

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

Tuesday, March 21, 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.

Senate Order Tabled

From the Senate: The following Order:

ORDERED, the House concurring, that the Bank Commissioner is hereby ordered and authorized to investigate the system used by persons, firms, partnerships and corporations permitted by law to operate under the provisions of Section 150 of Chapter 57 of the Revised Statutes, relating to loans not exceeding the amount of Three Hundred Dollars and receiving thereon interest at a rate of not more than thirty-six percent per year. Said Commissioner may employ counsel and auditors, compel the attendance of witnesses and the production of books, papers, documents, records and other evidence, and may administer oaths to witnesses and punish for contempt in the same manner as provided by law in re proceedings before the Public Utilities Commission.

Said Commissioner shall report his findings to be 89th Legislature.

All expenses incurred by said Commissioner in the discharge of his duties shall be paid from the general funds upon approval by the Governor and Council. (S. P. 506)

Comes from the Senate, read and passed.

In the House, on motion by Mr. Noyes of Franklin, tabled pending further consideration.

Senate Bill Tabled

From the Senate: Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relative to the Taking of Hellgrammites" (S. P. 178) (L. D. 229)

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

In the House, on motion by Mr.

Dwinal of Camden, tabled pending acceptance of committee report

Senate Bills In First Reading

Bill "An Act Defining Jack-light" (S. P. 360) (L. D. 775)

Bill "An Act relating to Inheritance and Estate Tax Law" (S. P. 259) (L. D. 446)

Bill "An Act to Extend the Charter of the Patten Water and Power Co." (S. P. 288) (L. D. 433)

Bill "An Act to Extend the Charter of the Vanceboro Water Company" (S. P. 289) (L. D. 434)

Bills were read twice and tomorrow assigned.

From the Senate: Final Report of the Committee on Public Buildings and Grounds.

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Bill "An Act to Extend the Charter of the Bluehill Water Company" (H. P. 923) (L. D. 362) on which the House voted to accept the report of the Committee on Legal Affairs reporting "Ought not to pass" on March 10th.

Comes from the Senate, with the bill substituted for the report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

Mr. NOYES of Franklin: Mr. Speaker, I move that the House recede and concur with the Senate.

In support of that motion, I would state that this amendment provides that the charter of the Bluehill Water Company be extended for two years. This is a customary proceeding and we have already handled two matters on today's calendar of a similar nature, being Items 15 and 16.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the House recede from its former action whereby it accepted the "Ought not to pass" report of the committee, and concur with the Senate in substituting the bill for the report. Is this the pleasure of the House?

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

Senate Amendment "A" was read

by the Clerk and adopted in concurrence, and the bill was assigned for third reading tomorrow morning.

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

Taxation

Remonstrance of Chas. O. Duntun and 203 others of Rumford and vicinity against any Tax on Tobacco (H. P. 1988) (Presented by Mr. Burgess of Rumford)

Remonstrance of Robert F. White, Jr. and 78 others of Farmington against same (H. P. 1989) (Presented by Mr. Mills of Farmington)

Remonstrance of Lyman A. Cousens and 918 others of Portland against same (H. P. 1990) (Presented by Mr. Payson of Portland)

Remonstrance of D. J. Rivard and 457 others of Lewiston and Auburn against same (H. P. 1991) (Presented by Mr. Robie of Auburn)

Remonstrance of Paul A. Gregware and 231 others of Bath and vicinity against same (H. P. 1992) (Presented by Mr. Tardiff of Bath)

Petition of J. A. Weaver and 8 others of Bangor in favor of L. D. 933,—Act relating to Licenses for Operation of Retail Stores (H. P. 1993) (Presented by Mr. Churchill of Brewer)

Sent up for concurrence.

Orders

On motion by Mr. Starrett of Warren, it was

ORDERED, that the Clerk of the House be directed to send flowers to Mr. Smith of Thomaston, and that he express to him the sincere hope of the members for a speedy recovery.

Reports of Committees

Mr. Dow from the Committee on Rules and Business of the House reported "Ought to pass" on House Order relative to Amending Rule 54 of the House Rules.

Report was read and accepted.

Leave of Absence

Mr. McGlauffin from the House Committee on Leave of Absence, being informed of the illness of Mr. Smith of Thomaston, reported that

he be excused from attending the sessions of the House during his illness.

The same gentleman from same Committee, on the illness of Mr. Maxim of Portland, reported same.

Reports were read and accepted.

