

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
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**HOUSE**

Wednesday, February 22, 1939.

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

Prayer by the Rev. Mr. Cunningham of Augusta.

Journal of the previous session read and approved.

**Senate Bills and Resolve in First Reading**

Bill "An Act relating to Adoption of Children" (S. P. 54) (L. D. 18)

Bill "An Act relating to Certificates of Organization of Corporations" (S. P. 181) (L. D. 232)

Bill "An Act relative to the Soldiers' Bonus Fund and the War Bond Sinking Fund" (S. P. 220) (L. D. 283)

Bill "An Act relative to Approval of Bonds of Sheriffs" (S. P. 222) (L. D. 281)

Bill "An Act to Incorporate the town of Princeton Lighting District" (S. P. 184) (L. D. 235)

Bill "An Act Prohibiting the Unlawful Taking of Aircraft" (S. P. 186) (L. D. 237)

Resolve Designating the Governor Barrows Rearing Station (S. P. 119) (L. D. 791)

Bill "An Act Regulating Places and Time of Taking Salmon, Shad and Alewives in Certain Waters; Penalty" (S. P. 78) (L. D. 790)

Bill "An Act relative to Weekly Close Time for Salmon, Shad, Alewives and Bass" (S. P. 79) (L. D. 792)

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

From the Senate: Bill "An Act to Establish the Van Buren Municipal Court" (S. P. 91) (L. D. 54) which was passed to be enacted in the House on February 17th and passed to be engrossed as amended by Senate Amendment "A" in concurrence on February 14th.

Comes from the Senate, passed to be engrossed as amended by Senate Amendments "A" and "B" in non-concurrence.

In the House: On motion by Mr. Varney of Berwick, the House voted to recede from its former action whereby it passed this bill to be enacted and to further recede from its former action whereby it passed

this bill to be engrossed as amended by Senate Amendment "A" in concurrence.

Senate Amendment "B" was read by the Clerk.

The House then concurred with the Senate in the adoption of Senate Amendment "B", and further concurred with the Senate in the passage of the bill to be engrossed as amended by Senate Amendments "A" and "B".

The SPEAKER: The next item on the calendar, (Item 11) has been recalled by the Senate for further action in that body.

The following bills and resolves, transmitted by the Revisor of Statutes, pursuant to Joint Order, were received, and upon recommendation of the Committee on Reference of Bills were referred to the following committees:

**Inland Fisheries and Game**

Bill "An Act relating to the Bounty on Bobcats" (H. P. 1787) (Presented by Mr. Dorsey of Fort Fairfield)

(500 copies ordered printed)

Bill "An Act providing for the Payment of Porcupine Bounties Directly by the State" (H. P. 1788) (Presented by Mr. Stilphen of Dresden)

(500 copies ordered printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act Permitting Signboards under Certain Conditions" (H. P. 1789) (Presented by Mr. Sleeper of Rockland)

(750 copies ordered printed)

Sent up for concurrence.

**Bill Tabled**

Bill "An Act Granting Concurrent Jurisdiction to Probate Courts in Divorce Cases" (H. P. 1790) (Presented by Mr. Slosberg of Gardiner)

(On motion by Mr. Dow of Norway, tabled pending reference.)

**Legal Affairs**

Bill "An Act relating to Primary Elections for Senators in the counties of Cumberland, Androscoggin and Penobscot" (H. P. 1791) (Presented by Mr. Douglass of Gorham)

(500 copies ordered printed)

Sent up for concurrence.

### **Mercantile Affairs and Insurance**

Bill "An Act relating to Standard Fire Insurance Policies" (H. P. 1792) (Presented by Mr. Mahon of Ellsworth)

(500 copies ordered printed)

Sent up for concurrence.

### **Motor Vehicles**

Bill "An Act relating to the Use of White Lines on the Highway to Regulate Traffic" (H. P. 1793) (Presented by Mr. Buzzell of Belfast)

#### **Bill Tabled**

Bill "An Act to Regulate Automobile Inspection Stations" (H. P. 1794) (Presented by Mr. Downs of Rome)

(On motion by Mr. Downs of Rome, tabled pending reference)

### **Motor Vehicles (Continued)**

Bill "An Act relating to the Weight of Commercial Motor Vehicles" (H. P. 1795) (Presented by Mr. Paul of Portland)

(500 copies ordered printed)

Sent up for concurrence.

### **Pensions**

Resolve in favor of Wesley Heal (H. P. 1796) (Presented by Mr. Peakes of Milo)

Sent up for concurrence.

### **Salaries and Fees**

Bill "An Act relating to the Expenses of the Members of the State Liquor Commission" (H. P. 1797) (Presented by Mr. Varney of Berwick)

(500 copies ordered printed)

Sent up for concurrence.

### **Sea and Shore Fisheries**

Resolve relating to Digging for Clams in Biddeford (H. P. 1798) (Presented by Mr. Donahue of Biddeford)

(500 copies ordered printed)

Sent up for concurrence.

### **State Lands and Forest Preservation**

Bill "An Act Enlarging the Duties of the Forest Commissioner" (H. P. 1799) (Presented by Mr. Paul of Portland)

(500 copies ordered printed)

Sent up for concurrence.

### **Taxation**

#### **Bills Tabled**

Bill "An Act Reducing Registration Fees of Motor Vehicles, Increasing the Gasoline Tax, and In-

creasing the Allotment of Highway Funds to the Municipalities" (H. P. 1800) (Presented by Mr. McGlaulin of Portland)

(On motion by Mr. Bates of Paten, tabled pending reference and 1000 copies ordered printed)

Bill "An Act Reducing Registration Fees of Motor Vehicles and Increasing the Gasoline Tax" (H. P. 1801) (Presented by Mr. McGlaulin of Portland)

(On motion by Mr. Bates of Paten, tabled pending reference and 750 copies ordered printed)

### **Orders**

On motion by Mr. Hinman of Skowhegan, it was

ORDERED, that the Clerk of the House be directed to convey to the member from Bingham, Mr. Robinson, the sympathy of the members of the House in his illness and also their hope for a speedy recovery;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers.

On motion by Mr. Winslow of Auburn, it was

ORDERED, that there be printed 500 additional copies of H. P. 1681, L. D. 887, Bill "An Act to Protect Insurance Agents from Unfair Competition."

Mr. SNOW of Dover-Foxcroft, Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Snow, asks unanimous consent to address the House. If there is no objection, the gentleman may proceed.

