

MAINE STATE LEGISLATURE

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



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

Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March 29, 1939.

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

Prayer by the Rev. Mr. Dunn of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Reports Tabled

From the Senate: Report of the Committee on Public Health reporting "Ought not to pass" on Bill "An Act relating to the Use of Marijuana" (S. P. 395) (L. D. 820)

Comes from the Senate, report read and accepted.

In the House, on motion by Mr. Cowan of Portland, tabled pending acceptance of committee report in concurrence.

From the Senate: Report of the Committee on Public Health reporting "Ought not to pass" on Bill "An Act Defining and Relating to Narcotic Drugs and to Make Uniform the Law with reference thereto" (S. P. 416) (L. D. 880)

Comes from the Senate, report read and accepted.

In the House, on motion by Mr. MacNichol of Eastport, tabled pending acceptance of committee report in concurrence.

Senate Resolve in First Reading

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Robert Bernard Jr., of New York (S. P. 229) (L. D. 276)

Resolve was read once and tomorrow assigned.

Senate Bill With Committee Amendment in First Reading

From the Senate: Report of the Committee on Legal Affairs on Bill "An Act relating to Public Exhibitions" (S. P. 390) (L. D. 823) reporting "Ought to pass" when amended by Committee Amendment "A" submitted therewith.

Comes from the Senate, report read and accepted and the bill passed to be engrossed as amended by Committee Amendment "A".

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

Committee Amendment "A" read by the Clerk and adopted in concurrence, and the bill as amended was assigned for third reading tomorrow morning.

The SPEAKER: The next item on the calendar (Item 13) has been recalled to the Senate for further consideration there.

Placed on File

Remonstrance of Robert M. Scott Jr. and 106 others of Webster and Sabattus against H. P. 1998, L. D. 1057, Act Increasing the Fee for Resident and Non-resident Hunting and Fishing Licenses (H. P. 2077) (Presented by Mr. Holden of Webster)

Was ordered placed on file and sent up for concurrence.

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

Inland Fisheries and Game

Remonstrance of S. W. Jordan of Mechanic Falls and 18 others against H. P. 1560, L. D. 658, Act relating to the Issuance of Permits to Propagate Game Birds, Game and Fur-bearing Animals (H. P. 2078) (Presented by Mr. Goss of Poland)

Sent up for concurrence.

Legal Affairs

Remonstrance of Rev. James J. Mullen and 25 others of Old Orchard Beach against H. P. 1655, L. D. 853, Act Authorizing and Licensing the Racing of Greyhounds (H. P. 2079) (Presented by Mr. Young of Old Orchard Beach)

Sent up for concurrence.

Taxation

Remonstrance of Riverside Grange in the form of a Resolution against Increase in Gasoline Tax (H. P. 2080) (Presented by Mr. Chandler of New Gloucester)

Remonstrance of Narramissic Grange in form of a Resolution against same (H. P. 2081) (Presented by Mr. Emery of Bucksport)

Remonstrance of Floral Grange 158 in form of a Resolution against same (H. P. 2082) (Presented by same gentleman)

Remonstrance of Verona Grange in form of a Resolution against same (H. P. 2083) (Presented by same gentleman)

Remonstrance of Riverside Grange in form of a Resolution against same (H. P. 2084) (Presented by Mr. Merrifield of E. Lebanon)

Petition of Wesley J. Brown and 84 others of Bangor and Brewer in favor of H. P. 1758, L. D. 933, Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 2085) (Presented by Mr. Churchill of Brewer)

Remonstrance of Mrs. Evelyn Nichols and 136 other Consumers of Freeport against same (H. P. 2086) (Presented by Mr. Cushing of Freeport)

Remonstrance of Bertha H. Brown and 210 other Consumers of Fairfield against same (H. P. 2087) (Presented by Mr. Ellis of Fairfield)

Remonstrance of Mrs. C. C. Heselon Jr. and 310 other Consumers of Skowhegan against same (H. P. 2088) (Presented by Mr. Hinman of Skowhegan)

Remonstrance of Mrs. Harding W. Gaylord and 144 other Consumers of Farmington against same (H. P. 2089) (Presented by Mr. Mills of Farmington)

Remonstrance of Marion J. Rick-er and 360 other Consumers of Lisbon against same (H. P. 2090) (Presented by Mr. Plummer of Lisbon)

Remonstrance of H. C. Gates and 313 other Consumers of East Millinocket against same (H. P. 2091) (Presented by Mr. Preble of Millinocket)

Remonstrance of William J. Daigle and 53 others of Gardiner against same (H. P. 2092) (Presented by Mr. Slosberg of Gardiner)

Remonstrance of Mrs. John I. Hill and 103 other Consumers of Guilford against same (H. P. 2093) (Presented by Mr. Snow of Dover-Foxcroft)

Remonstrance of Mrs. J. Cleveland Bartlett and 108 other Consumers of Bethel against same (H. P. 2094) (Presented by Mr. Williams of Bethel)

Petition of B. L. Watson and 41 others of Parsonsfield and vicinity in favor of same (H. P. 2095) (Presented by Mr. Batchelder of Parsonsfield)

Petition of Omer LaRoche and 54 others of Auburn in favor of same

(H. P. 2096) (Presented by Mr. Marshall of Auburn)

Petition of Ernest M. Roy and 56 others of Lewiston in favor of same (H. P. 2097) (Presented by Mr. Hamel of Lewiston)

Sent up for concurrence.

Orders

On motion by Mr. Payson of Portland, it was

ORDERED, that the State Controller be, and hereby is, directed to file with the Clerk of the House forthwith a statement of the list of the municipalities in the State that have received Emergency Aid, during the past four years, together with the amounts received by each municipality.

Mr. MILLS of Farmington: Mr. Speaker, I move that the House now consider the report of the Conference Committee on "An Act Relating to Medical Examiners and Their Duties" (H. P. 29) (L. D. 22) which I believe the Clerk has in his possession.

The SPEAKER: The Clerk has in his possession report of a Conference Committee which he will read at this time.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Medical Examiners and their Duties" (H. P. 29) (L. D. 22) reporting that the House recede from its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A," and by House Amendment "B," reconsider the adoption of House Amendments "A" and "B," adopt Senate Amendment "A" to House Amendment "A" in concurrence, adopt House Amendment "A" as amended in concurrence, indefinitely postpone House Amendment "B" in concurrence, adopt House Amendment "C" submitted therewith and pass the Bill to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, and by House Amendment "C"; and that the Senate recede from its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, adopt House Amendment "C" and pass the Bill to be engrossed as amended by House Amendment "A" as amended by

Senate Amendment "A" thereto and by House Amendment "C."

(Signed) Messrs. Mills of Farmington, Pike of Bridgton

—Committee on part of House.

Marden of Kennebec, Elliot of Knox, Chase of Washington

—Committee on part of Senate.

The SPEAKER: The Clerk will read House Amendment "C."

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

Amend said Bill by adding thereto the following:

'Sec. 5. **Effective date.** This act shall take effect January 1, 1941.'

The SPEAKER: Is it the pleasure of the House to accept the report of the Conference Committee? The Chair recognizes the gentleman from Skowhegan, Mr. Hinman.

Mr. HINMAN: Mr. Speaker, I wonder if it would be in order for someone on the Committee to explain to us who do not understand what we are now voting on. I have heard Amendment "C" read but I would still like to know what I am voting on.

Mr. MILLS: Mr. Speaker, it would take a Philadelphia lawyer to unravel the list of procedure which has to be gone through to effect a very simple solution.

As you remember, the House put on an amendment, Amendment "B," which would keep the present medical examiners in office until their terms expired. The Senate disagreed with that, if I may refer to the action of the other body. In the Conference Committee a compromise was struck, by which the effective date of the Act would be January 1, 1941. Amendment "C" is the only real change. Rather than stick to our proposition whereby the present examiners would stay in office until their terms expired, the Conference Committee thought it was proper to set the effective date January 1, 1941, and I might state that that was unanimous on the part of the Conference Committee. I do not know as that explanation is clear, but I have tried to make it so.

Thereupon, the report of the Conference Committee was accepted.

The SPEAKER: Is it now the pleasure of the House to recede from its former action whereby it passed this bill to be engrossed as amended

by House Amendments "A" and "B," reconsider the adoption of House Amendments "A" and "B," concur with the Senate in the adoption of Senate Amendment "A" to House Amendment "A," adopt House Amendment "A" as amended by Senate Amendment "A," indefinitely postpone House Amendment "B" and adopt House Amendment "C"?

The motion prevailed and the bill was passed to be engrossed as amended by House Amendment "A" and as amended by Senate Amendment "A" thereto and as further amended by House Amendment "C," and sent up for concurrence.

Reports of Committees

Leave of Absence

Mr. McGlaulin from the House Committee on Leave of Absence, on the illness of Mr. Erswell of Brunswick, reports that he be excused from attending the sessions of the House during his illness.

Report was read and accepted.

House Committee Report

Mr. Goss from the Committee on County Estimates of the Several Counties reported two Resolves under title of "Resolve for the Laying of the County Taxes for the Year 1939 (H. P. 2075) and 'Resolve for the Laying of the County Taxes for the Year 1940' (H. P. 2076)

Mr. GOSS of Poland: Mr. Speaker and members of the House: For the information of the members, I would just like to state that these two resolves under consideration are the budgets of the several counties of the State, and it is of vital importance that they be passed by both branches of the Legislature and be signed by the Governor before April 1st. I urge their speedy passage, and Mr. Speaker, I move the acceptance of the committee report.

The SPEAKER: The gentleman from Poland, Mr. Goss, moves that the report of the House Committee on County Estimates be accepted. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the report was accepted.

Mr. GOSS: Under suspension of the rules, Mr. Speaker, I move that the two resolves be given their several readings and be passed to be engrossed, after which they be sent forthwith to the Senate.

The SPEAKER: The gentleman from Poland, Mr. Goss, moves that the rules be suspended and the

"Resolve for the Laying of the County Taxes for the Year 1939" (H. P. 2075) be given its two several readings at this time. Is this the pleasure of the House?

Thereupon, the resolve was given its two several readings, under suspension of the rules, passed to be engrossed and sent to the Senate.

The SPEAKER: The gentleman from Poland, Mr. Goss, now moves that the rules be suspended and that "Resolve for the Laying of the County Taxes for the Year 1940" (H. P. 2076) be given its two several readings at this time. Is this the pleasure of the House?

The motion prevailed, and the resolve had its two several readings, under suspension of the rules, passed to be engrossed and sent to the Senate.

Leave of Absence

Mr. McGlauffin from the House Committee on Leave of Absence reported that Mr. Thompson of Castle Hill be excused from attending the sessions of the House during his illness.

Report was read and accepted.

Leave to Withdraw

Mr. Cleaves from the Committee on Claims on Resolve in favor of Alden Robbins of Belfast (H. P. 1545) reported leave to withdraw.

Mr. Young from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to Insurance Companies" (H. P. 1770) (L. D. 946)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hinman from the Committees on Appropriations and Financial Affairs and Inland Fisheries and Game jointly reported "Ought not to pass" on Bill "An Act Increasing the Fee for Resident and Non-resident Hunting and Fishing Licenses" (H. P. 1998) (L. D. 1057)

Mr. Bragdon from the Committee on Claims reported same on Resolve in favor of Harold J. Allen of Lubec (H. P. 1376) as it is taken care of in another matter.

Mr. Churchill from same Committee reported same on Resolve in favor of H. W. Peck of Winthrop (H. P. 828) as it is taken care of otherwise.

Mr. Cleaves from same Committee reported same on Resolve in

favor of Viola O. Penny of Auburn (H. P. 462)

Mr. Cushing from same Committee reported same on Resolve for payment of Expenses of Reporting Births and Deaths in Township 17, Range 4 and Township 17, Range 5 (H. P. 1475)

Mr. Bird from the Committee on Judiciary reported same on Bill "An Act to Preserve Attachments against Property of Persons who Die Subsequent to the Attachment and Whose Estates are Later Deceased to be Insolvent" (H. P. 1323) (L. D. 506)

Mr. Fellows from same Committee reported same on Bill "An Act relating to Liens on Vehicles" (H. P. 1636) (L. D. 722)

Mr. McGlauffin from same Committee reported same on Bill "An Act relating to Reports and Registers of Probate" (H. P. 1157) (L. D. 385)

Reports were read and accepted and sent up for concurrence.

Placed on File

Mr. Peakes from the Committee on Inland Fisheries and Game on the following Remonstrances against Changing the Present Law on Deer H. P. 1762, 1894 to 1898 both inclusive, 1900 to 1923 both inclusive, 1936, 1948 to 1954 both inclusive reported that they be placed on file.