Ought Not To Pass

Mr. Cowan from the Committee on Mercantile Affairs and Insurance reported "Ought not to pass" on Bill "An Act relating to Operation of Motion Picture Machines" (H. P. 1675) (L. D. 885)

Report was read and accepted and sent up for concurrence.

Ought To Pass In New Draft

Mr. Dean from the Committee on Interior Waters on Resolve Naming Perley's Pond (H. P. 898) (L. D. 411) reported same in a new draft (H. P. 1994) under same title and that it "Ought to pass"

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

Report Tabled

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act Increasing the License and Permit Fees for Outdoor Advertising" (H. P. 385) (L. D. 103) reported same in a new draft (H. P. 1995) under same title and that it "Ought to pass"

(On motion by Mr. Varney of Berwick, tabled pending acceptance of committee report and 500 copies ordered printed)

Mr. Paul from the Committee on Motor Vehicles on Bill "An Act relating to the Weight of Commercial Motor Vehicles" (H. P. 1795) (L. D. 961) reported same in a new draft (H. P. 1996) under same title and that it "Ought to pass"

Mr. Farrington from same Committee on Bill "An Act relating to Registration Fees to be Paid for Registration of Funeral Coaches and Funeral Hearses" (H. P. 1698) (L. D. 647) reported same in a new draft (H. P. 1997) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

New Bill Pursuant to Joint Order

Mr. Hinman from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order, reported a Bill under title of Bill "An Act Increasing the Fee for Resident and Non-resident Hunting and

Fishing Licenses" (H. P. 1998) requesting that it be referred to the Committees on Appropriations and Financial Affairs and Inland Fisheries and Game jointly.

Mr. HINMAN of Skowhegan: Mr. Speaker, I would just like to say that, by agreement, it is the intention to have a public hearing on this bill in the hall of the House a week from today, for which purpose we will ask you, after the action upon this bill, to allow the presentation of an order. We are suggesting that it be referred to the Committees on Inland Fisheries and Game and Appropriations jointly because the people of the State are interested in it, and it will give the matter time for hearing.

Report was read and accepted, the bill was referred to the Committees on Inland Fisheries and Game and Appropriations and Financial Affairs jointly, 1000 copies ordered printed and sent up for concurrence.

Order (Out of Order)

On motion by Mr. Hinman of Skowhegan, out of order and under suspension of the rules, it was

ORDERED, that the use of the hall of the House be granted to the Committees on Appropriations and Financial Affairs and Inland Fisheries and Game jointly, for the afternoon of Tuesday, March 28, 1939.

Ought To Pass

Mr. Bird from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Disposal of Minor Children in Divorce Proceedings" (H. P. 1609) (L. D. 702)

Mr. Fellows from same Committee reported same on Bill "An Act relating to Transfer of Inmates of State Institutions" (H. P. 1605) (L. D. 698)

Mr. Thorne from same Committee reported same on Bill "An Act relating to Commitments to the Pownal State School" (H. P. 1606) (L. D. 699).

Same gentleman from same Committee reported same on Bill "An Act relating to Custodial Care of Children" (H. P. 1602) (L. D. 730)

Mr. Varney from same Committee reported same on Bill "An Act relating to Paupers" (H. P. 1599) (L. D. 728)

Mr. Weatherbee from same Com-

mittee reported same on Bill "An Act relating to Support of Child Committed to Custodial Agency by Municipal Courts" (H. P. 1600) (L. D. 729)

Mr. Hall from the Committee on Motor Vehicles reported same on Bill "An Act relating to the Licensing of Aircraft" (H. P. 1439) (L. D. 619)

Reports were read and accepted.

Ought to Pass with Committee Amendment

Mr. Fernald from same Committee on Bill "An Act relating to Registration of Certain Trucks" (H. P. 285) (L. D. 92) reported "Ought to pass" when amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

First Reading of Printed Bills and Resolves

Bill "An Act relating to the Recording of Personal Property Mortgages" (H. P. 899) (L. D. 314)

Bill "An Act to Provide for the Organization of Non-profit Hospital Service Corporations" (H. P. 1433) (L. D. 612)

Bill "An Act relative to the Powers of the Insurance Commissioner" (H. P. 1435) (L. D. 614)

Bill "An Act relating to Sports and Recreation Centers" (H. P. 1581) (L. D. 687)

Bill "An Act relating to Group Insurance" (H. P. 1673) (L. D. 883)

Bills were read twice and tomorrow assigned.