Mr. SNOW: Mr. Speaker and members of the House: Through some misunderstanding in the election of officers in the Town Club, so-called, in our town, they thought that certain legislation had been introduced covering something on which they had been working in their town for some time, which is to designate the highway going through our town as the Moosehead Trail. This bill carries no appropriation with it. I have talked with the members of the House who live along this highway, and they asked me when I was home if I could do anything about it. They found the bill had not been introduced, so I ask unanimous consent to present a bill.

The SPEAKER: The Clerk will read the title of the bill.

Bill "An Act Designating a Certain Road as Moosehead Trail."

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Snow, asks unanimous consent of the House to introduce Bill "An Act Designating a Certain Road as Moosehead Trail," out of order and under suspension of the rules, notwithstanding the joint closing order. Is there objection? The Chair hears no objection and the bill is introduced.

On motion by Mr. Snow, the bill was referred to the Committee on Maine Publicity, 500 copies ordered printed and sent up for concurrence.

Mr. FARWELL of Unity: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Unity, Mr. Farwell, asks unanimous consent to address the House. The Chair hears no objection and the gentleman may proceed.

Mr. FARWELL: Mr. Speaker and members of the House: I ask unanimous consent to introduce a bill to incorporate the Brooks Water District. This bill came too late to be put in previous to the closing order.

The town of Brooks is now being served by the Consolidated Water District or Corporation down there, the creditors of which are forcing the Consolidated Water Company into bankruptcy. It is therefore necessary to incorporate the Brooks Water District in that town in order to save that water company. I ask unanimous consent of the House to present this bill.

The SPEAKER: The Clerk will read the title of the bill.

Bill "An Act to Incorporate the Brooks Water District."

The SPEAKER: The gentleman from Unity, Mr. Farwell, asks unanimous consent of the House to introduce Bill "An Act to Incorporate the Brooks Water District," out of order and under suspension of the rules, notwithstanding the joint closing order. Is there objection? The Chair hears no objection and the bill is received.

On motion by Mr. Farwell the bill was referred to the Committee on Legal Affairs, 500 copies ordered printed and sent up for concurrence.

Mr. RICHARDSON of Strong: Mr. SPEAKER, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Strong, Mr. Richardson, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. SPEAKER and members of the House: In view of the fact this date is set apart as one on which we pay tribute to the greatest farmer ever produced in America and probably in the world, I think it is well that this body assembled here should pause for a moment and pay its respects to this man who has made perhaps the greatest contribution to constitutional government, to democracy, and to the formation and preservation of its ideals. I move you, Mr. Speaker, under suspension of the rules, that this House stand for a moment in silence in recognition of the services given to this country and to humanity by George Washington, a citizen and a soldier.

The SPEAKER: The gentleman from Strong, Mr. Richardson, moves that the rules be suspended and that the entire membership of the House stand for a moment in respect to the memory of George Washington.

The entire membership of the House then arose and stood in silence for a few moments.

#### **Reports of Committees Leave to Withdraw**

Mr. Churchill from the Committee on Salaries and Fees on Bill "An Act relating to Clerk Hire in the Lewiston Municipal Court" (H. P. 1204) (L. D. 418) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft**

Mr. Fellows from the Committee on Judiciary on Bill "An Act relating to Probation Officers" (H. P. 679) (L. D. 254) reported same in a new draft (H. P. 1786) under the same title and that it "Ought to pass"

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

#### **First Reading of Printed Resolves**

Resolve relating to the Taking of Clams in Bluehill (H. P. 1206) (L. D. 419)

Resolve Regulating Digging of Clams Within the Limits of the towns of South Bristol and Boothbay (H. P. 1208) (L. D. 421)

Resolve relating to the Taking of Clams in Surry (H. P. 1235) (L. D. 392)

Resolve Regulating the Taking of Smelts from Smelt Brook in the town of Perry (H. P. 1781) (L. D. 945)

Resolves were read once and tomorrow assessed.

#### Passed to Be Engrossed

Bill "An Act relating to Distribution of Patent Medicines" (H. P. 15) (L. D. 6)

Bill "An Act relating to Reserved Number Plates for Motor vehicles" (H. P. 566) (L. D. 199)

Mr. COWAN of Portland: Mr. Speaker, I move that Bill "An Act relating to Reserved Number Plates for Motor Vehicles" (H. P. 566) (L. D. 199) be recommitted to the Committee on Motor Vehicles. I may say that there has been considerable discussion as to the form in which this bill should be passed, and the Committee has requested that it be recommitted.

The SPEAKER: The gentleman from Portland, Mr. Cowan, moves that Bill "An Act relating to Reserved Number Plates for Motor Vehicles" (H. P. 566) (L. D. 199) be recommitted to the Committee on Motor Vehicles. Is this the pleasure of the House?

The motion prevailed, and the bill was so recommitted and sent up for concurrence.

#### Passed to Be Engrossed (Continued)

Bill "An Act Permitting Revocation of Operator's License after Conviction for Manslaughter" (H. P. 935) (L. D. 325)

Bill "An Act relating to the Methodist Church" (H. P. 1175) (L. D. 492)

Sent up for concurrence.

#### Bill and Amendment Tabled

Bill "An Act relating to Roads in Unincorporated Places" (H. P. 1215) (L. D. 460)

Report of the Committee on Bills in the third reading was accepted.

Mr. Hinman of Skowhegan, then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P.

1215, L. D. 460, Bill "An Act relating to Roads in Unincorporated Places."

Amend said Bill by striking out the comma at the end of the new matter in the ninth line from the end of said Bill and inserting in place thereof a period.

Further amend said Bill by indicating the striking out of the words in the ninth and eighth lines from the end of said Bill "at the same time" and inserting in lieu thereof the words **"The county commissioners at the time the taxes provided by this section are assessed shall"**

Mr. VARNEY of Berwick: Mr. Speaker, I move this bill lie on the table pending adoption of House Amendment "A".

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that House Amendment "A" to Bill "An Act relating to Roads in Unincorporated Places" (H. P. 1215) (L. D. 460) together with the bill lie on the table pending the motion of the gentleman from Skowhegan, Mr. Hinman, for the adoption of the amendment.

The motion prevailed, and the bill and amendment were so tabled.

#### Passed to Be Engrossed (Continued)

##### Bill Tabled

Bill "An Act relating to the Labeling of Fresh Eggs for Sale" (H. P. 1775) (L. D. 943)

(On motion by Mr. Larrabee of West Bath, tabled pending passage to be engrossed)

#### Passed to Be Engrossed (Continued)

Bill "An Act Relating to Raising Money to Maintain a Hospital in Washington County" (H. P. 1776) (L. D. 944)

Resolve appropriating Money for the Study and Control of the European Spruce Sawfly (S. P. 230) (L. D. 275)

Sent up for concurrence.

