth, and perhaps, on the other hand, he is simply lying and telling a very reasonable lie and a very obvious lie. How is the jury going to know whether the man is telling the truth or telling a lie? In most of these cases I do not think the jury can tell. I think in many of these cases, perhaps in most of them, the verdict of the jury depends largely upon the appearance the unfortunate respondent makes on the stand, or the appearance the unfortunate warden makes on the stand, or the way this particular jury happens to feel about the enforcement of the fish and

game laws. At any rate, I think the result is that the guilty man goes free and the innocent man is punished. I think it is very unfortunate and has a harmful effect on the attitude of our public toward the laws when the decisions of the jury hinge on such uncertain and hazy factors. The public is indignant because they think he was in there on a legitimate errand, and perhaps he was. At any rate, it has caused disrespect for the law.

Some of the members, like myself, come from small towns, and you know that the principal topic of conversation in those small towns is concerning jacking cases—so and so arrested for night hunting. If he goes free, the public says the wardens are fools, and if he is convicted they usually say the wardens are brutes, trying to frame an innocent man. That is a subject of conversation around country stores in the evening. Nine times out of ten the argument is along these lines: Someone says, "How can the State prove I was night hunting? Haven't I a perfect right to drive down this field, down this road?" That is the way the conversation goes. And a hostility against the wardens and against the enforcement officials has developed. I think it is very reasonable it should be that way, because of the uncertainty of this law and because of the difficulty of saying just when a man is hunting in the night time and just when he is not hunting in the night time.

There is an old Chinese proverb which I think is very applicable to this situation. It goes something like this: "No man can say where the twilight begins and ends, but there is an immeasurable difference between day and night." No man can say where the twilight zone on night hunting begins and ends. And I think there is an immeasurable difference between the intention of a man who is driving in a field in the night time with his gun securely wrapped in a blanket or in a case and the intention of a man who drives in a field in the night time with his gun laying on the seat beside him where he can get it at a moment's notice if he should chance to see a deer in the field.

This bill, I think, for the first time lays down in this shadow zone of fish and game legislation a reasonable rule of the game, a reason-

able provision that the honest man can abide by and protect himself, and which the poacher, if he disregards it must do so at his peril.

I am not going to try to anticipate all the arguments of the opponents of this bill. There will be many, and some will be very good. I do not doubt but what someone will say it means we will all have to buy cases for our guns if we carry them around in the woods at night. That is not so. You recall that the bill says that the rifle or shotgun must be securely wrapped or in a case. I see no particular hardship in requiring a man to bring along an old blanket or an old piece of canvas or burlap bag or something like that and wrapping his gun up securely so it will clearly indicate that he does not intend to use the gun for night hunting. I imagine they will say it will be confusing to our out-of-state guests who come here, not knowing we have this requirement. But I think all these out-of-state guests who intend to hunt here get a copy of our fish and game laws before they hunt here. I think most of them are more familiar with our hunting laws than we right here in the State. At any rate, I think it would be very easy to advertise the fact that our out-of-state hunters coming into the State must keep their shotguns and rifles securely wrapped if they are in the field or woods or in the hunting country in a car in the night time.

I imagine someone will say it will not stop jacking entirely to do this. Of course that is so. You cannot stop a crime entirely by the passage of any law. It never has been done yet. But I think this will have the effect of cutting down in a substantial measure the night hunting which is going on in the State of Maine today.

And there is another obvious argument which someone is sure to make, and that is that anyone who wants to protect himself can wrap his gun up in a blanket or case right there. I think that is true. I think I went hunting probably a dozen times last fall. I came down a woods road at night with my gun on the seat beside me, and it never occurred to me to wrap it up and put it in a case so I would not be suspected of night hunting. I do not think it would occur to any of you members or to other people. But I think if we pass this very reasonable

measure requiring it, that a majority of the public, after reflection on the measure, would welcome the chance to indicate which way they stand on this question, whether they are in the field on a legitimate errand or whether they are deliberately violating our fish and game law.