Bill Tabled

Bill "An Act relating to Travel Expenses of State Employees" (H. P. 1967) (L. D. 1036)

(On motion by Mr. Gyger of Cumberland, tabled pending assignment for third reading)

First Reading of Printed Bills and Resolves (Continued)

Bill "An Act Amending an Act relating to Compensation of County Attorneys" (H. P. 1968) (L. D. 1037)

Mr. STILPHEN of Dresden: Mr. Speaker and ladies and gentlemen of the House: A few weeks ago we had before us several measures relative to the raising of salaries in a few of our counties, and you all know what happened to those bills. They were called back to the committees with the idea of no more new taxes.

Now we have a bill here that asks the counties to pay the county attorneys. That money is already set in our State taxes to pay the county attorneys, and I claim if this bill goes through the counties will be very much displeased. You know that each one of you are having all you can do to pay taxes, and some people are going to the wall. I believe this is only a camouflage of trying to save money for the State, therefore, Mr. Speaker, I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Dresden, Mr. Stilphen, moves that Bill "An Act amending an Act relating to Compensation of County Attorneys" (H. P. 1968 (L. D. 1037) be indefinitely postponed.

The Chair recognizes the gentleman from Skowhegan, Mr. Hinman.

Mr. HINMAN: Mr. Speaker, I have no objection to the indefinite postponement of this bill at any time that it has been given due and proper consideration. I doubt very much, with all due respect to the gentleman from Dresden (Mr. Stilphen) if his remarks are giving it proper and due consideration.

In the first place, such as were present of the County Commissioners in Augusta last week were told that such a bill was to be presented and those present did not offer any objections.

I think that the bill has merits, although perhaps its objections may, in your opinion, over-ride its merits; but I do feel that we should consider the merits, and I hope you will not indefinitely postpone it until you have done that.

The SPEAKER: The question before the House is on the motion of the gentleman from Dresden, Mr. Stilphen that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Bangor, Mr. Whitney.

Mr. WHITNEY: Mr. Speaker, I am not trying to sell this bill to the House, neither am I trying to speak for the Appropriations Committee to sell this bill to the House. However, there is one fact that I would like to bring out, and that is that all county officials with the exception of county attorneys are paid by the county.

This is not an economy measure. If you will read the bill, you can readily see it is not. All this bill provides is that the counties pay their county attorneys, the same as

they do their other county officials. Whether the bill passes or not is entirely immaterial to me. I think that same statement is true of the Appropriations Committee. However, it does not seem logical or sound, and I am unable to advance any reason whatsoever why the State of Maine should pay county officials. It so happens that this is the only exception where the State pays county officials. If this bill is passed, it will reduce our State budget approximately \$23,000. I repeat, this is not an economy measure; it simply puts the burden of paying county officials where I believe and where the Appropriations Committee believes it belongs, and that is on the county.

I hope the motion of the gentleman from Dresden (Mr. Stilphen) does not prevail.

Mr. THORNE of Madison: Mr. Speaker, I move that the bill lie on the table.

The SPEAKER: The gentleman from Madison, Mr. Thorne, moves that Bill "An Act amending an Act relating to Compensation of County Attorneys" (H. P. 1968) (L. D. 1037) lie on the table pending the motion of the gentleman from Dresden, Mr. Stilphen, that the bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

First Reading of Printed Bills and Resolves—(Continued)

Bill "An Act relating to Additional Industrial and Vocational Training in State Institutions" (H. P. 1969) (L. D. 1038)

Bill "An Act relating to Election of Commissioners of Police in Sanford" (H. P. 1981) (L. D. 1051)

Bill "An Act Amending the Acts relating to the Prevention of Fires" (H. P. 1982) (L. D. 1052)

Bills were read twice and tomorrow assigned.

Bills Tabled

Bill "An Act providing for Clerical Employees for Legislative Joint Committees" (H. P. 1985) (L. D. 1054)

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

Bill "An Act Repealing the Bounty on Porcupines" (H. P. 1986) (L. D. 1055)

(On motion by Mr. Dennison of

East Machias, tabled pending second reading)

**First Reading Of Printed Bills
And Resolves
(Continued)**

Resolve Changing the Name of Fitzgerald Pond (H. P. 896) (L. D. 353)

Resolve Permitting a Wharf and Boathouse to be Built on Pleasant Lake in Casco, Maine (H. P. 897) (L. D. 354)

Resolves were read once and tomorrow assigned.

Resolve Creating a Recess Committee to Consider Using the Facilities of the Eastern State Normal School for Other Educational Purposes (H. P. 1984) (L. D. 1053)

Resolve was given its first reading.