Report was read and accepted and sent up for concurrence.

Ought to Pass With Committee Amendments

Mr. Plummer from the Committee on Towns on Bill "An Act to Provide for the Surrender by Bigelow Plantation of its Organization" (H. P. 521) (L. D. 176) reported "Ought to pass" when amended by Committee Amendment "A" submitted therewith.

Same gentleman from same Committee reported same on Bill "An Act to Provide for the Surrender by town of Williamsburg of its Organization" (H. P. 1750) (L. D. 677)

Reports were read and accepted.

Ought to Pass In New Draft

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act Prohibiting Trapping in the town of Scarboro and in the city of Saco" (H. P. 1132) (L. D. 410) reported same in a new draft (H. P. 2098) under title of "An Act Prohibiting Trapping in the town of Scarboro" and that it "Ought to pass"

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

Bill Tabled

Mr. Peakes from the Committee on Inland Fisheries and Game on Bill "An Act relative to Closed Time on Deer" (H. P. 272) (L. D. 82) reported same in a new draft (H. P. 2099) under same title and that it "Ought to pass"

(On motion by Mr. Noyes of Franklin, tabled pending acceptance of committee report and 1000 copies of the new draft ordered printed)

Mr. Welch from the Committee on Inland Fisheries and Game on Bill "An Act relative to Game Preserve in York County" (H. P. 274) (L. D. 84) reported same in a new draft (H. P. 2100) under title of "An Act relative to Bird Sanctuary in Old Orchard Beach" 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 Bills

Bill "An Act relative to the Office of Town Auditor" (H. P. 519) (L. D. 172)

Bill "An Act to Provide for the Surrender by Milton Plantation of its Organization" (H. P. 522) (L. D. 175)

Bill "An Act to Provide for the Surrender by Medford of its Organization" (H. P. 587) (L. D. 210)

Bill "An Act to Provide for the Surrender by Orneville of its Organization" (H. P. 588) (L. D. 211)

Bill "An Act relating to Regulation of Pauper Expense for Conveyance of Children Attending the Public Schools" (H. P. 1751) (L. D. 900)

Bills were read twice and tomorrow assigned.

First Reading of Printed Bills With Committee Amendments

Bill "An Act to Provide for the Surrender by Lexington Plantation of its Organization" (H. P. 407) (L. D. 112)

Bill "An Act to Provide for the Surrender by town of Topsfield of its Organization" (H. P. 589) (L. D. 212)

Passed to Be Engrossed

Bill Tabled

Bill "An Act relating to the Clerk of Courts of Lincoln County" (S. P. 271) (L. D. 503)

(On motion by Mr. Varney of Berwick, tabled pending third reading)

Passed to Be Engrossed (Continued)

Bill "An Act relating to Incorporation of Cemeteries and the Operation of Burying Grounds, Burial Structures, and Disposal of Dead Human Bodies" (S. P. 325) (L. D. 578)

Bill "An Act relating to Local Option Provisions" (S. P. 497) (L. D. 1035)

Bill "An Act relating to Permits for Non-resident Charter Parties" (H. P. 1333) (L. D. 540)

Bill "An Act Increasing the License and Permit Fees for Outdoor Advertising" (H. P. 1995) (L. D. 1062)

Sent up for concurrence.

Bill "An Act Amending the Unemployment Compensation Law relating to Benefits" (H. P. 2055) (L. D. 1091)

Mr. BIRD of Rockland: Mr. Speaker, this is an important bill and I move that the rules be suspended and the bill have its third reading and be passed to be engrossed at this time and sent to the Senate forthwith.

Thereupon, the rules were suspended, the bill had its third reading, was passed to be engrossed and sent to the Senate.

Passed to Be Engrossed (Continued)

Bill "An Act relating to the Assessment of Inheritance Taxes" (H. P. 2056) (L. D. 1092)

Bill "An Act Regulating the Operation of Motor Vehicles" (H. P. 2058) (L. D. 1094)

Bill "An Act relating to the Inspection of Motor Vehicles" (H. P. 2060) (L. D. 1096)

Resolve Authorizing the Sale of a Certain Interest held by the State in an Undivided Part of Township 4, Range 3, N. B. K. P. in Somerset County (H. P. 948) (L. D. 374)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace Shannon Moore of Macwahoc (H. P. 1460) (L. D. 569)

Resolve Authorizing the Forest Commissioner to Sell Land on Muscongus Island (H. P. 1461) (L. D. 568)

Resolve Authorizing the Forest Commissioner to Convey Certain Land in Aroostook County to Hector Martin (H. P. 1726) (L. D. 898)

Sent up for concurrence.

The **SPEAKER**: The Clerk has in his possession some items received too late to go on this morning's calendar.

Finally Passed (Emergency Measure)

Resolve for the Laying of the County Taxes for the Year 1939 (H. P. 2075)

The **SPEAKER**: This resolve 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 the Resolve for the Laying of the County Taxes will rise and stand in their places until counted, and the Monitors will make and return the count.

A division being had,

One hundred and thirty-three voting in the affirmative and none in the negative, 133 being more than two-thirds of the entire elected membership of the House, the resolve was finally passed.

Finally Passed

Resolve for the Laying of the County Taxes for the Year 1940 (H. P. 2076)

The **SPEAKER**: The gentleman from Poland, Mr. Goss, moves that the two resolves which have just been finally passed be sent forthwith to the Senate.

The motion prevailed.

Orders of the Day

The Chair lays before the House, under Orders of the Day, the first tabled and unassigned matter, Bill "An Act Relating to Travel Expense of State Employees" (H. P. 1967) (L. D. 1036), tabled on March 21st by Mr. Gyger of Cumberland, pending assignment for third reading. The Chair recognizes the gentleman from New Gloucester, Mr. Chandler.

Mr. **CHANDLER**: Mr. Speaker, I talked with the gentleman from Cumberland, Mr. Gyger, on the telephone yesterday afternoon, and he suggested that this bill be indefinitely postponed because there is other legislation which takes care of it. Therefore I move that L. D. 1036 be indefinitely postponed.

The **SPEAKER**: The gentleman from New Gloucester, Mr. Chandler, moves that Bill "An Act Relating to Travel Expense of State Em-

ployees" (H. P. 1967) (L. D. 1036) be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, the bill was indefinitely postponed, and sent up for concurrence.

The Chair lays before the House the second tabled and unassigned matter, Bill "An Act Amending an Act Relating to Compensation of County Attorneys" (H. P. 1968) (L. D. 1037), tabled on March 21st by Mr. Thorne of Madison, pending motion of Mr. Stilphen of Dresden, that the bill be indefinitely postponed. The Chair recognizes the gentleman from South Portland, Mr. Hinckley.

Mr. **HINCKLEY**: Mr. Speaker, due to the illness of the gentleman from Madison, Mr. Thorne, I move that this bill be retabled.

The **SPEAKER**: The gentleman from South Portland, Mr. Hinckley, 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 retabled.

The Chair lays before the House the third tabled and unassigned matter, Bill "An Act Providing for Clerical Employees for Legislative Joint Committees" (H. P. 1985) (L. D. 1054), tabled on March 21st by Mr. Downs of Rome, pending second reading. The Chair recognizes the gentleman from Unity, Mr. Farwell.

Mr. **FARWELL**: Mr. Speaker, in the absence of the gentleman from Rome, Mr. Downs, I move that this bill be retabled and be specially assigned for next Tuesday.

The **SPEAKER**: The gentleman from Unity, Mr. Farwell, moves that Bill "An Act Providing for Clerical Employees for Legislative Joint Committees" (H. P. 1985) (L. D. 1054) lie on the table, pending second reading, and be specially assigned for next Tuesday. Is this the pleasure of the House?

The motion prevailed, the bill was retabled and specially assigned for Tuesday next.

The Chair lays before the House the fourth tabled and unassigned

matter, Bill "An Act Repealing the Bounty on Porcupines" (H. P. 1986) (L. D. 1055), tabled on March 21st by Mr. Dennison of East Machias, pending second reading; and the Chair recognizes that gentleman.

Mr. DENNISON: Mr. Speaker and members of the House: I want to thank you very kindly for helping me get the porcupines off the table. Now I propose an indefinite postponement of this bill.

This morning, when I came into the building, Harvey called me into the office. I think it was the first time I have seen him riled up over anything. The first thing he said was: "Where is Judge McGaflin?" I said, "He was across the hall playing cards when I came in." Harvey says, "Go and get him." So I went and got the Judge and went into Harvey's office. The Judge did not know what was up, why we had to go in on the carpet. The first thing Harvey said was: "Ever since we have been up here, for the last three months, some of you Representatives have been putting these animals on the table and going home Friday night and leaving them there. I wonder what you think happens to them over the weekend? Earle and I have had to stay here over the weekend and feed these animals. Now you put this porcupine on the table and it took the both of us to handle it last week."

Now, Judge McGaflin, I am ashamed of what you have done. After all this trouble yesterday, you got up and put those cussed hellgrammites on the table with the porcupine, and we have hardly been able to live in the building since then. (Laughter)

Now it is not necessary for me to explain to the members the damage which porcupines do. Probably many of the members of the House are familiar with the destruction of trees and blueberry land. It seems to me that the small amount paid out for the bounty is balanced three or four times by the destruction to these different things.

I have got to tell you a little story. It is a very true story that happened Monday, our Town Meeting day. We had a very successful town meeting. We started in at ten o'clock and fought until three and finished up. Then in the afternoon I went to Sid's store, the Town Treasurer, who runs the town store as most of them do. We sat down

on a nail keg and commenced to talk about Legislature and different things. A little boy named Jim came up and he had porcupine's feet which he laid down on the counter. He was all smiles when he got his quarter for the bounty. Of course the idea when you pay the porcupine bounty you get rid of the damage they do. It is not to make employment for anybody, but the bounty is very acceptable to little boys like this and to some of the men too. The little boy got his quarter and was looking at it. He turned around to go and Sid says, "Now, Jim, you must not bring in any more porcupine because we are going to repeal the bounty." If you ever saw a crestfallen face, it was on this little boy. I honestly pitied him. He came over while I was talking with Oscar and Jim—those are the two fellows who shipped the pickerel and get a little money this way. The little boy stood there. He said, "How much do you pay on porcupine?" I said we raised about \$47,000 to pay porcupine bounties. He says, "You have got another bill up there. My brother Bill is dusting blueberries in the summer time and that costs the state about six or seven thousand dollars. Now about thirty-five boys who go to college have a little summer job. They are going to cut that out so Bill is going to lose his job." I say, "I guess that is about right and there is nothing we can do about it." He wanted to know what we were going to do with the porcupine money. I told him we were in hopes of paying the Old Age Pension. He thought that was a pretty good thing. After thinking of that twelve or thirteen thousand dollars he thought it was an awful lot of money. He says, "How many Old Age Pensions will that pay?" He says, "Do you pay them all just alike?" I says, "No, some of them get thirteen dollars, some twenty-five dollars, and I guess some get thirty dollars. They get different amounts." He says, "That will pay an awful lot of people, even the porcupine bounties." I said, "We generally divide them as equally as possible. Probably half of that money would pay about fifty-four or fifty-five, the State's part of it." He says, "What do you do with the other half, the six or seven thousand?" I says, "We just keep that and divide it equal-

ly." Of course he couldn't understand that kind of legislation.

Then he started in and wanted to know who put in the porcupine bill, and I said it was a great big ugly man named Hinman. This man Hinman never smiles; he is very serious. Well, he says, "What are you going to do with him anyway? I don't know what to think of a man like that." I says, "What can we do?" The only thing I can think of is for a lot of us little fellows to get together and hang him." He thought a while and he said he didn't think that was hardly fair. He thought that would be about the same as a bunch of hounds on a stag. After a while he says, "I do not think you ought to do that." He says, "Why don't you talk to him someday?" I says, "I don't know what I can say to him that will have any effect on him. After a while he looked at this quarter and he says, "Why don't you take this quarter and go up and give it to him and see if he won't lay off this porcupine bill?" (Laughter)

Mr. HINMAN of Skowhegan: Mr. Speaker and members of the House: The rules of the House prevent me from expressing my thoughts.

Now getting back to the matter which is before us—the porcupine bill—it has been suspended and been put back, and there is a question how long the people of Maine are going to take from this State every service they can get without assuming any responsibility.