This is not a radical measure, it causes no hardship to anyone. It is no hardship to require a man to take along a blanket to wrap his gun up in. On the other hand, I think it has certain real and definite benefits which will help in a great measure to clarify this law on night hunting, and I think it will make a real contribution to the preservation of our wild life. I think it will do a great deal to eliminate the disrespect for our fish and game laws which so many of our citizens unfortunately have, because it will for the first time give them a rule of the game which they can follow, and I think it will have an effect which in itself justifies its passage, and that is the effect of protecting the innocent man who is in the woods in the night time on an honest errand, as everyone of you who has ever hunted has been, and who, as the law stands today, is in serious danger of being picked up for violation of the law against night hunting, because of this uncertainty, this twilight zone, where any of us carrying guns in our car in the woods at night are likely to be suspected. I think this is the first definite rule of the game which we have in this measure, and I am heartily in favor of it. I move that the House accept the minority report of the Committee, "Ought to pass." (Applause)

The SPEAKER: The gentleman from Lincoln, Mr. Weatherbee, moves that the House accept the "Ought to pass" report of the Committee. The Chair recognizes the gentleman from Portland, Mr. Paul.

Mr. PAUL of Portland: Mr. Speaker and members of the House: This is one of the bills that I presented to this body after thorough study and consideration. It is a bill that I am vitally interested in, because I believe in the conservation of the wild life of Maine. We are so located in the northeast part of this great country that a great part of our land is wild land which is inhabited by game, and I believe that the deer is the outstanding game of our State.

I became interested in this bill

first because it was a departmental bill. The Department of Inland Fisheries and Game have got to have such assistance as this body can give to enforce and conserve the wild life. Our hunting season has changed and our method of hunting has changed. In many parts of our State the farms have been deserted and the old fields are growing up to wild land, with fruit trees still bearing fruit. It is the most natural place for deer to locate and stay during the hunting season. The old roads leading to these farms are still available and passable, and the method of hunting today is by the use of the automobile. The automobile with a searchlight makes the most effective method for slaughtering deer. We have in our State some few areas where this method of hunting prevails very much, and I believe we should do all we can to assist the Department in enforcing the law to conserve wild game.

I also have been checking up on other states where they have great hunting areas the same as Maine. They have this same law and they have had it for some years. I am now referring to the State of New York, the State of Pennsylvania, two of the outstanding states, and many other states where the deer are very plentiful.

Furthermore, I am interested in this bill because it is an element of safety. Within the last two or three years we have had at least one fatal accident, I believe in Hancock County, where a hunter in the night time in his car attempted to load his rifle and blew his head off. We have had other accidents, not fatal, within a matter of two or three years.

Now when I presented this bill I did not present it as being perhaps one of the important measures, but I did feel it was a very necessary measure to adopt, this law requiring that shotguns or rifles be either securely placed in a case or wrapped properly while in a car in the night time. Certainly a man who has a gun in his car in the night time and does not intend to slaughter game should have it securely placed, and I believe this law will put that rifle one step further away from the slaughter of innocent deer who come out to the side of the road and stand perfectly still with their two bright eyes shining in the dark, because it is true that the jacklight

absolutely blinds the deer and he will stand there for a matter of minutes, waiting to be killed. I say it will put the gun one step further away from taking the life of that innocent deer. Thank you. (Applause)

Mr. McGLAUFILIN of Portland: Mr. Speaker, I am one who opposed this bill. I am satisfied that it will amount to nothing to pass it. There is already a law against hunting in the night time. It does not make a man guilty of hunting in the night time or jacking deer because his gun in the car does not happen to be wrapped. You might just as well pass a law stating that the man's hands should be tied as he passes through the woods in the night time, because there is a suspicion that he might use that gun if he had his hands free.

But the point I want the members to get is this: This is not going to stop illegal hunting. The man who violates the law and who hunts in the night time will disregard the law whether you have this case law or not. The only thing that I can see as an outcome to this law is that the wardens may possibly catch some innocent man and convict him when he is not guilty of any intent to violate the law at all. The man who wants to violate the law disregards all law. Now if they shoot a deer in the night time it is going to take some time to get that deer out, and the warden has an opportunity to run upon that man under those circumstances.