Mr. EMERY of Bucksport: Mr. Speaker, if it is in order, I would like to offer an amendment.

The SPEAKER: The gentleman from Bucksport, Mr. Emery, offers House Amendment "A" and moves its adoption.

The House may be at ease.

House at Ease

The SPEAKER: The House will be in order. The Chair recognizes the gentleman from Bucksport, Mr. Emery.

Mr. EMERY: Mr. Speaker, I would like permission to withdraw the amendment which I offered.

Permission was granted and the amendment was withdrawn.

Mr. Gyger of Cumberland, thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1984, L. D. 1053, Resolve Creating a Recess Committee to Consider Using the Facilities of the Eastern State Normal School for Other Educational Purposes.

Amend said Resolve by striking out in the 1st paragraph thereof the words "with the advice and consent of the council."

House Amendment "A" was adopted and the resolve was assigned for second reading tomorrow morning.

**First Reading Of Printed Bills
And Resolves
(Continued)**

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Jennie G. Lane of Calais (H. P. 1987) L. D. 1056)

Resolve was read once and tomorrow assigned.

Passed To Be Engrossed

Bill "An Act Defining the Term 'Dealer' and 'Securities'" (S. P. 486) (L. D. 1023)

Bill "An Act relating to Registration of Motor Vehicles" (S. P. 488) (L. D. 1025)

Bill "An Act relative to Trapping Season" (H. P. 378) (L. D. 99)

Sent up for concurrence.

Bill "An Act to Grant a New Charter to the City of Bath" (H. P. 1164) (L. D. 483)

Was reported by the Committee on Bills in the Third Reading.

Mr. Miller of Bath, then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1164, L. D. 483, Bill, "An Act to Grant a New Charter to the City of Bath"

Amend said Bill by striking out all of the second paragraph of Section 4 of Article II and inserting in place thereof the following:

'Each member shall serve without pay except that the salary and compensation of the Councilmen shall have been determined by the vote of the City Council of the term preceding the term for which they were elected, which salary and compensation shall not exceed the sum of \$5.00 for each Councilman for each regular meeting attended, and further excepting that the salary and compensation of the Councilmen may be determined at any time at an initiative and referendum election of the qualified voters of the City of Bath.

No member of the City Council shall during the term of which he was elected be eligible for any other office, the salary of which is payable by the City, nor shall he during such term hold any such office.'

The SPEAKER: The Chair will suggest a correction in the last paragraph of the amendment: The word "for" instead of the word "of" following the word "term."

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

Passed To Be Engrossed

(Continued)

Bill "An Act relative to Safekeeping of Securities of Savings Banks" (H. P. 1407) (L. D. 602)

Bill "An Act relative to Fishing for Gain or Hire" (H. F. 1559) (L. D. 657)

Mr. DENNISON of East Machias: Mr. Speaker, I move that Legislative Document 657 be indefinitely postponed. This has to do with pickerel fishing in Washington County alone. Two years ago people in Washington County were still able to catch pickerel and ship them out of the State. At the present time there are a very few people who make their living in the summer time on this. The pickerel, of course, is considered a shark in any lake, and in those lakes where they abound it is a great help to have these pickerel dispensed with.

I do not see any reason why these few people should be cut out from catching these pickerel and selling them. I hope my motion to indefinitely postpone will prevail.

The SPEAKER: The gentleman from East Machias, Mr. Dennison, moves that Bill "An Act relative to Fishing for Gain or Hire" (H. P. 1559) (L. D. 657) be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. LaFleur.

Mr. LaFLEUR: Mr. Speaker, before the motion of the gentleman from East Machias, Mr. Dennison, is passed upon by the House, I would like to give a brief history of the bill before the committee.

It is true that there is only one county in the State at the present time which enjoys the alleged right of being permitted to sell pickerel in the State. We have before the committee a bill pending which asks permission for another county in the State to sell pickerel. Their argument was: If Washington could sell pickerel why could not the County of Hancock have the same privilege?

We found at the hearing before this committee that there are special laws for special people throughout the State. At the present time there is a law on the Rangeley system of lakes which permits fishing from October 1 to October 15. The people from Moosehead Lake came in before the committee and asked that that privilege be extended to the people in the region of Moosehead so that they might fish from October 1 to October 15. Still another group of people from Belgrade

came before the committee and asked to fish the entire year around.