The Committee on Appropriations and Financial Affairs are pleased to submit to this Legislature that we believe it is about time that the citizens of the State of Maine took upon their own shoulders the obligation to kill what porcupines they could and do it without remuneration. I submit that there are men in the State of Maine who earn their living in the winter in taking bounties on porcupine, and I don't believe it is a proper activity for the State. It is true it has been decided that there are certain charitable activities that we shall indulge in, but if you are to indulge in other activities to give charity to everybody, then we might just as well decide that we are not going to pay our way. I submit to you that it is perfectly in order that porcupines should be killed as freely as they are now, but no bounties should be paid for doing it. I hope the motion

to indefinitely postpone will not prevail.

Incidentally, I will say that this year we are spending \$3,000 more than the appropriation, or \$10,000.

The SPEAKER: The question before the House is on the motion of the gentleman from East Machias, Mr. Dennison, that Bill "An Act Repealing the Bounty on Porcupines" be indefinitely postponed. Is the House ready for the question.

Mr. STILPHEN of Dresden: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Dresden, Mr. Stilphen, asks for a division. All those in favor of the indefinite postponement of the bill 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.

Thirty having voted in the affirmative and 80 in the negative, the motion did not prevail.

Thereupon the bill had its two several readings, and on motion by Mr. Hinman, under suspension of the rules, the bill received its third reading, was passed to be engrossed, and sent up for concurrence.

The Chair lays before the House the fifth tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act to Provide for the Repeal of the Charter of the Fort Kent Village Corporation" (S. P. 393) (L. D. 763), tabled on March 22nd by Mr. Labbee of Fort Kent, pending acceptance in concurrence; and the Chair recognizes that gentleman.

On motion by the same gentleman, the House voted to accept the "Ought to pass" report of the committee, and the bill had its two several readings.

Senate Amendment "A" was read by the Clerk and adopted in concurrence.

Senate Amendment "B" was then read by the Clerk and adopted in concurrence, and the bill, as amended, was assigned for third reading tomorrow morning.

The Chair lays before the House the sixth tabled and unassigned matter Bill "An Act Amending the Unemployment Compensation Law Exempting Certain Employees" (H. P. 902) (L. D. 294), tabled on March 22nd by Mr. Varney of Berwick,

pending adoption of Senate Amendment "A"; and the Chair recognizes that gentleman.

Mr. VARNEY: Mr. Speaker and members of the House: I think perhaps a motion which I am about to make calls for a little explanation, and I will try and be as brief as possible. In case all the members of this House do not know it, the Federal Government has imposed a three percent, payroll tax, commonly called a payroll tax, on employees in the State of Maine, providing that the employer shall pay the tax. One provision of the Federal Act is, in substance, that if the State of Maine will set up their own Unemployment Compensation Commission, then the State of Maine may have credit for 2 7-10% of the tax which is collected under the Federal Act. Our Maine Act, however, must conform in every respect to the terms of the Federal Act, and I would like to add that that tax amounts to approximately \$3,700,000 per year that is collected here in the State of Maine. This bill would take out from under the terms of the Maine Act some of the boys who are going to college and working in the Fraternity Houses and getting something for their work, waiting on tables, or whatever they do in that respect. The Federal Government has said that we here in Maine may take out from under the Act those boys.

Now I noticed the other day that someone had proposed an amendment to the Act which purports to take out from under the Maine Act services performed by officers in cooperative organizations who do not receive a salary from those organizations. I placed this on the table in order that I might find out what would happen if we should take out from our Maine Act this class of person.

I have a letter here from the Chairman of the Maine Commission in which he tells me, in substance, that he has taken this up with the Federal Department. Should this amendment which is now proposed be adopted, it would save these officers, whoever they are that this amendment would apply to, from paying the 2 7-10% to the State of Maine, but the Federal Government, because our Act will not conform to theirs, would require these same officers to pay the entire 3% tax to the Federal Government. In

fact, I think I could put it best by reading a paragraph from his letter. "Therefore the effect of the amendment would be to pay the entire 3% tax to the Federal Government, with no return to the State of Maine. Whereas, under the present arrangement, the Maine fund does derive the benefit of 90% of the 3% tax. This raises a question for the Legislature as to whether or not it is good policy to make an exemption in the Maine law which served the sole purpose of returning the entire 3% tax over to the Federal Treasury, thereby depriving the State of Maine of any return on that tax and in no way relieving the tax obligation of the cooperatives." Therefore, not because I am opposed to relieving the cooperatives from paying this tax, but because I find I cannot relieve the cooperatives from paying the tax, and because I think the State of Maine should get the credit, I now move that this amendment be indefinitely postponed. I might say that I have taken the matter up with the man who proposed the amendment in the first instance and he thinks that is the proper procedure.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that Senate Amendment "A" to Bill "An Act Amending the Unemployment Compensation Law Exempting Certain Employees" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and Senate Amendment "A" was indefinitely postponed, and the bill was passed to be engrossed in non-concurrence and sent up for concurrence.

The Chair lays before the House the seventh tabled and unassigned matter, House Report "Be Referred to the Committee on Legal Affairs" of the Committee on Counties on Bill "An Act Relating to the Compensation of the National Guard" (H. P. 1408) (L. D. 551), tabled on March 22nd by Mr. Lambert of Lewiston, pending acceptance. The Chair recognizes the gentleman from Auburn, Mr. Winslow.

Mr. WINSLOW: Mr. Speaker, I move that H. P. 1408, L. D. 551, be recommitted to the Committee on Counties. This is being done at the request of that committee and also with the approval of the Chairman of the Committee on Legal Affairs.

The SPEAKER: The gentleman

from Auburn, Mr. Winslow, moves that the report of the Committee on Counties on Bill "An Act Relating to the Compensation of the National Guard", and the accompanying bill, be recommitted to the Committee on Counties. Is this the pleasure of the House?

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

The Chair lays before the House the eighth tabled and unassigned matter, Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" (H. P. 1312) (L. D. 535), tabled on March 22nd by Mr. Stilphen of Dresden, pending adoption of Committee Amendment "A." The Chair recognizes the gentleman from Camden, Mr. Dwinal.

Mr. DWINAL: Mr. Speaker, in the absence of the gentleman from Madison, Mr. Thorne, who is quite interested in this bill, I move that this bill be retabled and specially assigned for next Tuesday.

The SPEAKER: The gentleman from Camden, Mr. Dwinal, moves that Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" lie on the table, pending adoption of Committee Amendment "A," and be specially assigned for next Tuesday. Is this the pleasure of the House?

The motion prevailed, and the bill was retabled and specially assigned for next Tuesday.

The Chair lays before the House the ninth tabled and unassigned matter, Senate Report of the Committee on Legal Affairs on Bill "An Act to Provide for the Appointment of a Board of Commissioners of Police for the city of Bath" (S. P. 183) (L. D. 234) reporting same in a new draft (S. P. 510) (L. D. 1049) under title of "An Act to Provide for Civil Service Rules for the Police and Fire Departments in the city of Bath" and that it "Ought to pass," tabled on March 23rd by Mr. Miller of Bath, pending acceptance in concurrence; and the Chair recognizes that gentleman.

On motion by Mr. Miller, the "Ought to pass" report, and accompanying bill, was retabled and specially assigned for next Tuesday.

The Chair lays before the House the tenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Fur-bearing Animals" (H. P. 1567) (L. D. 665), tabled on March 23rd by Mr. Snow of Dover-Foxcroft, pending acceptance; and the Chair recognizes that gentleman.

Mr. SNOW: Mr. Speaker, I suppose I am guilty of leaving one of these animals on the table for somebody to look after over the weekend. This bill was backed by the Department of Agriculture, also by the Department of Inland Fisheries and Game, and it was also backed by every Fish and Game Association in the State of Maine so far as I can learn. Although I feel that I have enough support in the House to pass this bill, I wish to save the trouble and therefore move that we accept the committee report.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Snow, moves that the House accept the "Ought not to pass" report of the Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Furbearing Animals." Is this the pleasure of the House?

The motion prevailed, the "Ought not to pass" report was accepted, and sent up for concurrence.

The Chair lays before the House the eleventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Western Hancock Municipal Court" (H. P. 1782) (L. D. 947), tabled on March 23rd by Mr. Emery of Bucksport, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Emery, the "Ought not to pass" report, and accompanying bill, was recommitted to the Committee on Salaries and Fees, and sent up for concurrence.

The Chair lays before the House the twelfth unassigned matter, Majority Report, "Ought not to pass" and Minority Report, "Ought to pass," of the Committee on Legal Affairs on Bill "An Act Creating a State Lottery Commission" (H. P. 1644) (L. D. 852), both of which reports were tabled on March 23rd by Mr. Weed of Manchester, pending

acceptance of either report; and the Chair recognizes that gentleman.

Mr. WEED: Mr. Speaker and members of the House: When I was a small boy, as my friend Judge McGlauffin starts off with, that was in the days before the radio, before the moving pictures and before the days of Sunday movies, and one of the amusements of a small boy on a rainy Sunday afternoon (I being that small boy) was to delve in the bookshelves for old volumes of books. One of the books which I was specially interested in was a ponderous volume dealing with travels in darkest Africa. It had a heavy binding and gilt edge—I can see it now. It was profuse with illustrations and pictures. Only one of the pictures in this volume of seven or eight hundred pages has made any impression upon my youthful mind. It pictured a captive of one of these African tribes who had been captured by a man from another tribe, and it pictured the method of torture meted out to that captive. The captive was placed in an open enclosure, bound to a stake which was driven firmly into the ground, and in front of him was another stake. Upon this stake was placed a bowl of water. The captive was left to remain there in the broiling sun for many hours, and finally, thirst getting the better of him, he made frantic efforts to reach this bowl of water, with the result that in time he went raving mad and died a terrible death.

Now, gentlemen, the Legislature of the State a few years ago passed a bill, a very commendable bill, the old age pension bill. This, in my estimation, is one of the finest gestures for the aged and infirm in the annals of our history. However, they failed to do one thing, they failed to make any provision for funds with which to pay those pensions. In other words, they chained the aged to a stake and placed a pension just beyond their reach and said to them, "Now you try and get it."

I came to this Legislature as a proponent of the Townsend Bill, with the thought uppermost in my mind to do something for these aged people if I could. I know that you are in sympathy with them and so am I, and I know that we would do anything in our power to relieve their distress.

Many of these aged people started life the same as you and I, with high hopes and aspirations. They built their homes, reared their families, and were law-abiding citizens; they saved for a rainy day. But with sickness, accident, reversals in business, and the present condition of business, when that rainy day arrived they found, many of them, that they had not the wherewithal to carry them through life, and were left without help in a relentless world.

Now you and I, campaigning for this Legislature, recall that one of the first things we heard among our constituents was that they wanted no new taxes. They reminded us that planks in both of the major parties provided that we have no new or increased taxation.

It seems almost as if the body in power was determined to stand by their guns. Any such proposal that has been put forth in this Legislature you recall has met with opposition. The gasoline tax, the chain store tax, the cigarette tax and the increase in fee for hunting and fishing licenses.

Now I am not advocating an increase in taxes; I am not advocating new taxes. I think the present taxpayers are overburdened, especially on real estate taxes. To put more taxes on real estate is like trying to get the last drop from a juicy orange, and the last drop is generally rather bitter.

Gentlemen, this matter of taxes is one in which we are all concerned. Taxes have reached a point in my home town where last year 41 pieces of property had tax liens placed upon them, and this year I note that 34 resident taxpayers and 46 non-resident taxpayers did not pay their 1938 real estate taxes.

An article written by Arthur Staples, in the Lewiston Journal, says:

"You ought to do a lot of thinking about taxes. Taxes are liable to reduce the sources of revenue if they get excessive. As a matter of fact, nobody knows just what to do about taxes, because everywhere one looks he sees obstacles."

You recall the matter of taxation was what started the American Revolution. You have heard about tax strikes. Since the town meeting in our town in March of this year, on account of the proposition that we may have an increase of seven or eight mills in the tax rate,

there is a petition being circulated in town whereby certain influential citizens have vowed that if their taxes for another year are increased one dollar they will refuse to pay another cent of taxes to the town of Manchester. They say that they will allow their buildings to tumble down, that they will allow the town to take that property and let the towns pauperize them. You know it costs anywhere from two hundred to two thousand dollars to pauperize a family.

With this old age assistance to look after, many of us came to the Legislature with the idea we were going to help out the situation. What are you going to use for money? I am asking you: What are you going to use for money?

Gentlemen, there appears on the horizon an answer to this in the proposed lottery bill. I believe that the proposed lottery bill if enacted into law will take care of every old age petition on file. It is so simple that it is just like manna dropped from heaven. All you have got to do is reach out and take it. It provides for no new taxes. It provides for no increase in taxes. It provides enough funds to take care of those who have applied for aid and assistance in their old age.