#### Amended Bills

Bill "An Act relating to Assessment and Collection of Taxes" (H. P. 483) (L. D. 178)

Bill "An Act to Grant a New Charter to the City of Gardiner" (H. P. 682) (L. D. 266)

Were 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**  
(Emergency Measure)

An Act to Provide for the Surrender by town of Marion of Its Organization (S. P. 80) (L. D. 44)

The SPEAKER: This being an emergency measure, it 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 thirty-five voting in the affirmative and none in the negative, 135 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

**Passed To Be Enacted**  
(Emergency Measure)

An Act relating to the Reorganization of Corporations Under the National Bankruptcy Act (H. P. 248) (L. D. 64)

The SPEAKER: This being an emergency measure, it 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 thirty-one voting in the affirmative and none in the negative, 131 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

**Passed To Be Enacted**  
(Emergency Measure)

An Act to Permit the Use of Great Ponds for Certain Purposes (H. P. 1403) (L. D. 567)

The SPEAKER: This being an emergency measure, it 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 thirty-one vot-

ing in the affirmative and none in the negative, 131 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

**Passed To Be Enacted**

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

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

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

An Act relating to the Government Employee's Credit Union of Maine (S. P. 309) (L. D. 511)

An Act Changing the Name of "Eastern Loan Company, Inc." to "The M-A-C Plan, Inc. of Maine" (H. P. 63) (L. D. 28)

An Act Repealing the Law relating to Chauffeurs' Licenses (H. P. 253) (L. D. 67)

An Act relating to Exemption from Taxation (H. P. 298) (L. D. 97)

An Act relating to the County Treasurer of Hancock County (H. P. 404) (L. D. 109)

An Act relating to Clerks in the Offices of Register of Probate and Clerk of Courts in Hancock County (H. P. 405) (L. D. 110)

An Act relating to Clerk Hire in Somerset County (H. P. 580) (L. D. 205)

An Act relating to Printing on Operators' Licenses (H. P. 1348) (L. D. 533)

**Orders of the Day**

The SPEAKER: In accordance with the order passed on February 16th, the Chair lays before the House the first tabled and unassigned matter, Reports of Recess Committee on Compensation for Occupational Diseases (H. P. 25) tabled on January 10th by Mr. Varney of Berwick, pending reference; and the Chair recognizes that gentleman.

On motion by Mr. Varney the reports were referred to the Committee on Judiciary and sent up for concurrence.

The Chair lays before the House the second tabled and unassigned matter, Bill "An Act Extending the Workmen's Compensation Act to Cover Occupational Diseases" (H. P. 914) (L. D. 305) tabled on February 2nd by Mr. Sleeper of Rockland,

pending reference; and the Chair recognizes that gentleman.

Mr. SLEEPER: Mr. Speaker, I purposely tabled this bill and left it on the table as long as possible. Perhaps the members think I had some personal motive in allowing it, as has been said, to clutter up the calendar. But this bill is not all that it appears to be. The bill is dangerous. Dangerous to who? Dangerous to the employer, dangerous to the employee. I will grant that the bill was given a hearing by a recess committee last summer. They had one hearing on the bill. The hearing was packed by a group from labor. I think that most of the members are familiar as to the outcome of that hearing, and you have read in the record as to the outcome of it. I think that six or seven members of the recess committee said that the bill ought to pass and three members said that it ought not to pass. I certainly say that the bill ought not to pass, but I am not going to say that now, because it should be given a hearing at a regular committee hearing conducted by this legislature.

Why is the bill dangerous? Why isn't it dangerous? It is dangerous to the employer—

The SPEAKER: The Chair will remind the gentleman that the pending question is on the reference of the bill to a committee, and debate should be confined to that rather than on the merits.

Mr. SLEEPER: That is what I am speaking on, Mr. Speaker. I am going to say why I want it to go to a certain committee.

The SPEAKER: The gentleman may proceed.

Mr. SLEEPER (Continuing): Mr. Speaker, the employer is going to suffer by the passage of this bill. And who is the employer? Is he the greedy Midas rolling in money, or is he, like you and I, some poor struggling business man trying to get by?

Naturally the first thing that is going to happen if this bill goes through is that there will be a flat increase of ten, fifteen or twenty-five percent on all occupational compensation insurance now in effect. It is going to hurt us that way.

The State of Maine is in hard shape as regards industries. I am going to take one specific industry,

granite. Granite of course is a basic industry down in Knox County, Maine, due to its cheaper water freight, now holds a commanding position in the granite industry. The quarries in Vermont and New Hampshire are closed; our competitors are now comparatively idle because of the difference in the freight. Vermont and New Hampshire do not have this occupational ailment compensation feature. If the law goes into effect there, the compensation rates are going to increase so much in the granite industry that the differential in the contract price is going to be so great that Vermont and New Hampshire are going to be able to underbid our Maine concerns and take away this pioneer industry. The same is true in the wool and cotton industries.

This bill is supposed to be for the employees' benefit, but it is masquerading as being a benefit—

The SPEAKER: The Chair will again remind the gentleman that his remarks are to be confined to the question of reference.

Mr. SLEEPER (Continuing): That is what I am starting to say, Mr. Speaker. Do you want me to keep quiet?

The SPEAKER: Does the gentleman care to make a motion as to the reference of the bill?

Mr. SLEEPER: Mr. Speaker, I am trying to give the reason why I want it to go to a certain committee.

The SPEAKER: The Chair wishes to give the gentleman plenty of leeway, but the Chair must remind the gentleman as to the rules of order. Will the gentleman make a motion as to reference?

Mr. SLEEPER: Mr. Speaker, if the House does not want to listen to what I have to say—

The SPEAKER: The gentleman may appeal from the ruling of the Chair if he desires.

Mr. SLEEPER: I would like to finish, Mr. Speaker.

The SPEAKER: Will the gentleman make a motion? If not, the Chair will have to rule the gentleman out of order.

The gentleman from Rockland, Mr. Sleeper, asks unanimous consent to address the House. Is there objection? The gentleman may proceed.

Mr. SLEEPER (Continuing): Mr. Speaker, I will say that out of



courtesy to the House, seeing that the House is so courteous to allow me to continue, I will make my remarks short and the members can all attend the hearing.