It seemed to the Committee, after listening to the proponents and the opposition to this bill, that there should be no special region insofar as fish and game were concerned, that if you extended the privilege of fishing for pickerel to be sold in the County of Washington which was not extended to the rest of the State it was unwise legislation.

I hope this House will not vote in favor of the motion of the gentleman from East Machias (Mr. Dennison). It is my understanding that it affects only one or two fishermen. The matter was discussed with the Senator from that County and one of the other Representatives therefrom, and they felt that Washington County should not have a privilege which the rest of the State did not enjoy. Whatever conclusion this House arrives at, necessarily the Fish and Game Committee will go along with it, but it has been the idea and purpose of this Committee to make as near uniform as possible the fishing and hunting laws of this State.

I hope the motion of the gentleman from East Machias (Mr. Dennison) will not prevail.

Mr. NOYES of Franklin: Mr. Speaker, I happen to be the member who introduced the other bill referred to in Hancock County. I will state that two years ago we repealed the existing laws relating to the catching of pickerel. At that time it was legal to catch pickerel in six counties and ship the pickerel out of the State of Maine.

In view of the fact that on the present Fish and Game Committee there is no representation from Hancock County or Washington County, I would like to table this bill in order that it may be discussed among the members. I move that the bill be tabled.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that Bill "An Act relative to Fishing for Gain or Hire" (H. P. 1559) (L. D. 657) lie on the table pending the motion of the gentleman from East Machias, Mr. Dennison, that the bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

Passed to be Engrossed (Continued)

Bill "An Act Regulating Fishing on Ponds Formed by Brooks, Streams and Rivers" (H. P. 1566) (L. D. 664)

Bill "An Act relating to Municipal Ordinances" (H. P. 1660) (L. D. 734)

Bill "An Act relating to Children" (H. P. 1933) (L. D. 1032)

Bill "An Act relative to Game Preserve in Caswell Plantation" (H. P. 1957) (L. D. 1042)

Bill "An Act Authorizing Towns to Employ a Town Manager or to Form Unions for the Purpose" (H. P. 1958) (L. D. 1043)

Bill "An Act relating to the Operation of Busses" (H. P. 1959) (L. D. 1044)

Bill "An Act relative to Motor Vehicles Carrying Passengers for Hire" (H. P. 1960) (L. D. 1045)

Resolve in favor of Harry F. Ward of Baldwin (S. P. 487) (L. D. 1024)

Sent up for concurrence.

Amended Bills

Bill "An Act to Provide a Town Council and Manager Form of Government for the town of Lisbon in the county of Androscoggin" (H. P. 918) (L. D. 358)

Bill "An Act to Provide a Town Manager Form of Government for the town of Lincoln" (H. P. 1165) (L. D. 484)

Bill "An Act to Incorporate the Town of Monticello School District" (H. P. 1170) (L. D. 489)

Bill "An Act relating to the Collection of Personal Property Taxes" (H. P. 1651) (L. D. 710)

Bill "An Act relating to Municipal Ordinances" (H. P. 1659) (L. D. 733)

Bill "An Act relating to Marriage Licenses" (H. P. 1661) (L. D. 735)

Bill "An Act Creating the Limestone Water and Sewer District" (H. P. 1785) (L. D. 948)

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

Passed To Be Enacted

An Act relating to Bonds for Town Treasurers, Tax Collectors and Constables (S. P. 148) (L. D. 133)

An Act to Amend the Law relating to Unemployment Compensation, with Regard to Gratuities (S. P. 321) (L. D. 576)

An Act relating to the Merchant or Marine Flag (S. P. 348) (L. D. 772)

An Act relating to the First Congregational Church of Kittery (H. P. 126) (L. D. 48)

An Act to Confirm, Ratify and Validate the Incorporation of The First Baptist Church of Yarmouth, Maine, and to Increase its Powers (H. P. 919) (L. D. 359)

An Act relating to the Probation Officer for the county of Cumberland (H. P. 1154) (L. D. 383)

An Act to Amend the Charter of the Ogunquit Village Corporation (H. P. 1174) (L. D. 491)

An Act relating to Marriage Licenses (H. P. 1650) (L. D. 921)

An Act relating to Attesting of Records (H. P. 1667) (L. D. 888)

An Act Regulating the Closed Time on Scallops (H. P. 1718) (L. D. 673)

An Act Making Certain Changes in the Insurance Law (H. P. 1863) (L. D. 1015)

Finally Passed

Resolve in favor of J. E. White of Columbia (S. P. 474) (L. D. 1009)