Every year vast sums of money go out of this country to finance some foreign lotteries, just how much no one knows. Every week vast sums go out of this State in payment for some chance games, baseball pools or government treasury balances. This you say is illegal. Then for Time's sake let us legalize it. Let us keep some of this money in our own State where it belongs.

The opponents of the bill deplore the idea of caring for our aged with funds of this kind. Please note this bill does not say specifically that the funds are to be used for old age pensions. They are not earmarked for such. They go into the general treasury and from there may be used for roads, bridges, poor welfare or what have you.

Furthermore, the recipients of pensions are not asking the source of their pensions. When you put your donation on the collection plate Sunday morning, does the collector ask you anything about it? When you pay your taxes, is there any question asked as to the source of your income? When I go down here

to buy a registration for my car, does the cashier ask me if I got that money bootlegging or by robbing a bank? They do not care. It is funds they want.

If games of chance and lotteries were not so general, there might be some reason for moralizing, but our best people have accepted them and are using such funds to finance their pet charities and bazaars, at which games of chance predominate. At State and County fairs, firemen's circuses, horse races, games of chance are permitted and are licensed by the State. The Wall Street stock market and the Chicago Grain Market are good examples of licensed gambling. Many churches use this method of raising funds to support their current expenses.

I attended a church fair quite a while ago where chances were sold on a ton of coal, and the winner donated the coal to the church. There was another lucky winner of one barrel of flour, and he donated that to the minister and he accepted it.

Understand, gentlemen, I have no quarrel with the church members but I do believe that it would be a legitimate means of supporting legally authorized institutions.

Now if you should be lucky enough in an Irish Sweepstakes to win \$50,000 and you tucked that down in the old sock and felt comfortable about it, it would not be long before you would have a gentleman come up and tap you on the shoulder and congratulate you on your good luck and say: "How about your Uncle Sammy, where is his cut?" You will find you have to hand part of it over to Uncle Sam, and he tucks it down in his jeans without batting an eye.

A certain judge in this State with whom very many of you are well acquainted, used to get a lot of amusement by gathering around him a certain group of friends. There was a fellow in town named Tom. Tom was not quite bright. He was not a nit-wit but he was not quite bright. The judge wanted to show him off, so he called Tom over and proceeded to ask him some questions, simple questions, and the nit-wit would give him some platonic answer, to the amusement of the judge and his friends. Then, as a final gesture, the judge would say: "Here are two pieces of

money." He would show him a nickel and a ten-cent piece. "You can have whichever one you want." The little fellow would pick up the nickel and weigh it and scrutinize it and pick up the dime and do the same to that, and, finally, to all intents and purposes Tom decided that the nickel was the larger, and he decided to keep the nickel, to the great amusement of the judge and his friends. But the little fellow confided to one of his pals one day that the reason that he took the nickel was that if he took the dime he would never get another chance. (Laughter)

Now Uncle Sam says, of course, that lotteries are illegal. If you win \$50,000 on a lottery, why doesn't Uncle Sam confiscate the whole \$50,000 and clap you in prison? Uncle Sam knows he is going to get another chance. You wouldn't take another chance on a lottery if you knew it was all going to Uncle Sam and you were not going to get a dime of it.

Of course there are some conscientious people who will not take a chance on a lottery and who will not take a chance on anything. Why, some of them haven't got married. (Laughter)

I knew a fellow who never left his house without carrying an umbrella. No, sir, he would not take a chance. He used to attend baseball games, football games and basketball games, and he would sometimes get into a heated argument. He had one of those old-fashioned umbrellas with a big newel at the end and sometimes he used it physically. No, sir, he did not have a chance without that umbrella.

I have a great deal of sympathy for a man who declines to take a chance, and I have a great deal of sympathy for a man who appears to take a chance, but, Lord, I do hate a hypocrite, the man who preaches about the evils of the lottery and at the same time has two or three tickets in his pocket. You know the type, the type that shouts from the house-tops: "Thank God, I was not made like other men."

I believe if this bill was enacted into law it would be a panacea for many of the evils which confront the State.

Please keep in mind that you are not voting on this bill. What you are voting on is to decide whether or not you will give the people an

opportunity to say yes or no on this measure. If you decide to give them this opportunity, I think the outcome will be satisfactory.

Someone whispered in my ear: "Do you think the people have sufficient intelligence to vote on this subject?" If you have that feeling, that is o. k., but just remember that those people whom we are considering giving an opportunity to vote on this are the same people that you considered had intelligence enough to send you to this Legislature.

Now, Mr. Speaker, it is not my intention to put anyone on the spot. I am not going to ask for a yes or no vote. I hope there are some others who wish to speak on this matter, and they will have an opportunity to speak pro and con. That having been done, I move you that we accept the minority report, "Ought to pass."

The SPEAKER: The gentleman from Manchester, Mr. Weed, moves that the House accept the minority report of the Committee on Legal Affairs, reporting "Ought to pass." The Chair recognizes the gentleman from Portland, Mr. McGlaulin.

Mr. McGLAULIN: Mr. Speaker, I ask permission to address you facing the House.

The SPEAKER: The gentleman has permission.

Mr. McGLAULIN: Mr. Speaker and members of the House: I heartily endorse the sentiment expressed in favor of the aged people by the gentleman who has just spoken. I differ with him very decidedly on the matter of raising the money for that purpose.

Lotteries have been tried many times in many countries and have repeatedly been done away with because of the tremendous amount of harm they did. They were tried in this country and abandoned. The only lottery that I can find that was ever authorized by the State of Maine was many years ago a private lottery was allowed to get funds to build a bridge in Sullivan in Washington County. That lottery was not much of a success, and it ended up in a lawsuit.

Before making comments on this matter, I want to read briefly some statements that I find in a book written by H. M. Muller on the subject of lotteries. In that book I find these words:

"The profits of state lotteries are

often negligible. The histories of lotteries considered successful proved that not more than 20% of the money reaches its object. In some cases debit balances are the result. "Lotteries are a retrogressive form of Taxation.

"They are supported largely by the poorer strata of society.

"The effect of lotteries on ordinary citizens is deplorable.

"The savings of the poor are dissipated.

"Many of those who buy tickets need their few dollars for essentials.

"The lottery dulls all sense of civic responsibility. People become unwilling to pay any taxes without hope of return.

"Lotteries are unsound. They exploit human frailty. They increase crime. They foster the gambling evil."

"If people get something for nothing, then certainly they are living at the expense of the community, and the community will be that much the poorer."

"But one thing we have learned is that lotteries are ethically demoralizing and that they are a very expensive way to make money."

Now I object to lotteries first because I want the State of Maine that tells me what my conduct must be to live up to that conduct itself.

For 119 years we have had on the statute book laws against gambling. Lotteries are gambling pure and simple; there is no question about that. You and I all know that we ourselves may smoke and drink and swear and gamble, but if the pastor of our church does the same thing we despise him. Why? Because he professes something better. And if he does a thing, as the gentleman from Manchester (Mr. Weed) said, he is a hypocrite, and we have no use for a hypocrite. I do not want the State of Maine to be a hypocrite. It has said for 119 years: "We cannot gamble."

Now you are proposing to have the State of Maine go into the gambling business to raise money to take care of the old age pensions. I want to tell the men and women in this House that there are thousands of men and women that are old and poor but who would be ashamed to accept the money that came from such a source.

My second objection to this bill is that it tends to break down the morale of the people of the State

of Maine. What is morale? Morale is self-respect, confidence in yourself. Morale is what makes Varney, Buzzell, Bird and Hinman and all the rest of you members here men that you look up to and listen to. There is a fighting spirit there. It takes morale to win games and it takes morale to win battles. It takes morale to win the battle of life. And you are trying to break down that morale.

I have had experience with men and I know what I am talking about. Haven't I had men time and time again come into court before me who were nothing but sots. They had no self-respect, they had no pride, they had no confidence in themselves. They had lost their morale, and they were no good to themselves, they were no good to their family, they were no good to the State. They were better off dead, actually. Many such men have been before me.

I want to tell you, men and women, that to build up the morale of this State is vastly more important than it is just to get a few paltry dollars. (Applause)

Mr. HOLMAN of Dixfield: Mr. Speaker and ladies and gentlemen of the House, something like eight or ten days ago I came up here into the Senate Chamber with several of the members of the Legislature, and the members of the Maine Development Commission and another gentleman from out of the State. He was an Associate Editor of one of the papers in Buffalo, New York, and he came here to tell us his opinion of the people of Maine. I cannot quote his words but to me the thing he told us is this: That the people of Maine are different than any other group of people in the United States. He said you noticed the difference as soon as you came over the State line. He said that they have characteristics that appeal to out-of-state people. To me it means that he thinks we are modest, that we are conservative, and that we are stable, and he advised us to maintain those characteristics in the State of Maine. He said people coming in here from out of state like those things from the State of Maine; they like to get away from the hurry and bustle of turmoil of the places where they live, coming into a State that is clean and has good sensible people in it. He said he came into this State nine years ago for the first

time on vacation and since then he has bought a place in the State of Maine for a summer home. He also said when he retires he intends to come here to live. He says he is not the only one that has that opinion of the State of Maine. These particular characteristics appeal to the people outside the State of Maine. Now it seems to me that that is one of the best arguments that you have got against a State lottery or against Sunday movies, or any gambling of any kind, and I hope that this Legislature is going to keep the State clean so far as it can.

Now I am sorry that the parimutuel betting bill was ever passed. One of the largest and best fairs in the State of Maine is located eighteen miles from where I live and they never have allowed parimutuel betting, and they are as prosperous as any fair in the State of Maine.

Now we have a class of people in the State of Maine who cannot seem to think of anything but the pleasure they are going to get out of life. That is all the object they have in mind, just what they are going to get out of life as they go along.

We have another class of people who are very much interested in keeping this State clean. They work hard, they help their friends and neighbors and will do all they can to uphold the noble characteristics the State of Maine is noted for.

We have another class of people that somehow or other, it seems to me, do not have will-power enough to control themselves. If they have a little money and there is a chance to spend that, they are going to spend it, regardless of whether their family needs it.

Now the report that comes to us from other States where they have gambling is that the merchants in some of those towns are almost on the rocks. People get their paychecks and they are small, and they know there is a chance for them to get some more money and they go to the gambling place and spend it and go home without it. That is just what happens to that class of people.

I believe that the majority of the people of the State of Maine are not in favor of Sunday moving pictures. They can pass their time away Sunday afternoon and Sunday evening in some other way. With all

the leisure time we have on our hands nowadays and the cutting down of working hours, I fail to see why we should have to have Sunday afternoon and evening moving pictures.

Now I have got a family. Half of that family, ladies and gentlemen, sits right over there in the corner. They are young men and women just coming into their own. There is a group of others who came down from my town today to see this Legislature perform. They have come to the time of life when they have got to decide what kind of principles they are going to stand for.

Now if a member of my family comes to me and says they want this thing, and another wants something else and another one something else, and so forth and so on, and I have got money enough to provide all those things, it is all right for me to do it for them, but if I haven't the money, some of them have got to go without some of those things they want and would like to have.

The same thing would apply to individuals and corporations in general in the State and Nation, no different.

Now the State of Maine can be looked at from the same point of view. Here are all these different departments of State. It is perfectly proper for the heads of these different departments to try to improve the service which their department renders to the people of the State of Maine, but we as members of this Legislature must see this whole picture. You must not look at old age pensions and at salaries and at Fish and Game and all those things separately. We must see the whole picture and we must keep the expenses of this State within the income of this State. If we do not, we are going to go somewhere we do not want to go, and we will realize it some time.

Now the bonding indebtedness of the State is thirty nine million dollars, and the interest on that at two per cent is four hundred and eighty thousand dollars—I do not know whether the State pays more than two per cent or not. Now if we had the interest on this item of four hundred and eighty thousand dollars, that would help a little, and the same principle applies to anything else. We seem to think that

money is all the thing there is in life; if you keep money circulating, going around from hand to hand we will be all right. We forget that every time money comes around we have to take out a little to pay taxes and it wears out after a while and grows less and less. Now our income in the United States is based on a profit on the goods we produce plus a profit on our imports and nothing else. It cannot be measured by any amount of work or by any volume of business. It is a profit on the goods we produce in this country plus the profit on our imports. Now we are cutting down the hours of labor and reducing our production, and when we reduce our production we are reducing our income. Then we need more money to spend for something else so we hire a lot of money and go in debt. A university professor, speaking on public finance, says that we are lowering our standards of life every day we spend more than our income, and that sometime if it is not stopped, we will have to repudiate our debts.

Now ladies and gentlemen, when we vote on the moving picture bill, I hope you will think of what I have said. Now the same thing applies to moving pictures. I am not going to take any more of your time, but I want to say that I am very much opposed to legalizing of Sunday moving pictures or the lottery bill or anything of that nature.