The people who are going to be affected by this bill are the employers and the employees, so I now move that this bill be committed to the Committee on Labor, where the bill can be given an impartial hearing and the rights and wrongs of the bill can be argued out. If this bill is committed to the committee to which it was originally committed, it is going to be treated from a prejudiced point of view, because one of the members of the committee has already signed the report "Ought to pass" on the bill. I move the bill be referred to the Committee on Labor.

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves that H. P. 914, L. D. 305, Bill "An Act Extending the Workmen's Compensation Act to Cover Occupational Diseases" be referred to the Committee on Labor and sent up for concurrence. The Chair recognizes the gentleman from Berwick, Mr. Varney.

Mr. VARNEY: Mr. Speaker, as a member of the Committee on Reference of Bills, and also because I happened to have introduced this particular measure by request, and because I happened to have served on the recess committee which has studied this particular bill, I feel that I should just state my position in regard to the reference.

In the first place, I felt, as the member from Rockland (Mr. Sleeper) has just suggested, that Labor was probably the proper committee to consider this bill, but I had a feeling that should we refer this bill to the Committee on Labor that the opponents of the bill would accuse us of sending it to a particular committee for the purpose of passing it there, because, as I understand, it could be called a labor bill. Therefore, in order that it might have what I thought was a fair hearing, the Committee on Reference of Bills—and I think I am speaking for the Committee now—suggested that it be sent to the Committee on Judiciary.

Now in view of the fact that the opponents desire that the bill be referred to the Committee on Labor, and because I personally

think that is the proper committee to hear the bill, I wish the House to know that I hope the motion of the gentleman from Rockland (Mr. Sleeper) that the bill be referred to the Committee on Labor will prevail.

The SPEAKER: Is it the pleasure of the House that the motion of the gentleman from Rockland, Mr. Sleeper, that the bill be referred to the Committee on Labor, prevail?

Thereupon, the motion prevailed, and the bill was referred to the Committee on Labor and sent up for concurrence.

The Chair lays before the House the third tabled and unassigned matter, Resolve Authorizing Hiram Corliss, of Cherryfield, to Bring a Suit at Law against the State of Maine (H. P. 1155) tabled on February 7th by Mr. Melanson of Cherryfield, pending reference; and the Chair recognizes that gentleman.

On Motion by Mr. Melanson, the resolve was referred to the Committee on Legal Affairs, 500 copies ordered printed, and sent up for concurrence.

The Chair lays before the House the fourth tabled and unassigned matter, Bill "An Act for Minimum Wage for Women and Minors" (H. P. 1426) (L. D. 599) tabled on February 9th by Miss Fowles of Whitefield, pending reference; and the Chair recognizes that member.

Miss FOWLES: Mr. Speaker, this bill which classifies women with minors vitally concerns the constitutional rights of all women, and the organized women of the State are interested in such proposed legislation. A bill already introduced, which classifies women with minors, has been referred to the Judiciary Committee. It would be most unfair to compel the representatives of the organized women of the State to come here on two different dates, before two different committees, to register their views. I therefore move, Mr. Speaker, that this bill be referred to the Judiciary Committee.

The SPEAKER: The member from Whitefield, Miss Fowles, moves that Bill "An Act for Minimum Wage for Women and Minors" (H. P. 1426) (L. D. 599) be referred to the Committee on Judiciary. Is this the pleasure of the House?

Mr. VARNEY of Berwick: Mr.

Speaker, in view of the absence of the gentleman from Lubec, Mr. Pike, who introduced this bill, and who I know is interested in it, I move at this time that it be laid on the table, and I will promise the House that I will remove it from the table as soon as Mr. Pike returns. I will say I have here a telegram from him in which he says that he will be here at eleven-thirty, and if the House does not adjourn before that time I will immediately remove it from the table.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that Bill "An Act for Minimum Wage for Women and Minors" (H. P. 1426) (L. D. 599) lie on the table, pending the motion of the member from Whitefield, Miss Fowles, that the bill be referred to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed, and the bill so was retabled.

The Chair lays before the House the fifth tabled and unassigned matter, Bill "An Act Relating to Minimum Fair Wages for Women and Minors" (H. P. 1641) (L. D. 644) tabled on February 14th by Miss Fowles of Whitefield, pending reference; and the Chair recognizes that member.

Miss FOWLES: Mr. Speaker, due to the fact that these two bills are of a similar nature, I would move that the same action be taken on this bill as on the previous one.

The SPEAKER: The member from Whitefield, Miss Fowles, moves that Bill "An Act Relating to Minimum Fair Wages for Women and Minors" (H. P. 1641) (L. D. 644) be referred to the Committee on Judiciary and sent up for concurrence. Is this the pleasure of the House?

Mr. VARNEY of Berwick: Mr. Speaker, for the same reason I move that the bill lie on the table.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that Bill "An Act Relating to Minimum Fair Wages for Women and Minors" (H. P. 1641) (L. D. 644) lie on the table pending the motion of the member from Whitefield, Miss Fowles, that the bill be referred to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed, and the bill was so retabled.

The Chair lays before the House the sixth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Collection of Poll Taxes" (H. P. 484) (L. D. 179) tabled on February 14th by Mr. Sleeper of Rockland, pending acceptance. The Chair recognizes the gentleman from Dresden, Mr. Stilphen.

On motion by Mr. Stilphen, the House voted to accept the "Ought to pass" report of the Committee on Legal Affairs.

Mr. SLEEPER of Rockland: Mr. Speaker, I had an amendment all prepared, but am I right in that the report has to be accepted and the bill given its two several readings?

The SPEAKER: The gentleman is correct. That is the permissible way to offer an amendment.

The Chair understands that the gentleman from Rockland, Mr. Sleeper, moves that the bill be given its two several readings at this time under suspension of the rules.

Thereupon, the bill received its two several readings.

Mr. Sleeper then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 484, L. D. 179, Bill, "An Act Relating to Collection of Poll Taxes."

Amend said Bill by striking out all of Section 3 thereof and renumbering Section 4.

Further amend said Bill by striking out at the end of Section 4 thereof the words: "and to granting of hunting and fishing licenses as stated in chapter 38"

The SPEAKER: The question before the House is on the adoption of House Amendment "A". The Chair recognizes the gentleman from Portland, Mr. Shesong.

Mr. SHESONG: Mr. Speaker, as a member of the Legal Affairs Committee, I wish to speak against the amendment.

This bill had a full and complete hearing before the Legal Affairs Committee. It bears the endorsement of the Secretary of State and many of the municipal officers of the State.