Resolve in favor of Leo Shay, Representative of the Penobscot Tribe of Indians (H. P. 230) (L. D. 389)

Resolve in favor of Samuel J. Dana, Representative of the Passamaquoddy Tribe of Indians (H. P. 452) (L. D. 390)

Resolve in favor of Alvah E. Spear of Warren (H. P. 1273) (L. D. 1017)

Resolve for the Transfer of Certain Monies in the Hands of the Bangor State Hospital and the Augusta State Hospital (H. P. 1874) (L. D. 1018)

Resolve in favor of William A. Moran of Bangor (H. P. 1875) (L. D. 1019)

Orders of the Day

The Chair lays before the House the first tabled and today assigned matter Bill "An Act Amending the Law Relating to the Width of Motor Vehicles" (S. P. 264) (L. D. 443) tabled on March 15th by Mr. Noyes of Franklin, pending passage to be enacted. The Chair recognizes the gentleman from Warren, Mr. Starrett.

On motion by Mr. Starrett, under suspension of the rules, the House voted to reconsider its former action whereby it passed this bill to be engrossed, and on fur-

ther motion by the same gentleman, the House voted to reconsider its former action whereby it adopted Senate Amendment "A" as amended by House Amendment "A".

Mr. Starrett thereupon offered House Amendment "B" to Senate Amendment "A" and moved its adoption.

House Amendment "B" to Senate Amendment "A" to S. P. 264, L. D. 443, Bill, "An Act Amending the Law Relating to the Width of Motor Vehicles."

Amend said Amendment by adding at the end thereof the following: 'or cornstalks'.

Thereupon House Amendment "B" to Senate Amendment "A" was adopted, and Senate Amendment "A" as amended by House Amendment "A" and House Amendment "B" was adopted, and the bill as amended was passed to be engrossed in non-concurrence and sent up for concurrence.

On motion by Mr. Noyes of Franklin, the House voted to take from the table the twenty-first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to the Standard Form Insurance Policy" (H. P. 1672) (L. D. 758), tabled on March 17th by that gentleman, pending acceptance. The Chair recognizes the gentleman from Charleston, Mr. Howes.

On motion by Mr. Howes, the bill was recommitted to the Committee on Mercantile Affairs and Insurance and sent up for concurrence.

Mr. PAUL of Portland: Mr. Speaker, in the absence of the gentleman from Portland, Mr. Cowan, and at his request, I move that we take from the table the thirteenth unassigned matter.

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the House now take from the table the thirteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act to Prohibit Commercial Advertising by Means of Bill Boards" (H. P. 1629) (L. D. 868), tabled on March 17th by Mr. Cowan of Portland, pending acceptance. Is this the pleasure of the House?

The motion prevailed, and on fur-

ther motion by Mr. Paul the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion by Mr. Richardson of Strong, the House voted to take from the table the eleventh tabled and unassigned matter, Resolve Relating to the Creation of a State Commission for Promotion of International Good Will in Education, (H. P. 1550) (L. D. 908) tabled on March 16th by that gentleman, pending second reading; and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, there has been some question as to the reason for tabling this particular bill. I think the House remembers that L. D. 908 called for the appointment of a Commission of six members. I think an amendment was offered subsequently that called for nine instead of six. The original resolve specified that they should serve without compensation, but I think the history of bureaus and commissions in this State must lead us to the conclusion that even though there may be no compensation fixed, we have certainly been forced to raise some money through taxes to pay the expenses incurred. It was our opinion that this bill creating a commission of nine just left the door wide open. It seemed to us that this Legislature must seriously consider before it adds to the bureaus and commissions we now have in existence, especially when we take into consideration the fact that these orphans are costing the State of Maine a considerable sum of money. We understand this morning that there is an amendment ready for presentation to the House and that is the reason that I have asked that this matter be taken from the table.

Mr. Haskell of Lee, thereupon offered House Amendment "B" and moved its adoption.

House Amendment "B" to H. P. 1550, L. D. 908, Resolve Relating to the Creation of A State Commission for Promotion of International Good Will in Education.

Amend said Resolve by adding after the matter added by House Amendment "A" the following: "The members of the Commission shall receive no compensation for their services, nor reimbursement for any expenses incurred in the performance of their duties."

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

On motion by Mr. Howes of Charleston, the House voted to take from the table the eighteenth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Indian Affairs on Bill "An Act Relating to Selling or Giving Liquor to Indians" (H. P. 1150) (L. D. 467), tabled on March 17th by that gentleman, pending acceptance; and the Chair recognizes that gentleman.