As this matter was discussed in the Judiciary Committee, I gathered that the proponents of the bill thought that there was an opportunity for a warden to come upon the man while he was there in the short time it would take to get that gun out. Perhaps that would be two or three minutes' advantage to the wardens in catching a violator of the law.

I am convinced myself that this law would not accomplish the object that the member from Lincoln, Mr. Weatherbee, and the member from Portland, Mr. Paul, have in mind. I fully agree with them that we do want to protect our game. I fully agree with them that we should punish violators of the law. But I still submit that if I have a rifle or a shotgun in my car that is not wrapped in a case, it is no evidence that I intend to violate the law, and I do not believe

we should have any such foolish laws on the statute books. (Applause)

Mr. DEBECK of Holden: Mr. Speaker, there is a law at the present time on the statute books prohibiting the carrying of firearms in the automobile loaded, either having cartridges in the barrel or in the magazine.

Now there has been a lot said about hunting with automobiles. There are men who go hunting without taking their automobiles. Let us assume this bill becomes a law and some man starts out early in the morning and he hunts until late at night, and some friend of his comes along with an automobile and stops and asks him to ride. The first thing he thinks of is: "Have you got a blanket in your car that I can wrap my rifle in?" His friend says, "No." Then the man says, "I have got to walk." I am opposed to this wrapping law.

Mr. PAYSON of Portland: Mr. Speaker and members of the House of Representatives: Some of the members who were here two years ago will remember that I said that about forty years ago when I was a youngster down in South Hope that the name of the other half-wit who lived there was Peleg. In those days there were no such riotous amusements as you get now, and the big event down there was to get to Rockland. One day Peleg's father was going to take a load of lime dust down to Rockland and so he took Peleg down with him. When he got down there he gave Peleg a nickel to enjoy himself during the day. And Peleg had been hearing a lot about these ice cream cones, and he went into the drug store and says to the clerk, "Give me a nickel's worth of ice cream." The clerk put the ice cream in a cone and handed it to Peleg. Peleg wandered around the drug store eating the ice cream, and when he had finished he said to the clerk: "Thanks, mister, for the use of the bait." (Laughter)

On such a momentous and important question as this I know that you have already made up your minds and are prepared to stand at least foursquare on one side or the other, and I know I will not change any votes by speaking and so, like Peleg, I thank you for the use of the hall while I am speaking.

Now the State of Maine spends millions each year, or thousands anyway, in propagating game and fish for residents and non-residents. It spends millions, or thousands anyway, in advertising this advantage, and it spends much more money in getting people to come to this State. Now the situation exists where the reckless motorist dashes along the highway, spreading lead all over the scenery and our wild life in the State of Maine, and it will soon come to a situation where there will not be any wild life in the State of Maine except at Old Orchard on the Fourth of July. (Laughter) And, besides that, he defaces the bill boards.

This situation, members, is an entering wedge. It not only is an entering wedge, but it opens the door. Besides that, it establishes a precedent, and it is time to call a halt before we come to the brink of a precipice. I cannot make these words fit into the subject very well, but I want to use them before they get worn out. (Laughter) In order to make my position perfectly clear—because I am afraid someone might have some question about it—I am speaking in favor of the measure by request. (Laughter)

Favoring the measure ardently as I do, I still feel I must criticize it slightly in its craftsmanship, with all due respect to the member from Portland (Mr. Paul). In the first place, it lacks an emergency clause, although it has to do with the preservation of life; and, in the second place, the provision does not go far enough. The gun case should be provided with a time lock which would only open at six o'clock in the morning. (Laughter and applause)

Mr. VARNEY of Berwick: Mr. Speaker, I had a long speech all written out which I intended to make, but I feel now that the pros and cons of this bill have been fully considered, with the able assistance of one who I have formerly referred to as my able court jester, the gentleman from Portland, Mr. Payson.

Because this is the first time we have voted on a divided report, I feel perhaps I should say to the members of the House that if you favor the passage of this bill, that is, the enactment of this bill, then you should now vote in favor of the acceptance of the minority report.