At the hearing, I will not attempt to say how many people were present and spoke in favor of it, but there was only one voice raised against it and that was a member of this House who may have something to say later on.

We will grant there is ample law for the collection of poll taxes, but this law is not aimed at the collection of poll taxes primarily.

It seemed to the committee, as they discussed the bill, that the payment of poll taxes is fundamental; it is one of those fundamental things we have in society. The payment of a three dollar poll tax is in the nature of a contribution to the government which we enjoy, and we have paid them for many, many years.

Now when it comes to a license granted by the State for the privilege of owning an automobile, that is a special privilege license. It requires the expenditure of substantial amounts of money by the State in preparing roads for the use of the automobile. The same thing is true in regard to fishing. If we are to protect our fish and game, it requires a substantial expenditure of money. Therefore it seemed reasonable to the Committee that the payment of the poll tax previous to the enjoyment of these rights should be required.

I think that an analogy would be something like this: A person may be a member of a club. Now if he pays his dues he is entitled to the privileges of the club. If he does not pay his dues he should be denied those privileges. That is all this bill does. It simply requires people to pay their poll tax before they enjoy the privilege of hunting and fishing and driving cars. I hope the amendment will not be adopted.

Mr. STILPHEN: Mr. Speaker and members of the House: This bill is small, but it is far-reaching, it affects every municipality in the State of Maine financially, and I believe that if this bill could be presented at every town election it would be voted on favorably. Therefore, I move the indefinite postponement of the amendment.

Mr. McGLAUFILIN of Portland: Mr. Speaker, I am opposed to the proposed amendment because it is just trying to force us to pay certain bills before we can have a fishing license. You might just as well have a bill that a man has got to pay his grocery bill or his mortgage or any other debt that he owes as to make him pay his poll tax before he can get a fishing license. The thing strikes me as being exceedingly dangerous, and I second the motion

of the gentleman from Dresden (Mr. Stilphen) to have this amendment indefinitely postponed.

Mr. MAXIM of Portland: Mr. Speaker, I want to say a few words in support of this amendment.

It seems to me that the present law relating to the collection of poll taxes has ample teeth in it to secure the payment of those taxes. In the case of most property, the State or the town may seize the property and distrain it, but cannot seize the person who owes the tax. Under the poll tax bill, a delinquent poll-taxpayer may be arrested and lodged in jail, if necessary, in order to secure payment of the tax.

It seems to be a most unhealthy and unwholesome principle which we are now putting into its second stage, the first stage having been represented by the requirement that the poll tax be paid as a prerequisite to the granting of a vehicle registration. The principle, it seems to me, is entirely wrong. These special services as represented by hunting and fishing licenses, it seems to me, should stand on their own feet, and should not be conditioned on the payment of any other taxes whatsoever, because such taxes are totally unrelated and have their own means of enforcement. It is just as illogical to require a man to pay his poll tax before he receives a hunting and fishing license as it is to require that he pay his real estate tax. Or, to take it the other way around: If we still further commit the State to this policy of hinging the payment for certain services on the previous payment of unrelated taxes, where are we going to stop? This matter of hunting and fishing licenses is only one out of many services of the State for which a license is required. It is just as illogical to require that a man pay his poll tax in order to get his hunting and fishing license as to require that he pay his poll tax with respect to a license to sell milk or a license to sell lobsters or a license to conduct a drug store or even securing a milk license.

It seems to me that there is all the law necessary now to secure the payment of poll taxes and it adds an unreasonable requirement to the securing of hunting and fishing licenses.

Now one reason this matter came up was because it is claimed that in the State of New Hampshire there are a considerable number of non-

resident fishermen and hunters who are getting licenses as residents, although there is a great disparity in the amount of tax as between the resident and the non-resident fishing and hunting license, and it was claimed at the hearing before the Legal Affairs Committee that a similar situation exists in Maine.

Under our Maine law no Town Clerk can issue a license without ascertaining definitely whether an applicant is a resident or a non-resident. In order to ascertain it, he at least has his list of poll-taxpayers which among other things he may consult.

I have taken the matter up with the Fish and Game Commissioner, and the Commissioner believes that this is not a problem in Maine. He told me that he doubted if last year there were over twenty-five licenses improperly granted to non-resident hunters and fishermen on the ground that they were residents. He said that last year only one town clerk was called on the carpet for the issuance improperly of such a license.

Now in this State a town clerk may not grant a license to a hunter or a fisherman who is a resident of another State, therefore the liability to issue a resident license to a non-resident is very small.

In view of all these facts, I sincerely hope the motion of the gentleman from Dresden (Mr. Stilphen) for the indefinite postponement of this amendment will not prevail.

Mr. SLEEPER: Mr. Speaker, I do not say that the fate of the State hangs in balance on account of this bill. I had no personal motive in offering this amendment except there seemed to be a good deal of sentiment for this amendment.

This same bill has been brought before the Maine House in 1935 and in 1937 and turned down both times. As a matter of public policy, perhaps the bill has some merits. I imagine that the collection of poll taxes is made a little bit easier by the enactment of that clause saying that a man cannot hunt or fish until he has paid his poll tax. That is all very well and good from the public point of view. But how about the personal point of view? This bill is not going to hurt very many people, but it is going to hurt some. It seems rather strange that if a man

wants to hunt or fish, if he wants to take his pole and go fishing, or take his gun and go gunning, it does seem to be a little bit far-fetched that on top of that he must have his poll tax paid. I think there are several schools of thought on the matter of hunting and fishing licenses. One man feels it is an old American right and anyone who wants to hunt or fish should be able to do so, and there is the other school of thought that the issuance of a hunting or fishing license is a privilege because of the money the State has spent in propagating fish and game. When they add to that that he must pay his poll tax, the man thinks that is going just a little bit too far.

From a personal point of view, I do not think the bill has merit. It violates the old Yankee thought that we can do as we like. It is just another law, and as it has been turned down twice before, I thought this bill was going to be turned down in this session until I saw it headed for enactment. I therefore prepared an amendment. In doing this I was not doing it on my own will. There seemed to be quite a lot of sentiment against including hunting and fishing licenses, and that is the reason I offered the amendment. There was nothing serious about it. The State is not going to rise or fall on this bill, but I think, in the interests of fair play, my amendment ought not to be indefinitely postponed, and I trust that the motion of the gentleman from Dresden, Mr. Stilphen, will not prevail.

Mr. McGLAUFILIN of Portland: Mr. Speaker, this matter has first come to my attention right now. Perhaps I misunderstood what the gentleman from Rockland (Mr. Sleeper) is trying to do. I would like to ask the gentleman a question with the permission of the House.