Mr. HOWES: Mr. Speaker, I move that the "Ought to pass" report, together with the bill, be indefinitely postponed.

The SPEAKER: The gentleman from Charleston, Mr. Howes, moves that House Report "Ought to pass" of the Committee on Indian Affairs on Bill "An Act Relating to Selling or Giving Liquor to Indians" (H. P. 1150) (L. D. 467) be indefinitely postponed. Is this the pleasure of the House?

Mr. MacNICHOL of Eastport: Mr. Speaker, on this Bill "An Act Relating to Selling or Giving Liquor to Indians," we have had a good deal of controversy here in the House about the Indians this year. We have denied to them a great many things and they are the only people in the State of Maine that we have denied the privilege of buying liquor. We allow Chinamen or anyone else in the State of Maine to go to the State Store and buy liquor, and we allow them to go into beer parlors and partake of malt beverages. However, to the Indians, we say, "No, you are not free to do that, you are a State ward and you can't go in there and enjoy the privileges given to anyone else." That is on the basis of being a State ward. However, coming from a town near an Indian reservation, and knowing the abuses that this law is subject to, and knowing how the Indians go about it to break the law—if an Indian has \$1.50 and wants a pint of liquor, he gets it. He does not walk into the store as an honest citizen would do it, but he simply gets one of his friends and says, "Joe, you go in and buy me a pint of liquor." And Joe goes in and buys the liquor. This is

only leading to hypocrisy, and that is one of the things we repealed the Eighteenth Amendment to get rid of. It furthers hypocrisy. I hope that the motion of the gentleman from Charleston, Mr. Howes, will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Charleston, Mr. Howes, that the "Ought to pass" report and bill be indefinitely postponed. Is this the pleasure of the House?

Mr. DWINAL of Camden: Mr. Speaker, this statute which forbids the giving or selling of liquor to Indians has been on our statute books ever since the forming of the State. Possibly back at the time when that law was passed, the Indian may have been a painted savage with the warwhoops that the gentleman from Portland, Mr. McGlaflin, told us about the other day. But I think today we have to admit that the Indian is as civilized as we are, and I might say, after looking at the so-called benefits of our own civilization, that perhaps the Indians are more civilized and intelligent than we are. If we are going to take intelligence as a basis, or, I will say, the civilization of a group as the basis upon which anyone shall be allowed to drink liquor, if they wish, I am not sure but perhaps the Indian should refuse the white man the bottle and take it himself.

However, to be serious in the matter, I cannot see why this law should any longer have any application, and I think it is about time we wiped it off the book. I hope the motion of the gentleman from Charleston (Mr. Howes) will not prevail.

Mr. HOWES of Charleston: Mr. Speaker, I doubt if anyone has any more sympathy for the Indians than myself. I would also be pleased if the State saw fit to appropriate a certain amount of money so we could send an Indian through college every year. I will support that. I will do anything to help the Indians, but I do not think we should pass any laws that will degenerate them any more than we have. As I see this bill, we have got them tied about the same as the hogs up on the farm. You never saw any class of people in the United States abused any more than the Indians have been. I fail to see where there is anything elevating in giving them

whiskey. In fact I think they are getting more now than is good for them. We have always heard that Indians and whiskey do not mix. I think that is about the condition. I have talked with a lot of people who live where the Indians do and they think that they are getting all the rum they ought to get now. I still hope my motion for indefinite postponement prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Charleston, Mr. Howes, that the "Ought to pass" report of the Committee on Indian Affairs on Bill "An Act Relating to Selling or Giving Liquor to Indians" be indefinitely postponed. Is the House ready for the question? All those in favor of the motion for indefinite postponement will say aye; those opposed no.

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

On motion by Mr. MacNichol of Eastport, the House voted to accept the "Ought to pass" report of the committee.

On motion by Mr. Burgess of Limestone, the House voted to take from the table the seventeenth tabled and unassigned matter, House Report "Ought to pass when amended by Committee Amendment 'A'" of the Committee on Education on Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" (H. P. 1312) (L. D. 535), tabled on March 17th by that gentleman, pending acceptance; and the Chair recognizes that gentleman.