In other words, a vote of yes means you want the bill to be enacted, and a vote of no would mean you do not want the bill to be enacted.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Lincoln, Mr. Weatherbee, that the House accept the minority report of the committee, "Ought to pass." Is the House ready for the question? All those who are in favor of the motion for the acceptance of the minority report "Ought to pass" will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail; and on motion by Mr. McGlaufflin of Portland, the majority report of the committee, "Ought not to pass" was accepted and sent up for concurrence.

Legislation Inexpedient

Mr. Cowan from the Committee on Mercantile Affairs and Insurance on Bill "An Act to Amend the Charter of the Aroostook Mutual Fire Insurance Company" (H. P. 928) (L. D. 319) reported legislation inexpedient at this time as matter has been taken care of in another Bill (H. P. 928) (L. D. 319)

Ought Not To Pass

Mr. Bird from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Extension of Time for Collectors in Reporting Tax Sales to Treasurers and Clerks" (H. P. 489) (L. D. 184)

Report Tabled

Mr. Fellows from same Committee reported same on Resolve Proposing an Amendment to the Constitution to Provide for the Number of Senators (H. P. 249) (L. D. 65)

(On motion by Mr. Richardson of Strong, tabled pending acceptance of committee report)

Mr. Varney from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Public Administrators" (H. P. 680) (L. D. 255)

Mr. Fellows from same Committee reported same on Bill "An Act relating to Submission of Certain Plans to Municipal Officers before Filing" (H. P. 681) (L. D. 256)

Mr. Dow from the Committee on Legal Affairs reported same on

Bill "An Act relating to Issuance of Motor Vehicle Operators' Licenses" (H. P. 562) (L. D. 191) as subject is covered by other legislation.

Mr. Meserve from the Committee on State Lands and Forest Preservation reported same on Bill "An Act relating to Cutting Forest Growth Adjacent to Woodlands in Unorganized Townships" (H. P. 406) (L. D. 111)

Reports were read and accepted and sent up for concurrence.

Ought To Pass in New Draft

Mr. McGlaufflin from the Committee on Judiciary on Bill "An Act relating to Political Advertisements at or Near Polling Places" (H. P. 497) (L. D. 151) reported same in a new draft (H. P. 1759) under same title and that it "Ought to pass"

Ought To Pass

Mr. Meserve from the Committee on State Lands and Forest Preservation reported "Ought to pass" on Resolve Granting Authority to the Forestry Department to Convey Certain Land to Alex J. Latno of Old Town (H. P. 585)

Report was read and accepted and the Resolve ordered printed under the Joint Rules.

Mr. Varney from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to the Printing of Ballots" (H. P. 913) (L. D. 317)

Mr. Weatherbee from same Committee reported same on Bill "An Act relating to Responsibility for Injuries by Drunken Persons" (H. P. 282) (L. D. 89)

Mr. Buzzell from the Committee on Legal Affairs reported same on Bill "An Act to Amend the Charter of the Belfast Municipal Court in regard to Name of Court and as to who shall Provide a Suitable Room in which to Hold said Court" (H. P. 506) (L. D. 160)

Same gentleman from same Committee reported same on Bill "An Act to Amend the Charter of the Belfast Municipal Court regarding Service and Return of Writs" (H. P. 505) (L. D. 159)

Mr. Labbee from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Sale of State's Interest in Certain Lands in Township No. 17 (H. P. 2) (L. D. 1)

Reports were read and accepted.

First Reading of Printed Bills and Resolve

Bill "An Act Ratifying the Conveyance of Certain Land and Buildings in Thomaston" (H. P. 139) (L. D. 50)

Bill "An Act relating to Corporations" (H. P. 281) (L. D. 88)

Bill "An Act to Incorporate the Charles A. Dean Memorial Hospital" (H. P. 922) (L. D. 361)

Bill "An Act relating to Licenses for Dogs" (H. P. 924) (L. D. 318)

Bill "An Act to Amend the Charter of the York Beach Village Corporation" (H. P. 926) (L. D. 364)

Bill "An Act relating to the York Beach Village Corporation" (H. P. 927) (L. D. 365)