Mr. VARNEY of Berwick: Mr. Speaker, I move you that the House recess until 4:30 this afternoon.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House recess until 4:30 this afternoon. Is this the pleasure of the House?

The motion prevailed and the House so recessed.

After Recess—4:30 P. M.

The SPEAKER: The House will be in order. The pending question is on the motion of the gentleman from Manchester, Mr. Weed, that the House accept the minority report "Ought not to pass" from the Committee on Legal Affairs on Bill "An Act Creating a State Lottery Commission" (L. D. 852).

Mr. BUTLER of Waterville: Mr. Speaker, I move that we recognize our Representative from the Third District, Honorable Ralph O. Brews-

ter, and invite him to sit at the Speaker's desk.

The SPEAKER: The Chair is glad to welcome to the House this afternoon the distinguished Congressman from the Third District. The Chair will direct the Sergeant at Arms to escort the Congressman to the Speaker's desk.

Thereupon, Congressman Brewster was escorted by the Sergeant at Arms to a Chair at the right of Speaker, amid the applause of the House, the members rising.

The SPEAKER: The pending question is on the motion of the gentleman from Manchester, Mr. Weed, that the House accept the minority report "Ought to pass" on L. D. 852. The Chair recognizes the gentleman from Monticello, Mr. Good.

Mr. GOOD: Mr. Speaker, I would like to discuss for just a few moments the question before the House when we adjourned, in regard to the Lottery Bill.

I am opposed to a Lottery Bill personally because my conscience tells me it is wrong, and, in the second place, because I belong to one of the greatest organizations in the State of Maine which is opposed to it, and that is the Church.

We have heard said here this morning the amount of revenue that it would turn in, yet there have been no figures to show how much revenue it would turn in.

I do not believe the time has come when the citizens of the State of Maine want to tear down the morals of our State by legalizing lotteries or gambling. I have always said that our State would not rise any higher than the morale of the country, and if we are going to lower the morals of the country, we must expect to go along with them.

You have heard it said this morning that the better class of people are in favor of the Lottery Bill. I take issue with the gentleman from Manchester, Mr. Weed. I do not believe that. I do not think the better class of people are in favor of the Lottery Bill, therefore I am opposed to it. I move that the majority report be accepted on this bill.

Mr. DOW of Norway: Mr. Speaker and members of the House: This bill came up for hearing on March 8th before the Legal Affairs Committee, and as the result of the

hearing held on that day the report comes back to this House six against and four in favor. I want to say that at that hearing every one who wanted to speak for or against it was given a chance to be heard.

I think those who signed the majority report of the committee feel that the conducting of a State Lottery is not a sound financial policy for the State, that it is not sure to lower any taxes, that it is not sure to raise any money for old age assistance, and that, at the best, it is a guess which is rather wild and rather far-fetched. I hope, when the vote is taken, the motion of the gentleman from Manchester (Mr. Weed) does not prevail, and I ask for a division.

Mr. BROWN of Caribou: Mr. Speaker, so much has been said on this Lottery Bill that perhaps I do not need to say anything more. I do want to say that I am firmly opposed to it. It seems that nowadays old age assistance, like charity, covers a multitude of sins. All kinds of schemes, legal and illegal, both moral and immoral, are being urged upon the people of the State of Maine in the sacred name of Old Age Assistance.

I presume that I have just as much interest in the welfare of the aged people as the gentleman who introduced the bill and who spoke this forenoon, but I did not promise to come down to this Legislature and perform any act or vote for any bill which I considered immoral and against the interest and welfare of the people. We have another duty beside the duty to the aged. We have a duty to the young people; we have a duty to the laboring man of the State; we have a duty to the people who are trying to carry on. This bill aims directly at the morals of the people.

It is true that there is a lot of gambling going on and a lot of sweepstakes tickets sold and a lot of different kinds of lotteries and gambling, but there is nothing in this bill that does away with any of them. The racketeer who today is selling sweepstakes tickets and who is selling tickets on the treasury balance and so forth will continue to do business and thrive, and the only way you can put him out of business is by making the State of Maine Lottery more attractive than these other lotteries, by setting up a great gambling institution in the State of Maine to mulct the money

out of the people who can least afford to lose it. It is not going to be the business man who buys any great number of these tickets, because he knows only too well that he cannot beat the game. It will only return back to the people half of what they put into it. To get one hundred dollars for old age assistance means that two hundred dollars of someone's hard-earned money must be put into it. I do not think that is a fair way to tax the people of the State of Maine.

I lived for some time in a State where, for two or three years, they had slot machines. I know we have a few of them here, at least they tell me they have some in some of the club rooms, but I lived in a State where they were legalized and stood out in front of the stores. Nearly every filling station, hardware store and grocery store had a line of slot machines in front of the door. I have seen little children go and play those slot machines and put in the money their mothers gave them to buy lunch with and come away crying because they lost. I have seen women play the machines and put in the machines the money that their husbands gave them to buy groceries with, and come away empty-handed. I never saw anyone who won on those machines but who stayed right there and played them. Finally they had to do away with those machines because the merchants said it was ruining their business and taking money out of circulation that should be paid into their stores, and people were putting it into these slot machines.

There is no difference in principle between the slot machine and the lottery business. It is taking money from the people that they should spend for groceries or to care for their children.

Let me tell you, while I am talking about old age assistance, which I believe in, that there are many aged people who lose their money through misfortune and whom we must take care of, but there are also lots of aged people who play the lotteries all the time and that is why we have to support them in their old age. They are people who have never saved anything and never would save anything.

Now under this Lottery Bill you propose to create a class of people who will put money into lotteries and spend it as they go along, and when they get old we have got to

take care of them. I believe it is for the interests of the State to discourage those things and not to encourage them. I believe it is the duty of the State to try to build up a good citizenship and to try to help the people who are weak-minded—and those people who play the lottery are weak-minded—and to preserve them from temptation or at least not throw it in their way.

Now, as I said before, this does not take away any of our present lotteries. Sweepstakes tickets will be sold on the Irish sweepstakes just the same. Your racketeer will peddle around slips with numbers on them just the same as he is doing today. The only thing you are doing is that you are legalizing and putting the State of Maine into the gambling business. I do not know how much money it will raise. Someone has said that it will raise at least a million dollars. If you raise a million dollars, you will have to take two and a quarter million dollars out of the people, because only half of it goes for prizes, and you have to pay commissions for the sale of the tickets.

I doubt if there is anyone who has ever prospered or got ahead by winning a lottery prize. If you want to get two million dollars for old age assistance, you have got to sell two and a quarter million dollars' worth of tickets. Ten per cent of it goes to provide for the commission to regulate it. That means over two hundred thousand dollars that is taken out of the pockets of the people.

I just want to cite you one instance of the man who appeared before a legislative committee some years ago, in discussing a tax or opposing a tax. He had been told it was a painless tax the same as this one is supposed to be, and he told this story: "Years ago I was working in a mine up in the mountains, and one of the miners had his leg horribly crushed by a rock, and we were not able to get the man to the hospital. There was only one thing we could do and that was to cut his leg off. There was one man there who had some rude knowledge of surgery. He had no anaesthetic or anything to work with, but he sat on the man's head and held his arms and cut his leg off and the man got well." Then he said: "A short time ago I was in a railroad train and we had a train wreck and

there was a man who had his leg crushed beyond any possible chance of recovery. They rushed him to the hospital and they gave him an anaesthetic and took his leg off. It was a painless operation, but, gentlemen, the man lost his leg just the same."

Now, members, this lottery tax is coming out of the pockets of the people just the same. I do not care whether it is a tax on food or real estate or clothing; the place where the money comes from is out of the pockets of the people. I say that this tax is just as much of a burden, it is just as hard to pay, and decreases the buying power of the man who puts his money into lottery tickets as if you took it away from him in some other way. It may be a painless tax, but you cut off his leg just the same. I am opposed to it.

Mr. RICHARDSON of Strong: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Strong, Mr. Richardson, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question 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.

The SPEAKER: More than one-third of the members having arisen, the question before the House is, shall the main question be put now?

Mr. SLEEPER of Rockland: Mr. Speaker, I move the two reports lie on the table.

Cries of "No" "No".

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves that the two reports lie on the table pending the motion of the gentleman from Manchester, Mr. Weed, that the minority report be accepted. Is this the pleasure of the House? All those in favor of the motion to table will say aye; those opposed no.

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

The SPEAKER: Is it the pleasure of the House that the main question be put now?

Cries of yes, yes.

The SPEAKER: The question before the House is on the motion

of the gentleman from Manchester, Mr. Weed, that the House accept the minority report "Ought to pass" on Bill "An Act Creating a State Lottery Commission" (H. P. 1644) (L. D. 852). The gentleman from Norway, Mr. Dow, has asked for a division. All those in favor of the motion to accept the minority report 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. Forty-eight having voted in the affirmative and 78 in the negative, the motion did not prevail.

The SPEAKER: The gentleman from Norway, Mr. Dow, now moves the acceptance of the majority report of the committee, "Ought not to pass." Is this the pleasure of the House?

The motion prevailed, the "Ought not to pass" report was accepted and sent up for concurrence.

it was determined in carrying out the functions of that law that those same individuals could ride the rear end of a train and make the examination required. The law today, we believe, is of no value. It is costing the State several thousand dollars and we therefore recommend that this bill be passed, and I now move acceptance of the committee report.

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the House accept the "Ought to pass" report of the Committee on Legal Affairs on Bill "An Act relating to the Examination of Railroads by the Public Utilities Commission." Is this the pleasure of the House?

The motion prevailed, the "Ought to pass" report was accepted in concurrence, the bill was given its two several readings and tomorrow assigned.

Additional papers from the Senate, out of order and under suspension of the rules.

The SPEAKER: The Chair will call to the attention of the members that there are additional sheets distributed and on their desks this afternoon which include additional papers from the Senate.

From the Senate: Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to the Examination of Railroads by the Public Utilities Commission (S. P. 562) (L. D. 1087)

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

In the House:

Mr. PAUL of Portland: Mr. Speaker and members of the House: This is one of our economy measures that your Economy Committee, which was appointed on the fifteenth of February, came out with for enactment after hearing the matter pertaining to the State Departments and after giving them serious consideration.

In taking up the bills in rotation, I would like to say just a few words in explanation. This first bill is "An Act relating to the Examination of Railroads by the Public Utilities Commission." Many years ago there was established in the State a law requiring examination of railroads which required one or two individuals to walk railroad tracks for the entire State. Later

From the Senate: Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Reports to Towns of Excise Tax Payments." (S. P. 557) (L. D. 1082).

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

In the House:

Mr. PAUL of Portland: Mr. Speaker and members of the House: This is a second bill which your Economy Committee recommended. In 1933 there was a law requiring the State to make a report back to the towns and cities for the collection of excise tax payments. Upon investigation we find that law is not a necessity by any means. The State of Maine will save \$15,000 per year by the repealing of that law, and I move that the committee report be accepted.

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the House accept the "Ought to pass" report of the Committee on Legal Affairs on Bill "An Act relating to Reports to Towns of Excise Tax Payments." Is this the pleasure of the House?

The motion prevailed, the "Ought to pass" report was accepted in concurrence, the bill was given its two several readings and tomorrow assigned.

From the Senate: Report of the Committee on Legal Affairs on Bill "An Act relating to Automobile

Travel by State Employees." (S. P. 564) (L. D. 1085) reporting same in a new draft (S. P. 596) under same title and that it "Ought to pass."

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

In the House:

Mr. NOYES of Franklin: Mr. Speaker, I move that we accept the "Ought to pass" report of the committee, and that the bill be given its two several readings at this time.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the House accept the "Ought to pass" report of the Committee on Legal Affairs on Bill "An Act relating to Automobile Travel by State Employees." Is this the pleasure of the House?

The motion prevailed, and the report was accepted in concurrence.

Mr. COWAN of Portland: Mr. Speaker, may I ask if we have copies of the new draft?

The SPEAKER: The Chair will inform the gentleman that the new draft has not as yet been printed.

Mr. NOYES of Franklin: Mr. Speaker, the new draft on this bill exempts the Department of Inland Fisheries and Game. That Department is now being operated on a mileage basis different than that in the other departments of the State. In L. D. 550 you will note that the mileage therein contained showing expenditures for the Department of Inland Fisheries and Game amounts to less than two thousand dollars. In reality the Department of Inland Fisheries and Game is spending more than \$75,000 for mileage. The game wardens are allowed a flat amount of \$600 per car, and that figures about three cents per mile. The trucks being used by the Department of Inland Fisheries and Game are being operated at about three cents per mile. It is the desire of the committee that the Department of Inland Fisheries and Game be allowed to continue on its present basis because we feel that they are already operating on a very economical plan.