Mr. BURGESS: Mr. Speaker, I assume that the proponents of this measure have or will say to us that moral education is necessary in order to maintain the standard which belongs to our generation. Personally, I do not think this is true, but if it is true, it is a sad admission on the part of the parents in our State. I do not believe it is within the province of this or any Legislature to improve the morals or build character among our young people by legislation of this kind. It always has been, is now, and should be forever the responsibility of the parents of the home to provide the moral education that they find wise for their children, and therefore, Mr. Speaker, I move that the report and accom-

panying bill be indefinitely postponed.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the "Ought to pass" report of the Committee on Education on Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" be indefinitely postponed. Is this the pleasure of the House?

Mr. PRATT of Turner: Mr. Speaker, I cannot personally see why this is going to do any particular harm. It is strictly up to the parents. If they do not want their children to go to moral education, they can still remain in school. It is not necessary for them to go. Any parents that do want to have their children morally educated, this bill simply gives them permission to go and be excused from school one hour a day. I hope that the motion of the gentleman from Limestone, (Mr. Burgess) will not prevail.

Mr. WELCH of Chapman: Mr. Speaker, this bill allows one hour out of school. Now if the church of the denomination that the child wishes to attend is in the opposite corner of the city from where the school is located, how much time will he have for moral instruction if he is absent from school one hour? The bill provides that the child may go for one hour. That will break up the class. They are allowed credit for that time. The School Board in my town is very much opposed to the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the "Ought to pass" report of the Committee on Education and accompanying bill be indefinitely postponed.

The Chair recognizes the gentleman from Lee, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and members of the House: This bill was given careful consideration by the Committee on Education. There were a number of proponents who appeared and no one appeared in opposition. As a member of that committee I feel that the citizens of the State are paying for instruction along different lines for their children, and you all know the different lines on which they are taught, mathematics and so forth and so on. We are all contributing toward that expense. If some of them see fit

that their children should have more moral instruction, I should think it is only fair to give them a chance for this. I agree with the gentleman from Limestone (Mr. Burgess) that the home is the proper place for the most of this instruction, but this is considered an outside assistance which the children get in other lines of education, and that they should also get it in the line of moral instruction. I do not think they can get any too much of it and I think it is a help to the home. This only takes into consideration a short time, one hour in each week; not one hour a day, and it is the option of the parents of the children whether or not it shall be so given. It is up to the parents whether they want to adopt it; this bill only makes it permissible.

There are some towns so situated that the children can go if the parents wish and not be absent a great deal from the school room, and those that remain in the school room can be given moral instruction during that hour. It will not deprive those that go outside for moral instruction of any class work during that hour in school. The school will take up during that hour, work along this line for those that remain in school. I think it is a mighty good move. In some places in the State,—I will cite Bar Harbor—this has been carried on for some time and I understand that ninety per cent of the students avail themselves of this privilege.

For the reasons I have given, I hope this bill becomes a law, and I hope the motion of the gentleman from Limestone (Mr. Burgess) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the "Ought to pass" report of the Committee on Education on Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" be indefinitely postponed. All those in favor of the motion for indefinite postponement will say aye; those opposed no.

A viva voce vote was doubted.

Mr. BURGESS of Limestone: Mr. Speaker, I ask for a division.

The SPEAKER: All those in favor of the motion of the gentleman from Limestone, Mr. Burgess, that the bill and report 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.

Forty-eight having voted in the affirmative and 59 in the negative, the motion did not prevail.

The SPEAKER: The question now before the House is on the acceptance of the committee report "Ought to pass." Is this the pleasure of the House?

The motion prevailed and the "Ought to pass" report was accepted.

On motion by Mr. Merrifield of Lebanon, the House voted to take from the table the twentieth tabled and unassigned matter, Bill "An Act Regulating the Sale of Malt" (H. P. 1744) (L. D. 847) tabled on March 17th by that gentleman, pending third reading; and on further motion by the same gentleman the bill was recommitted to the Committee on Temperance, and sent up for concurrence.

On motion by Mr. Whitney of Bangor, the House voted to take from the table the ninth tabled and unassigned matter Bill "An Act Relating to Registration Fees of Motor Vehicles" (H. P. 1929) (L. D. 1028) tabled on March 15th by that gentleman, pending assignment for third reading; and on further motion by the same gentleman the bill was assigned for third reading on the next legislative day.

The SPEAKER: Is there any further business to come before the House under Orders of the Day?

Order (Out of Order)

On motion my Mr. Peakes of Milo, out of order and under suspension of the rules, it was

ORDERED, that the use of the Hall of the House be granted to the Committees on Agriculture and Maine Publicity jointly for this afternoon.

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. Labbee of Fort Kent,

Adjourned until ten o'clock tomorrow morning.