Bill "An Act Conferring Additional Powers on Domestic Insurance Companies" (H. P. 929) (L. D. 320)

Bill "An Act to Clarify the Meaning of the Law Regulating Mutual Insurance Companies" (H. P. 930) (L. D. 321)

Bill "An Act to Incorporate the Associated Hospital Service of Maine" (H. P. 931) (L. D. 322)

Bill "An Act relating to the Charter of the Aroostook Mutual Fire Insurance" (H. P. 1184) (L. D. 455)

Resolve Regulating Fishing in Certain Waters in Auburn (H. P. 473) (L. D. 144)

Bills were read twice, Resolve read once, and tomorrow assigned.

Passed To Be Engrossed

Bill "An Act to Grant a New Charter to the Alumni Association of Bates College" (S. P. 50) (L. D. 429)

Bill "An Act relating to Carrying Concealed Weapons" (S. P. 282) (L. D. 430)

Sent up for concurrence.

Bill Tabled

Bill "An Act relating to the Town Manager Form of Government for the town of Dover-Foxcroft" (H. P. 283) (L. D. 90)

(On motion by Mr. Snow of Dover-Foxcroft, tabled pending acceptance of the report of the Committee on Bills in the Third Reading)

Passed To Be Engrossed—Continued

Bill "An Act Amending the Acts relating to the Deer Isle-Sedgwick Bridge District" (H. P. 504) (L. D. 158)

Sent up for concurrence.

Bill Tabled

Bill "An Act relating to Registration of Motor Vehicles" (H. P. 512) (L. D. 165)

(On motion by Mr. Farrington of Augusta, tabled pending third reading)

Passed To Be Engrossed—Continued

Bill "An Act relating to Recording of Personal Property Titles" (H. P. 564) (L. D. 197)

Resolve relating to Smelt Fishing in Georges River (H. P. 138) (L. D. 49)

Resolve relating to the Taking of Shellfish and Worms Within the Limits of the town of Falmouth (H. P. 257) (L. D. 69)

Resolve relating to Digging of Clams in Harrington (H. P. 516) (L. D. 169)

Sent up for concurrence.

Amended Bills

Bill "An Act to Provide for the Surrender by Town of Marion of its Organization" (S. P. 80) (L. D. 44)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed, as amended by House Amendment "A", in non-concurrence, and sent up for concurrence.

Bill "An Act in relation to the Duties of Town Treasurer" (H. P. 509) (L. D. 163)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

Passed to Be Enacted

An Act Validating Certain Acts of the Norway Village Corporation (H. P. 75) (L. D. 32)

An Act relating to Norway Village Corporation (H. P. 76) (L. D. 33)

Orders of the Day

On motion by Mr. Weatherbee of Lincoln, the House voted to take from the table the seventh unassigned matter, Bill "An Act Establishing the Lincoln Municipal Court" (H. P. 1160) tabled on February 7th by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Legal Affairs, 500 copies ordered printed, and sent up for concurrence.

On motion by Mr. Emery of Bucksport, the House voted to take from the table the fourteenth unassigned matter, Bill "An Act Relating to the Practice of Optometry" (H. P. 1465) (L. D. 600) tabled on February 9th by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Public Health and sent up for concurrence.

On motion by Mr. Williams of Bethel, the House voted to take from the table the third unassigned matter, Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Norway, in the County of Oxford" (H. P. 916) (L. D. 306) tabled on February 2nd by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Legal Affairs and sent up for concurrence.

On motion by Mr. Dow of Norway, the House voted to take from the table the sixth unassigned matter, Resolve Changing the Name of Thompson Pond (H. P. 1151) (L. D. 388) tabled on February 7th by that gentleman pending reference.

Mr. MARSHALL of Auburn: Mr. Speaker, on House Paper 1151, Resolve Changing the Name of Thompson Pond, introduced by myself by request, I now ask leave to withdraw this Resolve.

The SPEAKER: The gentleman from Auburn, Mr. Marshall, asks leave to withdraw Resolve Changing the Name of Thompson Pond, H. P. 1151. Is this the pleasure of the House?

Permission was granted the gentleman from Auburn, Mr. Marshall, to withdraw the resolve.