Mr. VARNEY of Berwick: Mr. Speaker, what I am about to say I think applies not only to this bill but to the others as well. Answering the question of the gentleman from Portland (Mr. Cowan) as to whether or not these bills have been printed, I understand that the new

drafts are not available yet. It was my feeling, at least, that probably this House was not in position to debate the merits of these bills at this time. However, we did feel that possibly we could have the reports accepted at this time and let the bills have their two readings and that they would lie on the table until tomorrow for consideration and their third reading, at which time they will be printed. You will all have an opportunity to read them and if there are any who are opposed to any of the bills, I would simply suggest that we defer the debate until tomorrow, and that nobody ask to lay them on the table tonight.

The SPEAKER: Is it now the pleasure of the House that the rules be suspended and that the new draft be given its two several readings at this time?

The motion prevailed, the bill was given its two several readings, and on motion by Mr. Varney, 500 copies of the new draft ordered printed.

From the Senate: Report of the Committee on Legal Affairs on Bill "An Act relating to the Support of Parents" (S. P. 556) (L. D. 1081) reporting "Ought to pass."

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

In the House:

Mr. PAUL of Portland: Mr. Speaker and members of the House: I move the acceptance of the report.

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the House accept the "Ought to pass" report of the committee on Legal Affairs on Bill "An Act relating to the Support of Parents." Is this the pleasure of the House?

Mr. BUZZELL of Belfast: Mr. Speaker, and members of the House: It is rather an unusual position to find yourself in when just one of the committee signs a minority report—

The SPEAKER: The Chair will inform the gentleman that on this particular bill there is a unanimous report of the committee. The matter before the House is L. D. 1081.

Mr. BUZZELL: Mr. Speaker, I beg your pardon.

The SPEAKER: Is it the pleasure of the House that the "Ought to pass" report be accepted?

The motion prevailed, the report was accepted in concurrence, and the bill received its two several readings and tomorrow assigned.

From the Senate: Majority Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Requirements for Old Age Assistance" (S. P. 555) (L. D. 1080)

Report was signed by the following members:

Messrs. Marden of Kennebec
Chase of Washington

—of the Senate.

Dow of Norway
Donahue of Biddeford
Dwinal of Camden
Payson of Portland
Pike of Bridgton
Shesong of Portland

—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. Buzzell of Belfast

—of the House.

Comes from the Senate with the Majority Report read and accepted and the Bill passed to be engrossed.

In the House:

Mr. PAUL of Portland: Mr. Speaker, I move acceptance of the majority report "Ought to pass."

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the majority report "Ought to pass" of the Committee on Legal Affairs be accepted. Is this the pleasure of the House? The Chair recognizes the gentleman from Belfast, Mr. Buzzell.

Mr. BUZZELL: Mr. Speaker and members of the House: It is rather unusual for just one member of a committee to sign a minority report, but our Economy Committee has made a report and I wonder whether or not all of us have read these bills and their provisions. In order that you may know just what this bill provides for, I want to read the bill and make slight comments. "Report to department of increase in income. Sec. 11-A of L. D. No. 1080. Every recipient of old age assistance shall forthwith notify the department upon the receipt and possession of any property or income in excess of the amount allowed by this chapter. Whoever

violates any provision of this section shall be punished by the penalty provided for in section 14 of Title II hereof." I wonder just how many of you know what the punishment is for the violation of this law on the part of some old person. That you may know, permit me to say it is not over five hundred dollars or eleven months in jail, or both. I, for one, of that committee, said that I preferred to resign and walk home before I would vote to submit one of the recipients of old age assistance in the State of Maine to any such provision as that. Perhaps some of you have discovered that I am rather in favor of old age assistance. I think the State of Maine is committed to it by the vote of the people, but, by the attitude of some of our votes, it seems very strange to me.

Another provision of this law, this economy—I do not know just where the economy comes in—this Economy Committee reports "Payment illegally received may be recovered. The department may recover from any child, children, or spouse (that is the other side of the family—ordinarily the best side) of any beneficiary under this act who is able to support the said beneficiary, but who fails to provide such support, in an action on the case for the amount expended by the department for the said support. This action shall be prosecuted by the attorney general in the name of the state, and the amount recovered shall be credited to the Old Age Assistance fund." We are now taking part in sharing in the passage of a law that permits the great Commonwealth of Maine to bring an action at law against any child, children, or spouse of any beneficiary under this act who is able to support the said beneficiary but who fails to provide such support. I do not like that very much. I do not see very much economy in that. Now, mark you, all the rest of the committee who were there have voted for this bill. I simply want to register my voice that I am against the haling of old people into court under any such provision, under any such law. I have mentioned it two or three times to some of the members and they say: "Why, no judge would ever do anything with an old person under those conditions." Now what is the use of

passing a law that is unnecessary and uncalled for? Do we want to send out to the old people of this State any word like that? What is provided for in this law? I know what some will say. They will say yes, that is just to deter them from obtaining old age assistance wrongfully and deceitfully. We have examinations every three or four months and the thing is nicely taken care of. I waited for the gentleman from Portland (Mr. Paul) to make his motion for the acceptance of the majority report "Ought to pass," but I just want to go on record against being in favor of anything like that.

Mr. PAUL: Mr. Speaker, I just want to call your attention to the fact that this was reported out by two committees. Our Committee of Economy, who made a study of the administration, are duly conscious of our obligations to the old age program. We are for it; we always have been for it, but we want equality and we want fairness. This report came from two committees, consisting of ten men each. Now our good friend, Mr. Buzzell, signed the minority report. Now gentlemen and ladies, let me repeat again, this bill should not be debated at this time. It would be unfortunate to put any of the bills on the table. There is a time coming when they can be debated if those who wish to debate them have any merit in what they wish to say.

Mr. SHESONG of Portland: Mr. Speaker, as a member of the committee who signed the majority report, a word of explanation might be advisable at this time. It is a fact that the recipients of old age assistance are not called paupers. We have been careful to keep away from that in recent years. When old age assistance is set up each recipient is allowed a certain amount of money each month. In addition to that, there is a flexible maximum of property which they may have in their possession. If at any time that person receives in excess of that maximum, under this law, he is required or she is required to report it. For instance, if a recipient should, under a will, receive five hundred dollars, that recipient would report that amount to the proper authority. That is all the first section does.

Under the second section, the

provision is simply made that the child should be made responsible for the support of the parent. It seemed to the committee, after a thorough investigation last night, that they were right in reporting this out "Ought to pass". I hope the motion of the gentleman from Portland, Mr. Paul, prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Paul, that the "Ought to pass" majority report of the committee be accepted. Is the House ready for the question? All those in favor of the motion of the gentleman from Portland (Mr. Paul) will say aye; those opposed no.

A viva voce vote being taken, the majority report "Ought to pass" was accepted in concurrence, the bill was given its two several readings, and tomorrow assigned.

From the Senate: Report of the Committee on Legal Affairs on Bill "An Act Creating the Board of Sanitation, Licensing and Inspection and Defining its Powers and Duties" (S. P. 563) (L. D. 1084) reporting same in a new draft (S. P. 597) under the same title and that it "Ought to pass."

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

In the House, on motion by Mr. Paul of Portland, the report of the committee was accepted in concurrence, and on motion by Mr. Noyes of Franklin, under suspension of the rules, the bill was given its two several readings, and on further motion by the same gentleman 500 copies of the new draft were ordered printed.

Mr. NOYES of Franklin: Mr. Speaker, I present House Amendment "A" and move its adoption. I will say that those who were opposed to certain sections of the bill, together with the members of the Economy Committee, have written the new draft and I believe it is acceptable to all concerned.

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

House Amendment "A" to S. P. 597, which is a New Draft of S. P. 563, L. D. 1079, Bill "An Act Creating the Board of Sanitation, Licensing and Inspection and Defining its Powers and Duties"

Amend said Bill by striking out the second paragraph of Section 1 thereof, and by inserting in place of said paragraph the following:

"The board shall, as far as possible, eliminate needless duplication, travel and other expense in examination, licensing and inspection services carried on by the Bureau of Health in the Department of Health and Welfare, and by the Department of Agriculture, and shall have full authority to perform all acts necessary to accomplish such purpose. Provided, however, that nothing contained in this act shall be deemed to give said board any authority to dispense with or transfer any such services except where duplication and unnecessary expense may be found to exist and where such services can reasonably be consolidated."

Mr. PAUL of Portland: Mr. Speaker, there is an error in the legislative document number. It should be 1084 in place of 1079.

The SPEAKER: On the suggestion of the gentleman from Portland, (Mr. Paul) the error will be corrected.

Mr. VARNEY of Berwick: Mr. Speaker, due to the fact that the new draft has not been printed yet, I move that this bill lie on the table, pending adoption of the amendment.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that House Amendment "A" with accompanying report and bill, lie on the table, pending adoption of the amendment. Is this the pleasure of the House?

The motion prevailed, and the bill and report were tabled, pending the adoption of House Amendment "A".

From the Senate: Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Emergency Aid in Certain Organized Territory (S. P. 558) (L. D. 1083).

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

In the House, on motion by Mr. Paul of Portland, the report was accepted in concurrence, and the bill was given its two several readings, and tomorrow assigned.

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair lays before the House the thirteenth tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Permit Sunday Moving Pictures" (H. P. 1892) (L. D. 736); both reports tabled on March 23rd by Mr. McGlaufflin of Portland, pending the motion of Mr. Dow of Norway that the Majority Report be accepted.

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

Mr. MCGLAUFLIN: Mr. Speaker, again I would like to address the Speaker facing the House.

The SPEAKER: The gentleman has permission.

Mr. MCGLAUFLIN: Mr. Speaker, I am opposed to this Sunday Moving Picture Bill, for these reasons: First, because it opens the door wide open for the destruction of Sabbath Day observance. Second, it removes an ancient landmark in the State of Maine. Third, it is going to shock the sensibilities of a great many Christian people in this State. And, fourth, it will tend to lower the standards of the State of Maine.

I want to discuss these four points a little more in detail. I say that it opens the door wide open for the destruction of Sabbath Day observance. Of all the blessings that have ever come to men from the Creator himself, there is no greater blessing than the creation of Sunday.

Now you say that there is no harm in the movies. I agree with you. You say it would be a pleasure to attend those movies, and I agree with that too. A bear, travelling through the forest, comes upon a piece of meat, and that bear reasons: "That is a good piece of meat." It is. He reasons: "That won't do me any harm." And it won't. He further reasons: "That will give me a great deal of pleasure." And it would. But, if he touches that meat, it is Good-night Mr. Bear, because there is a trap behind him.

We have in this House today quite a number of fine young men, men whom I greatly admire and whom I am glad to count among my friends. But, unfortunately, they have never had experience in life, and they fail to see that the harmless thing that we do today is

going to lead to the destruction of the Sabbath Day tomorrow. They say you can have a referendum and that you have not got to have this unless you want it. Members, when you put a hole through a boat, if you do not stop that hole, the boat will sink. Some of you are like the Jews who were on a boat in Lake Erie, and the boy came to his father and he said, "Fadder, fadder, de boat is sinkin'." The father said, "Nivver mind, boy, nivver mind, we don't own de boat." (Laughter)

Already we have punctured the boat with horse racing and the parimutuel, a big step downward in the morals of this State. Already we have put another puncture in it by Sunday baseball. Now you are opening the door wide open.

How do I make that out? How are you going to say to the barber tomorrow, who wants to open his shop on Sunday, that he cannot do it when you allow the moving picture man to open his theater on Sunday for pictures? It is not the thing in itself; it is the consequences that are sure to follow. The merchant, the grocery man, the clothier, the mill man, the factory man, every last one of them, have a right to come before you and say: "You have opened the door for the theaters. Why can't I work on Sunday too?" You will argue that that will not come to pass at once. That is true. But, there is all the time that pressure. The man who cares for neither God nor the Devil and who wants to make money, goes at it, and the other fellow, who today is half decent and respectable, sees he has got to do the same thing in order to protect himself, and the result, inevitably, in the course of time, is what has happened in Russia—they have no Sunday. The Church is gone and even the home has no longer any sanctity in Russia. My first point, members, is that you are opening the door wide open.

Now they offer us some money; they give us two hundred thousand dollars to sell our souls to the Devil. Judas Iscariot sold Christ for thirty pieces of silver, and then he hung himself for being a fool.