The SPEAKER: The gentleman from Portland, Mr. McGlaulin, asks through the Chair a question of the gentleman from Rockland, Mr. Sleeper. The gentleman may answer if he desires.

Mr. McGLAUFILIN: Mr. Speaker, I took it that the amendment of the gentleman from Rockland, Mr. Sleeper, provided that you had to pay your poll tax before you could get a fishing license. Am I wrong in that?

The SPEAKER: The gentleman

from Rockland (Mr. Sleeper) may answer through the Chair.

Mr. SLEEPER: Mr. Speaker, I will say to the member from Portland, Mr. McGlauffin, that the amendment is just the opposite—you do not have to pay your poll tax in order to get your fishing license.

Mr. MCGLAUFFIN: Mr. Speaker, that being the case, my whole remarks of a moment ago were on that same line. I fully agree with the gentleman from Rockland (Mr. Sleeper), and, if I have misunderstood the statement, I wish to withdraw any motion that I have made to that effect, because what I am trying to convey to the members of this House is that I am opposed to any law that makes it necessary to pay your poll tax before you can get a hunting and fishing license. I merely misunderstood the way it came out.

The SPEAKER: The Chair understands that House Amendment "A" has been reproduced and distributed on the desks of the members of the House, Filing Number 15.

Mr. STILPHEN: Mr. Speaker, I would like to have the House understand that this poll tax is for the previous year. They have not got to go and pay their poll tax for the present year, if they have paid their poll tax for the previous year. I believe any citizen should pay their part of the cost of government before they pay \$1.15 for a hunting and fishing license, and that they should pay their poll tax for the previous year. (Applause)

Mr. ELLIS of Fairfield: Mr. Speaker, I wish to second the motion of the gentleman from Dresden (Mr. Stilphen) that the amendment be indefinitely postponed. Even if this amendment is adopted, the bill still requires you to pay your poll tax and produce a receipt before you can get your operator's license. I see no reason why we should not include the hunting and fishing licenses, so I hope the amendment will be indefinitely postponed.

Mr. LAFLEUR of Portland: Mr. Speaker, I am one of the originators of this bill. This bill was discussed at great length in the Federated Clubs of the State of Maine representing the sportsmen of the State, consisting of approximately ten thousand individuals.

My attention was called to the State of New Hampshire, which had a similar condition to that exist-

ing in the State of Maine. In New Hampshire, I am informed by the Commissioner of Taxation, that there were in the year 1938 some five thousand cases of non-resident fishermen and hunters who came into the State of New Hampshire, and, upon paying the present year's poll tax, secured a resident hunting and fishing license, which resulted in a loss to the State of New Hampshire of thousands of dollars.

I am of the opinion that a man ought to pay his poll tax to the town in which he resides before he will be entitled to get a fishing or hunting license. He does not have to pay the present year's tax, but he must file a receipt for the tax for the year last past, and that evidence will convince the Clerk of the town or city that he is, in fact, a bona fide resident of the State of Maine.

It was stated here that the Fish and Game Commissioner of the State of Maine had made the statement that there are only a few cases in the State of Maine where people have attempted to evade our non-resident hunting and fishing law. I question that statement somewhat. I have no facts to back up a rebuttal of the statement, but, if the experience in New Hampshire is a correct experience, why is it not so in the State of Maine? I want to see the non-resident pay his just proportion of taking care of the fishing and hunting in this State, and if I am unwilling as an individual to make my contribution to the town of the payment of my poll tax before I get a hunting and fishing license, which costs us a lot of money, I should not have that privilege. I hope the amendment of the gentleman from Rockland (Mr. Sleeper) will be indefinitely postponed for the best interests of this State. (Applause)

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves the adoption of House Amendment "A". The gentleman from Dresden, Mr. Stilphen, moves that House Amendment "A" be indefinitely postponed. The question before the House is on the motion of the gentleman from Dresden, Mr. Stilphen, that House Amendment "A" be indefinitely postponed. Is the House ready for the question?

Mr. LAFLEUR: Mr. Speaker, I ask for a division of the House.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, asks

for a division. Is the House ready for the question? All those in favor of the motion of the gentleman from Dresden, Mr. Stilphen, that House Amendment "A" be indefinitely postponed will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

Mr. SHESONG: Mr. Speaker, I move the previous question.

The SPEAKER: The Chair is about to announce the result of the vote on the motion for indefinite postponement.

Mr. SHESONG: Mr. Speaker, I thought there was a motion before the House that the report of the Committee be accepted.

The SPEAKER: One hundred and fourteen having voted in the affirmative and 11 in the negative, the motion for the indefinite postponement of House Amendment "A" prevails. The question now before the House is on the assignment of the bill for its third reading.

Thereupon, the bill was assigned for its third reading tomorrow morning at ten o'clock.

The Chair lays before the House the seventh tabled and unassigned matter, Joint Order Relative to Appointment of Committee to Investigate Feasibility of Opening up Dwyer-Carroll-Littlefield Case (S. P. 247) which came from the Senate indefinitely postponed, and tabled in the House on February 16th by Farwell of Unity, pending consideration.

On motion by Mr. Varney of Berwick, the Joint Order was indefinitely postponed in concurrence.

The Chair lays before the House the eighth unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution to Provide for the Number of Senators" (H. P. 249) (L. D. 65) tabled on February 16th by Mr. Richardson of Strong, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Richardson, the House voted to accept the "Ought not to pass" report of the Committee on Judiciary and sent up for concurrence.

The Chair lay before the House the ninth tabled and unassigned matter, Bill "An Act Relating to the Town Manager Form of Government for the Town of Dover-Foxcroft" (H. P. 283) (L. D. 90) tabled on February 16th by Mr. Snow of Dover-Foxcroft, pending acceptance of the report of the Committee on Bills in the Third Reading; and the Chair recognizes that gentleman.

Mr. SNOW: Mr. Speaker, I am having an amendment prepared by the Clerk for this bill which he told me this morning he thought would be prepared by tomorrow morning, therefore I would like to have the bill retabled.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Snow, moves that Bill "An Act Relating to the Town Manager Form of Government for the Town of Dover-Foxcroft" (H. P. 283) (L. D. 90) lie on the table and specifically assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the bill was retabled.

The Chair lays before the House the tenth tabled and unassigned matter, Bill "An Act Relating to the Registration of Motor Vehicles" (H. P. 512) (L. D. 165) tabled on February 16th by Mr. Farrington of Augusta, pending third reading; and the Chair recognizes that gentleman.