On motion by Mr. LaFleur of Portland, the House voted to take from the table the twentieth unassigned matter, Bill "An Act Relating to excise tax to be levied annually" (H. P. 1736) tabled on February 14th by that gentleman pending reference.

Mr. LaFLEUR: Mr. Speaker, upon investigation and inquiry, I find that the matter covered in this bill is presently taken care of in other existing statutes. The bill was filed by myself by request just before the dead line last Thursday. I now ask

consent of the House to withdraw the bill. That is the reason I saved the expense of the printing of the bill.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, asks leave to withdraw Bill "An Act Relating to excise tax to be levied annually" (H. P. 1736). Is this the pleasure of the House.

Permission was granted the gentleman from Portland, Mr. LaFleur, to withdraw the bill.

On motion by Mr. Bates of Patten, the House voted to take from the table the fifth unassigned matter, Bill "An Act Increasing the Gasoline Tax to Provide for Old Age Pensions" (H. P. 786) (L. D. 302) tabled on February 2nd by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Taxation and sent up for concurrence.

On motion by Mr. Williams of Bethel, the House voted to take from the table the fourth unassigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Medical Examiners and Their Duties" (H. P. 29) (L. D. 22) tabled on February 2nd by that gentleman pending acceptance.

On motion by Mr. Pike of Bridgton, the House voted to accept the "Ought to pass" report of the Committee; and on motion by Mr. Mills of Farmington, under suspension of the rules, the bill was given its two several readings and tomorrow assigned for third reading.

On further motion by Mr. Mills, the House voted to reconsider its action whereby it assigned Bill "An Act Relating to Medical Examiners and Their Duties" (H. P. 29) (L. D. 22) for third reading.

Mr. Mills thereupon offered House Amendment "A" and moved its adoption:

House Amendment "A" to H. P. 29, L. D. 22, Bill, "An Act Relating to Medical Examiners and Their Duties."

Amend said Bill by striking out the second sentence in the second paragraph of the Bill and inserting in place thereof the following: "The number of medical examiners so to be appointed shall be as follows: For the counties of Franklin, Hancock, Knox, Lincoln, Piscataquis, Sagada-

hoc, Somerset and Waldo, 2 each; for the counties of Oxford and Washington, 3 each; for the counties of Aroostook, Kennebec and York, 4 each; for the counties of Androscoggin and Penobscot, 5 each; and for the county of Cumberland 6; and they shall be appointed with reference to territorial distribution.'

Further amend said Bill by adding at the end of section 2 the following: **'Police or any law enforcement officer may cause such body to be removed meanwhile to a convenient place.'**

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

On motion by Mr. Farwell of Unity, the House voted to take from the table the nineteenth unassigned matter, Bill "An Act Relating to Taxation" (H. P. 1734) (L. D. 649) tabled on February 14th by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Taxation and sent up for concurrence.

On motion by Mr. Hinman of Skowhegan, the House voted to reconsider its action taken earlier in

today's session whereby Bill "An Act relating to Tuition for Indian Scholars in the Elementary Schools of Old Town" (S. P. 353) (L. D. 778) was referred to the Committee on Education in concurrence.

Mr. HINMAN: Mr. Speaker, I now move this bill be referred to the Committee on Indian Affairs in non-concurrence.

Mr. VARNEY of Berwick: Mr. Speaker, I move that the bill lie on the table pending reference.

The SPEAKER: The gentleman from Skowhegan, Mr. Hinman, moves that Bill "An Act relating to Tuition for Indian Scholars in the Elementary Schools of Old Town" (S. P. 353) (L. D. 778) be referred to the Committee on Indian Affairs in non-concurrence, and the gentleman from Berwick, Mr. Varney, moves that the bill lie on the table pending the motion of the gentleman from Skowhegan, Mr. Hinman. The motion of the gentleman from Berwick, Mr. Varney, prevailed.

The SPEAKER: Is there any further business to come before the House under Orders of the Day? If not, the Clerk will read the notices.

On motion by Mr. Dorrance of Richmond,

Adjourned until ten o'clock tomorrow morning.