My second point is this: The Scriptures say, "Remove not the ancient landmarks." Up in the town of Chapman, about six miles from Mapleton, where I formerly lived, there were two men, one by the

name of Hanson and the other by the name of John Swandike. Those two men lived in a little community all by themselves. There was nobody else there at all, but they had trouble over a line, and one day Hanson came out with a loaded shotgun, and, seeing Swandike, he called to him and said, "Come out here and we'll settle this question right now." Swandike, who was an old veteran in the war, went in and got his army rifle. He came out, raised it, leveled it at Hanson and shot and killed him. Hanson's shotgun was also loaded, and, as he fell, he pulled the trigger. The shot hit Swandike in the arm and Swandike lost his arm. He was tried for manslaughter, found guilty, and sent to Thomaston for five years. I knew this man Swandike, both before and after he went to State Prison. If there had been ancient landmarks in that place at that time, that tragedy never would have happened. But I want to tell the men and women in this House that that tragedy is not a circumstance to the tragedy that will come to this State if we lose the observance of the Sabbath Day.

I said that my third point was that we were going to shock the sensibilities of a great many Christian people in this State. All over the State of Maine there are men and women who each and every week go up to the little Church and hold weekly prayer meetings. They take their children to the Sunday School on Sunday and they bring up those children to have a pious character. As they grow up they are sent all over this country and they constitute the backbone of this nation. A man, speaking in Boston, not a great while ago, said, "Who are the men and women who fill the positions of trust and responsibility in the city of Boston today? Are they the sons and daughters of the wealthy men of Boston? No, for the most part they are men and women from all over New England who have been knocked down time and time again but who have got up once more than they were knocked down."

Let me call your attention to another thing that may not have occurred to you. We have in this Senate three Senators from Portland. Not one of the three was born in Portland. We have in this House seven men from Portland.

Not a single one of them was born in Portland. There are three others: Our Honorable Speaker from Cape Elizabeth, the gentleman from South Portland, Mr. Hinckley, and Senator George Hill. They have offices in Portland, and not one of them was born in Portland. I could go on further. The member from South Portland, Mrs. Robinson, was not born in South Portland. What does that mean? You can put your own interpretation on it, but to me it means that, for the most part, the men and women of character, the men and women who have stamina and will power to get somewhere in the world, for the most part come from Christian homes in the country, and in those homes the Sabbath is a tremendous influence in producing such men and women.

My last point is that it lowers the standards of the State of Maine. What do I mean by that? Let me give you two illustrations. I was formerly one of the trustees of the Women's Reformatory at Skowhegan. Just twenty years ago this winter we found that our budget in some way was forty thousand dollars short of what it ought to be. I came to this Legislature, representing the trustees, and asked for that additional forty thousand dollars. I told them some of the work that that institution was then doing. I remember of telling them about a certain girl whose name was Maggie and who had fallen but who had been raised up and she had made good. The State of Maine gave us that forty thousand dollars, and I was very proud of the State of Maine, to think that it would help lift a fallen woman of this State and put her on a higher level.

I want to give you another illustration. I was walking down Exchange Street one day, and a man overtook me and he said, "Do you remember me?" I said, "No." He said, "You did me a great favor once." I said, "How was that?" He said, "You sent me to the Reformatory at South Windham." Well, I was interested. I said, "I have sent quite a number of men to the Reformatory at South Windham, but you are the first man who ever told me it was a favor." He said, "I was going to the Devil fast. You sent me out to South Windham. They took an interest in me; they kept

me there a few months and then they let me go out on probation and they got me a job. Now I am working down on Commercial Street every day and I take my wages home to my wife and we are very happy." I did not care about his praising me for sending him to the reformatory, but I thought at once what a wonderful thing it is that the State of Maine takes enough interest in the men who are going downward to lift them up and put them on a higher basis of self-respect, making good citizens out of them instead of letting them go to Hell.

Every Fourth of July or Armistice Day, in the city of Portland and elsewhere, the soldiers march down the streets, and as they march each group or division has a flag, and as that flag comes along and we are standing on the sidewalk, each and every one of us takes off our hats to that flag. I can imagine that as we tramp, tramp, tramp down the ages of eternity, that Sunday will be God's flag, as we bow humbly before the Creator of this great universe.

Some day each and every one of us is coming face to face with death. Some of our members in this House have already had that experience. I, for one, want to feel, when that day comes, whether it be soon or whether it be late, that I, in my life time here on earth, tried, in my feeble way, to raise men and women to a higher level and not to break them down. I call upon Christian men and women, the men and women who have had Christian training, to vote no on this motion this afternoon, because it tends to kill Sunday.

I hold in my hand a Masonic charm. It has on it a square and a compass, and in the center of that square and compass is the letter "G." I want to tell you members of the Legislature that the "G" does not stand for gambling, even when it involves Sunday observance. I ask the Masons who believe that that means God to vote with me on this question today. And I call upon the Grangers, that great institution that so many times has stood for good things, to vote no on that motion today. I go further, and I call upon every man in this House, whether you be a Christian or a Pagan, whether you be heathen or not, whether you be Jew or Gentile, Protestant or Cath-

olic, to bear in mind that of all the blessings that ever came down to man, there is no greater blessing than Sunday. If I could only make you realize that it is not today alone but it is the future that is involved.

Just a word in conclusion. I heard a great temperance speaker speak once, and he told about the mistake that he had made in becoming a drunkard, and as he told it, he uttered these words: "The bird with the broken pinion ne'er rises so high again." If you once lose the Sabbath, you cannot get it back so easy. It is only a step downward from Heaven to Hell, but it is a long climb upward, from Hell back to Heaven.

Mr. Speaker, when the vote is taken, I ask for a yea and nay vote.

Mr. DOW of Norway: Mr. Speaker and members of the House: At the hearing held on this bill on March 8th, the people who attended the hearing attended in such large numbers that it was necessary to adjourn to the Hall of Flags on the second floor, where a full discussion was given to this bill both pro and con. I want to say that considerable time was spent on it that afternoon. By permission of the Chairman of the Committee, and at his suggestion, three Sunday bills which were before our committee that afternoon were discussed at the same time, if the proponents and opponents saw fit to discuss them that way, and in most cases they did.

I want to say that I rise to speak in a dual capacity, in one capacity as representing the majority of the Legal Affairs Committee who signed this report and in the other capacity as representing my own personal views. I think that probably I will do the latter job better. I do want to make one or two comments on the remarks of the distinguished gentleman who has just preceded me. I will not try to compete with him in oratory, but I will try to compete with him in his sincerity. He referred to some of the younger men in the Legislature as lacking in experience. I hope my distinguished friend meant me, because I think I am one of those men. I realize some of us younger men have not had as much experience as others. But if that is not what I have been getting for the last ten years, hav-

ing a family of six, I do not know what experience is. I have an idea it was experience, quite a lot of experience, crowded into a small space of time.

I want to say also that reference was made to a money amendment.

In speaking for the majority report of the committee, "Ought to pass," I want to say that no amendment concerning money or revenue was presented to the committee, and the report did not come out from the committee with that in mind. I think that is true for the whole of the majority report. I know it is true so far as I am concerned.

I do not expect anything I may say here will change one vote, and I shall not be disappointed about it because I do not want to change one vote. I think this measure is different than a lot of measures we have to talk over and discuss and debate on. I think this measure goes deeper than the matter of expediency, and is a matter of what is best under the circumstances. I think it is a matter of personal convictions. I think that some of us who feel we ought to say a few words might as well keep quiet if we look at the net result. I do not believe the vote will be a single vote different after this discussion takes place than it would have been if we had taken the vote immediately when the bill came off the table. However, as a member of the Legal Affairs Committee, I want to give the House, as best I can in my imperfect way, a picture of what took place down in the Hall of Flags on the afternoon this bill was heard.

As I say, the hearing was well attended. I wrote out a list of names of those who spoke, and then I thought that maybe they would not be of interest to you, so I will not read them. But, of those who spoke for that bill, there were five or six representative citizens from the State who are not members of either House. There were five or six representatives from this body who spoke in favor of it. There was one Senator who spoke in favor of it, if my memory serves me correctly. I know that this is not going to sound right to you, but it is so: There was one minister of the gospel who spoke for the proponents. That is, he professed to be a minister of the gos-

pel, and I have no reason to suppose that he was not.

The opponents of the bill had a number of members of the House of Representatives, the exact number I do not remember, but I would not wish to create the impression that there were not as many who spoke against it as there were who spoke for it. A Professor from Colby College spoke against the bill as well as some interested citizens.

As near as we could find out from that hearing that afternoon, the main objection of the opponents was the further commercialization of the Sabbath. I think the committee was very patient that afternoon. I think every one who attended was given a chance to speak and no one was shut off from debate. A full hearing was held, and as much time was spent in executive session in the Legal Affairs Committee as was necessary to properly reflect the desires and ideas of that committee on this measure.

I think that is as much as I want to say about the majority report. As far as my own personal feelings are concerned, I will say that two years ago we had this same measure and I, at that time, signed the majority "Ought to pass" report which was not accepted by the House. I want to say that in the meantime my feelings in the matter have not changed in the least except that they have become a little more fixed.

I want to give one or two illustrations, and I want to be brief, because there are others who will want to speak on this. In the town of Norway we have one of the best small golf courses in the State of Maine. It is crowded all day Sunday and anyone who desires can pay his money and go and play golf. I often go fishing up to South Arm, and I take my automobile with me because my wife does not drive. Sunday afternoon to her is apparently quite a long afternoon because she does not have any automobile to go anywhere. I know when I get home that apparently things have been crowded together quite a little because there wasn't any car there and no one to take them for a ride. I do notice that my children are out in front of the house on Sunday playing marbles, and I notice a good many folks go to Sunday baseball games. I want to say that I made the mo-

tion for Sunday baseball in the town meeting at Norway the first time it was ever proposed, and it was carried. We have had Sunday baseball ever since. We make no provision for police at those games. We never have had one disturbance at the fairgrounds that has been brought to the attention of the authorities since we have had Sunday baseball. I do not believe that a good many of the things that my good friend imagines will take place, but I will bow to his superior wisdom in saying that I probably have not had his experience. I thank you very much.

Mr. WEATHERBEE of Lincoln: Mr. Speaker and ladies and gentlemen of the House: I want to speak very briefly this afternoon on this question from the standpoint of the effect which I believe it will have on the young people of the State.

I was brought up in a small community that had the old-fashioned Sabbath, but I am honestly convinced that over the State conditions have changed somewhat. We have had an urbanization of our communities; the opportunity for enjoyment of the out-of-doors is not so easily accessible to all of our people, and, whether I regret it or not, I cannot help coming to the conclusion that the interest of many young people in the old-fashioned form of Sabbath has passed through a change.

What about these young people who cannot or do not want to enjoy the pleasures of the old-fashioned Sunday? We cannot legislate these young people into liking the old-fashioned Sunday, and we cannot legislate them into enjoying it when the opportunities for their enjoying it have passed. Isn't it better to give those young people a place that they can go to on Sunday afternoon or evening for innocent, harmless entertainment, rather than to insist that they find some other less innocent and possibly harmful entertainment and amusement on Sunday? I believe that it is. I think that we should, this afternoon, frankly weigh the two values, on the one hand the value of keeping the old-fashioned Sabbath intact in spite of the changes in our modern society, in spite of the unfairness to some of the people who do not like it or do not have the opportunity to enjoy it, and, on the other hand, weighing the value of the State adopt-

ing a reasonable attitude and giving these young people an opportunity to find harmless amusement on Sunday afternoon or evening.

I do not believe any boy ever went wrong from going to a movie on Sunday afternoon, but if you go into the municipal courts on Monday morning, you will find a great many boys who did wrong because Sunday was a long, dull day and gave them a chance to spend their time in getting into mischief.

I do not like to offend the people who feel so strongly about the old-fashioned Sabbath. I have a strong sentimental attachment for it myself, but I cannot help realizing that this bill gives every town an opportunity to vote and to decide whether or not the town wants Sunday movies. Those towns that do not want it do not have to have it, and those who do not want it should not feel that they should prevent those who do want Sunday movies from having them.

There is another thing that I want to add, and that is that I am informed that an amendment will be offered, if the majority report is accepted, which will make this measure in part a tax measure, and which will bring in a considerable income, apparently, to the State of Maine.