Mr. FARRINGTON: Mr. Speaker, I would like to ask permission to retable this bill as it may be desirable to present an amendment to it. For that reason I move that the bill be retabled.

The SPEAKER: Does the gentleman desire to make a specific assignment?

Mr. FARRINGTON: I would like to have it retabled until next week, Mr. Speaker.

The SPEAKER: The gentleman from Augusta, Mr. Farrington, moves that Bill "An Act Relating to the Registration of Motor Vehicles" (H. P. 512) (L. D. 165) lie on the table pending its third reading. Is this the pleasure of the House?

The motion prevailed, and the bill was retabled.

The Chair lays before the House the eleventh tabled and unassigned matter, Bill "An Act to Incorporate the Associated Hospital Service of Maine" (H. P. 931) (L. D. 322)

tabled on February 17th by Mr. LaFleur of Portland, pending the acceptance of the report of the Committee on Bills in the Third Reading; and the Chair recognizes that gentleman.

On motion by Mr. LaFleur, the House voted to accept the report of the Committee on Bills in the Third Reading.

Mr. LaFLEUR: Mr. Speaker, with the consent of the House, I now yield to the gentleman from Portland, Mr. Paul.

The SPEAKER: The gentleman from Portland, Mr. Paul, can ask for the floor in his own right. The Chair recognizes the gentleman from Portland, Mr. Paul.

Thereupon, Mr. Paul presented House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 931, L. D. 322, Bill, "An Act to Incorporate the Associated Hospital Service of Maine."

Amend said Bill by inserting after the word "shall" in Section 7 the words 'consist of' and striking out the word "be" and by inserting after the figure "21" the word 'members'.

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

The Chair lays before the House the twelfth unassigned matter, Bill, "An Act Relating to Medical Examiners and Their Duties" (H. P. 29) (L. D. 22) tabled on February 17th by Mr. Pike of Bridgton, pending adoption of House Amendment "B". The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, I move that House Amendment "B" to this bill be indefinitely postponed.

In order to discuss, Mr. Speaker and members of the House, intelligently the meaning of the amendment, it is necessary to go into the provisions of the bill somewhat.

Like the former matter of poll taxes, this is not a bill on which the fate of the State hinges; it is not of overwhelming importance. The State of Maine has gotten along for nearly a hundred and twenty years without this bill, and possibly it can go on still longer. That might

also apply to all the other bills that are before us. (Laughter)

The bill also involves no matter of finance, no matter of appropriation, so that it does not touch on that tender spot. It is purely and simply a bill for law enforcement.

The present law, the one now in existence, provides for a limited but adequate number of medical examiners in each county in the State. It also provides as a discretionary exception for the appointment of an unlimited number of medical examiners in every county in the State.

Now the medical examiner is the doctor who is called in in case of a violent death. It may be murder, or it may be purely an accident, but he is the first law-enforcement officer on the scene, and the subsequent prosecution or detection of a crime depends a great deal on his ability or his work in the first instance.

At the present time there are a very large number of medical examiners appointed in the State of Maine. There are nineteen in the county of Cumberland. It is my contention that a smaller but adequate number would produce men more skilled and more learned in the work that they are called upon to do than this larger number, some of whom never have had any experience along the lines indicated here and some of whom perhaps have no interest in this kind of work.

Take your own personal example. If you were running a farm, which man would you rather have to plow a furrow, a man who had never touched a plow or a man with ten years' of experience behind the plow? Or, if you had a case which was to be tried in court, which would you rather have, a lawyer who had never stepped into a court room or a veteran who had tried hundreds of cases? Or, if you had a doctor when you had pneumonia, which would you rather have, a medical graduate who had never handled a pneumonia case before or a veteran who had seen service along the lines of pneumonia cases?

The purpose of this amendment is to hold in office the number of men now in there until their terms expire. The only question involved, as I see it, in this amendment, is whether or not the present bill which ties it down to a limited but adequate number in each county is

good or is bad. If it is good, there is no reason for postponing its going into effect by freezing into office the men who are now holding these offices. If it is bad, the amendment should not be adopted and the whole bill should be killed. So I have moved, and I hope we will have an indefinite postponement of House Amendment "B."

Mr. DOW of Norway: Mr. Speaker and members of the House: At the hearing before the Committee on Legal Affairs there was a fair representation in favor of this legislation. There was some opposition, and a previous amendment had been offered to this bill which cleared up practically all of the opposition that developed at that hearing which was in connection with the number in each county. I think the gentleman from Portland, Mr. Payson, has covered the situation remarkably well. I want to say that this amendment defeats the principal purpose of the bill, and I hope the motion of the gentleman from Portland (Mr. Payson) for indefinite postponement, will prevail.

Mr. HOLDEN of Webster: Mr. Speaker and members of the House: I was very glad to listen to the remarks of the other gentlemen, but I hardly think that the members of the House realize that if this amendment is not adopted, every medical examiner goes out of office and new ones have to be appointed, while if you adopt this amendment the number will be gradually reduced to the number the bill calls for. It seems to me too bad to go to work and deprive all these members now appointed of their office. Some members seem to think, from the remarks I have heard, that the present medical examiners are not capable of being medical examiners. I do not believe people would be appointed to the office of medical examiner unless they were reputable doctors. I therefore hope that the motion for the indefinite postponement for this amendment does not prevail.

Mr. DOWNS of Rome: Mr. Speaker and members of the House: As the member who introduced House Amendment "B", my feeling at the present time would be that perhaps this amendment might need a medical examiner.

I was pleased at the remarks of my esteemed colleague, the gentle-

man from Portland (Mr. Payson) when he told you that we had endured as a State for quite a number of years despite the fact of our old medical examiner law.

I wish my position clearly understood in this matter. I introduced this amendment at the request of a friend whose fairness I have had every cause to respect over a long period of years. I cannot see where the analogy of my esteemed colleague fits the situation, because I have always understood that when a medical examiner was appointed, consideration of his qualifications and fitness for the office was a major consideration. I cannot conceive where the Chief Executive of this State would appoint a farmer or a blacksmith or even a veterinarian, if you please, as a medical examiner.

Now this amendment provides simply one thing, and this is the whole essence of it—that the present members of the board of medical examiners or the present examiners properly appointed shall serve out their unexpired term in an orderly procedure, and not be summarily kicked out of office.

Now it is purely from that sense of fairness that I address you today, and I certainly hope that the members will see that the motion to indefinitely postpone does not prevail. I thank you.

The SPEAKER: The gentleman from Rome, Mr. Downs, has offered House Amendment "B" and moved its adoption. The gentleman from Portland, Mr. Payson, moves that House Amendment "B" be indefinitely postponed. The question before the House is upon the motion of the gentleman from Portland, Mr. Payson, that House Amendment "B" be indefinitely postponed.

Mr. DOWNS: Mr. Speaker, I ask for a division of the House.

Mr. HOLDEN: Mr. Speaker, I would like to say a few more words. When we consider putting in this Amendment "B" we agree to accept the bill and let Amendment "B" go on, as I understand it?

The SPEAKER: The gentleman from Rome, Mr. Downs, asks for a division. All those who are in favor of the motion of the gentleman from Portland, Mr. Payson, that House Amendment "B" be indefinitely postponed will rise and stand in their places until counted and the



Monitors will make and return the count.

A division was had.

Thirty-four having voted in the affirmative and 87 in the negative, the motion did not prevail.

The **SPEAKER**: The question now before the House is on the motion of the gentleman from Rome, Mr. Downs, that House Amendment "B" be adopted. Is it the pleasure of the House that House Amendment "B" be adopted?

The motion prevailed; House Amendment "B" was adopted, the bill was given its third reading, passed to be engrossed, as amended by House Amendments "A" and "B", and sent up for concurrence.

On motion by Mr. Varney of Berwick, the House voted to reconsider its action taken earlier in today's session whereby report of the Recess Committee on Compensation for Occupational Diseases (H. P. 25) was referred to the Committee on Judiciary; and on further motion by the same gentleman, the report was referred to the Committee on Labor and sent up for concurrence.

On motion by Mr. Melanson of Cherryfield, the House voted to reconsider its action taken earlier in today's session whereby Resolve Authorizing Hiram Corliss, of Cherryfield, to Bring a Suit at Law Against the State of Maine" (H. P. 1155) was referred to the Committee on Legal Affairs; and on further motion by the same gentleman the resolve was referred to the Committee on Judiciary and sent up for concurrence.

On motion by Mr. Varney of Berwick, the House voted to take from the table the fourth unassigned matter, Bill "An Act for Minimum Wage for Women and Minors" (H. P. 1426) (L. D. 599) which was tabled by that gentleman earlier in today's session, pending motion by the member from Whitefield, Miss Fowles, that the bill be referred to the Committee on Judiciary.

Mr. **VARNEY**: Mr. Speaker, speaking in behalf of the Committee on Reference of Bills, I want to say that we have endeavored through the entire session to send bills to the committees which we thought were best qualified to give them a fair and ample hearing. We have also tried to take into consideration

that sometimes certain committees are overloaded with bills while other committees haven't too much work to do. This particular bill, together with one which I will remove from the table in a few minutes, is a labor bill pure and simple. I mean by that it applies to the employment of labor. The Committee on Reference of Bills voted and still feels that it should and can fairly be considered by the Committee on Labor. Some suggestion has been made that perhaps it should be referred to a legal committee, and, if so, I merely wish to remind the members of the House that there happen to be three very good and able lawyers on the Labor Committee. I therefore hope the motion of the member from Whitefield, Miss Fowles, that the bill be referred to the Committee on Judiciary, will not prevail.

Mr. **PIKE** of Lubec: Mr. Speaker, Legislative Document 599 is purely a measure that affects the sardine industry, and it is purely a labor bill. I was not here when the bill was taken from the table, and I do not know the reasons advanced for tabling it. However, the bill came out, suggested that it be referred to the Committee on Labor, and unless there has been a very sound reason advanced why it should go to some other committee, I see no reason why it should not go to the Committee on Labor, it being purely a labor bill. As far as the legality of it, the bill almost verbatim has been passed upon by the Supreme Court of the United States and is now in effect in twenty-five of the other states. With that background, I hope that the motion of the lady member from Whitefield (Miss Fowles) will not prevail.

Miss **FOWLES**: Mr. Speaker, may I answer the gentleman from Lubec, Mr. Pike, as to the reason why I want the bill to go to the Judiciary Committee.

The **SPEAKER**: The member from Whitefield (Miss Fowles) is entitled to speak twice on the subject, having spoken only once.

Miss **FOWLES**: Mr. Speaker, the reason, as I gave earlier in the day, while the gentleman from Lubec, (Mr. Pike) was not here, was the fact that there has already been a bill classifying women and minors which has been referred to the Judiciary Committee. That was the reason we thought it would be unfair

to ask representatives of the organized women to come here to the hearings on different days on this question with which they are vitally concerned. The other bill is concerning employment of women and minors and is already before the Judiciary Committee.

The SPEAKER: The question before the House is on the motion of the member from Whitefield, Miss Fowles, that Bill "An Act for Minimum Wage for Women and Minors" (H. P. 1426) (L. D. 599) be referred to the Committee on Judiciary. All those in favor of the motion will say aye; those opposed no.

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

The SPEAKER: The Chair understands that the gentleman from Lubec, Mr. Pike, now moves that the bill be referred to the Committee on Labor. Is this the pleasure of the House?

The motion prevailed, and the bill was referred to the Committee on Labor and sent up for concurrence.

On motion by Mr. Varney of Berwick, the House voted to take from the table the fifth unassigned matter, Bill "An Act Relating to Minimum Fair Wages for Women and Minors" (H. P. 1641) (L. D. 644) which was tabled by that gentleman earlier in today's session, pending motion by the member

from Whitefield, Miss Fowles, that the bill be referred to the Committee on Judiciary.

Mr. VARNEY: Mr. Speaker, for the same reasons I just stated, I will say that I trust the motion of the member from Whitefield (Miss Fowles) will not prevail.

Mr. FOWLES: Mr. Speaker, due to the fact that the other bill has gone to the Committee on Labor, I will withdraw my motion. Let us keep the bills together and let both bills go to the Committee on Labor.

The SPEAKER: The member from Whitefield, Miss Fowles, withdraws her motion that Bill "An Act Relating to Minimum Fair Wages for Women and Minors" (H. P. 1641) (L. D. 644) be referred to the Committee on Judiciary. The Chair understands that the gentleman from Berwick, Mr. Varney, moves that the bill be referred to the Committee on Labor and sent up for concurrence. Is this the pleasure of the House.

The motion prevailed, and the bill was referred to the Committee on Labor and sent up for concurrence.

On motion by Mr. Robbins of Harrison,

Adjourned until ten o'clock tomorrow morning.