Those are the feelings I want to express. I am confining myself to the attitude of the young people, because I am still one of the younger members of this Legislature. I took this same stand two years ago, because I felt that the bill allowing Sunday movies would make a real contribution to the welfare of the people of the State. Two years have passed, and I am two years older, but I still think I am a young man and I still think I am in touch with the young people, and I feel even more strongly than I did two years ago that it is the duty of this Legislature to consider the conditions, weigh them against the sentimentalities, and decide whether or not the young people should not be given the chance to have some innocent, harmless amusement on Sunday afternoon and evening. (Applause)

Mr. GOOD of Monticello: Mr. Speaker, I have listened with interest to the discussion for and against this Sunday Bill. I, personally, oppose Sunday movies on the ground, as I said before, that I belong to one of the greatest

institutions in America, and that is the Church. I have letters and telegrams asking me to vote against this bill. I listened with interest to the remarks of the gentleman from Norway, Mr. Dow. I think he was very fair when he said that there was a good hearing and the committee gave it great attention. Yet it seemed to me there was no representation from some districts which should have been there, because the outlying districts which believe in the old-fashioned Sunday wherein people can rest from their labors, were not represented there.

Now maybe I am a little different from some of you members who have been born in the city. I was born back in the country, on the banks of Nuxkeag Stream, in a log cabin. My father taught me that Sunday was one of the best days of all days. When it came to Sunday, he did not speak about moving pictures because there were not any, but he did take his children to Sunday School and he went to Church in the schoolhouse in the afternoon. We were taught to believe that Sunday was a sacred day; we were taught to believe that Sunday was a holy day, that it was a day set apart for rest, when men and women should stop their activities and rest. Maybe my father was a little bit strict. When it came to snowshoes—of course we had barrel staves with a strap across them for snowshoes—and we had to put our snowshoes away because we recognized Sunday.

I have heard it said—I guess it was today—that moving pictures are going to be a great asset to our young people.

We have never had such a crime wave in the history of the United States of America as we have got today. You can attribute it to anything you have a mind to, but I say that it is because we have let down the standards of our Christian principles and have bowed to the gambling instinct. Therefore, members, we are losing ground with our children, our boys and girls. Those boys and girls say that if other people are doing such and such things why can't they do it?

I want to say that I am affiliated with the greatest institution in the world and that is the Church. And I want to say that it did something to me once I will never forget. When I was twenty-two

years of age I found myself a drunkard. I affiliated with the Church, and I discovered that they had something for me that I needed. For thirty-two years I have never touched liquor because I affiliated myself with a body of people whose morals were higher than those who would have moving pictures on Sunday. I heard someone say here today that the pictures would not do anybody any harm. I know of a case in Aroostook where a young boy went to a picture—I do not know whether it was on Sunday or not—but he went to this picture and saw a boy who put a rope around another boy's neck and threw him into the stream and then pulled him out. They had a lot of fun with him in the picture.

This boy went down the next day to where they were bathing and saw some young boys, and he took a rope with him and put it around a boy's neck and threw him in the stream and then pulled him out, doing the same identical thing that the boy did in the picture. When they took him out the second time the boy was dead. If I am not mistaken, the boy who did that is in Thomaston today. I say to the members of this House that I do not believe we have any right to legalize Sunday moving pictures when we have these boys who will go to see the pictures.

I have telegrams and I have letters from moving picture men in Aroostook County, begging of me to protest against Sunday moving pictures. The boys and girls employed in the moving picture theaters have a right to have a rest on Sunday, the same as you and I. Therefore, I hope, members, when it comes to a vote, that you will see clear to hold up the standards of our Sunday and give our boys and girls a Godly day and recognize our Sunday as a holy day. We cannot afford to lower the standards any more than they have been lowered. I thank you.

Mr. PIKE of Bridgton: Mr. Speaker and members of the House: I find myself in an embarrassing position, the same as the gentleman from Belfast, Mr. Buzzell, did a little earlier in the afternoon. I find myself the only member of the Legal Affairs Committee who signed the minority report in the House, so I feel it is my duty to myself, as well as perhaps to you, to state my position in the matter.

There has been such a wave of oratory this afternoon that I will try to be known for my little speaking. In the first place, my position on this question is not because of any peculiar religious belief that I may have. Whatever religious belief I have is my own business, and what you have is yours. We have no business, in my opinion, in imposing them on one another, but we do have a right to voice the views on questions of public morals and public welfare. I feel from my experience in life that this bill, if enacted, would not make for better morals in the State. That has already been gone into by the previous speaker. I am not going to touch upon that any further. I do not believe it is good business for the State.

Ever since 1914 I have had something to do with what has grown to be the biggest business in the State, the summer business. We hear a lot about our summer guests of the State, and I have seen a good cross-section of them in the past twenty years. I have never heard but one of those ever speak about having Sunday movies in the State of Maine. I see our summer people taking souvenirs home with them, especially photographs. I have seen them taking pictures of almost everything, except two things. One is a movie house and the other is a large ten foot square Neon sign setting forth the beauties of Hacker's XXXX Ale. I tell you we have something here that we do not fully appreciate in business, and that is the State of Maine atmosphere. You heard the gentleman this morning speak about this editor from New York and about his impression when he came to Maine, that it was a different atmosphere than any of the other states when he crossed into Maine. The tempo was not quite as high, we were more conservative, and there was more good fellowship. Instead of throwing away our greatest asset, the biggest business we have, let us continue to have rest on the Sabbath day. Nobody can complain that they cannot have athletics and amateur sports as long as they do not pay for them. Personally, I would have no objection to the Sunday movies if they wanted to give them free, but we do not find them clamoring to do that. It is the commercializing of the day that I object to. I hope this bill will not pass.

Mr. VARNEY of Berwick: Mr. Speaker, I move that the House adjourn.

Cries of "No, No."

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House adjourn. All those in favor of the motion will say aye, those opposed no.

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

Mr. LAMBERT of Lewiston: Mr. Speaker and members of the House: I was one of the proponents of the measure when it came to a hearing before the committee. At that time I stated that I represented a city of thirty-five thousand inhabitants. Of the thirty-five thousand inhabitants, I dare say 75 per cent are industrial workers in mills and shoe shops and they are not greatly overpaid. On this matter of Sunday movies, I want to state on their part that a great majority of them have approached me as the gentleman from Monticello (Mr. Good) claims the Church has approached him,—a great many of these workers have approached me and asked me to give them Sunday movies.

They are forced, members, to work in the mills five days a week, and, on Sunday, being members of the poorer class, they are obliged to remain at home. They observe, as any good Christian observes, the Sabbath Day by attending Church in the morning. In the afternoon they have nothing to do but remain at home to observe the Sabbath, while others who are more fortunate and who have money can go out to the summer resorts and enjoy themselves. I believe it is high time that we give the younger element, not only the young element but everybody, an opportunity to attend movies on Sunday afternoon. The people of Massachusetts have had them for a long time and they have not gone to Hell; they are still in existence.

I refer you now to the local option which is included in this bill. This bill has a local option, so if the larger cities of the State of Maine want Sunday movies, why should the majority be held back by some of the smaller towns? I say to you that if any towns want Sunday movies they should have an opportunity to vote on it. I thank you. (Applause)

Mr. BUTLER of Waterville: Mr. Speaker and members of the House:

In the city of Waterville we have sixty-five hundred votes, and I have not heard a single one of them opposed to this bill. My good friend from Monticello, Mr. Good, has said that the Sabbath Day is on Sunday. As I remember, way back when I was working I got into a place on Saturday where they said, "I am sorry, Mr. Butler, but you cannot do your work today. It is the Sabbath Day." That was on Saturday. Now we have Saturday and Sunday both as the Sabbath Day. What are we going to do about it when we have two days? Shall we observe Saturday or Sunday? I hope that we have movies on Sunday afternoon.

Mr. MILLS of Farmington: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the motion to entertain the previous question 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.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question is ordered. The question now before the House is, shall the main question be put now? Is it the pleasure of the House that the main question be put now?

The motion prevailed.

The SPEAKER: The question before the House is on the motion of the gentleman from Norway, Mr. Dow, that the majority report of the Committee on Legal Affairs, "Ought to pass," be accepted. The gentleman from Portland, Mr. McGlaflin, has asked that the vote be taken by yeas and nays. The Constitution of the State of Maine requires that the vote shall be taken by the yeas and nays at the request of one-fifth of the members present. Since this is the first time this question has arisen this session, the Chair will read House Rule 22.

"Every member who shall be in the House when a question is put where he is not excluded by interest shall give his vote, unless the House for special reasons shall ex-

cuse him, and when the yeas and nays are ordered, no member shall leave his seat until the vote is declared"

All those in favor of the motion for the yeas and nays 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.

The SPEAKER: More than one-fifth of the members present having requested that the vote be taken by the yeas and nays, the yeas and nays are ordered. All members will remain in their seats until the vote is taken and declared.

The question is on the motion of the gentleman from Norway, Mr. Dow, that the House accept the majority report "Ought to pass". All those in favor of the motion will answer aye when their names are called; those opposed no. The Clerk will call the roll.

Mr. MCGILLICUDDY of Houlton: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MCGILLICUDDY: I would ask that you repeat the question, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House accept the majority report "Ought to pass" on Bill "An Act to Permit Sunday Moving Pictures" (H. P. 1892) (L. D. 736). Does the House understand the question? The Clerk will call the roll.

YEA—Arzonico, Ayotte, Bacon, Barter, Batchelder, Belanger, Bird, Bolduc, Bragdon; Brown, Corinna; Brown, Eagle Lake; Burgess, Limestone; Butler, Buzzell, Cleaves, Cook, Crockett, Dennison, Donahue, Dorsey; Dow, Norway; Dwinall, Ellis, Emery, Farrington, Farwell, Fellows, Hamel, Hanold, Hussey, Jordan, Labbee, LaFleur, Lambert, Larrabee, Latno, Leveque, Lord, Luro, MacNichol, Mahon, Marshall, McNamara, Melanson, Merrifield, Miller, Mills, Murchie, Norwood, Noyes, Otto, Palmeto, Paul, Payson, Peakes; Pike, Lubec; Plummer, Porell; Poulin, Waterville; Pratt, Race, Robbins, Robie; Robinson, Peru; Shesong, Slosberg; Smith, Westbrook; Stacy, Stevens, Sylvia, Tardif, Varney, Wallace, Weed, Weatherbee, Williams, Winslow, Winter.

NAY—Bowers; Brown, Caribou; Bubar; Burgess, Rumford; Chandler, Churchill; Colby, Cowan, Cushing, Davis, Dean, DeBeck, Dorrance; Dow, Eliot; Eddy, Fernald, Fogg, Ford, Fowles, Good, Goss, Grua, Gyger, Hall,

Haskell, Hinckley, Holman, Howes, Keene, McGillicuddy, McGlauffin, Mearse; Pike, Bridgton; Preble, Ramsdell, Richardson; Robinson, S. Portland; Sleeper; Snow, Dover-Foxcroft; Snow, Hermon; Starrett, Stilphen, Thompson, Townsend, Walker, Welch, Whitney, Worth; Young, Acton.

ABSENT—Babin, Bates, Burbank, Clough, Douglass; Dow, Kennebunkport; Downs, Erswell, Everett, Hawes, Hinman, Hodgkins, Holden, Jewett, Maxim, Pelletier; Poulin, Rumford; Robinson, Bingham; Smith, Thomaston; Thorne, Violette; Young, O. O. Beach.

Yes—78.

No—49.

Absent—22.

The SPEAKER: Seventy-eight having voted in the affirmative, and 49 in the negative, 22 being absent, the motion prevails and the majority report "Ought to pass" is accepted.

Mr. McNamara of Winthrop, thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1665, L. D. 736, Bill, "An Act to Permit Sunday Moving Pictures."

Amend said Bill by inserting after the word "annual" in the tenth line the words 'or special.'

Thereupon, House Amendment "A" was adopted.

Mr. McNamara then offered House Amendment "B" and moved its adoption.

House Amendment "B" to H. P. 1665, L. D. 736, Bill, "An Act to Permit Sunday Moving Pictures."

Amend said Bill by striking out from the ninth line the words "the municipal officers of a city" and inserting in place thereof the words 'a majority of the legal voters, present and voting, at any regular or special election' and by striking out in the tenth line the word "a" and inserting in place thereof the word 'such'.

House Amendment "B" was then adopted.

The same gentleman then offered House Amendment "C" and moved its adoption.

House Amendment "C" to H. P. 1665, L. D. 736, Bill, "An Act to Permit Sunday Moving Pictures."

Amend said Bill by inserting after the paragraph beginning "Section 39-G" a new paragraph as follows:

'A tax of 5 cents shall be collected by the state tax assessor on each admission on Sunday to a motion picture theatre. The state tax assessor is authorized and empowered

to issue all necessary rules and regulations for the collection of the tax levied by this paragraph. The funds collected from such tax shall be paid to the treasurer of state and are hereby appropriated for old age assistance.'

Mr. DONAHUE of Biddeford: Mr. Speaker, I move that House Amendment "C" be indefinitely postponed. As a member of the Legal Affairs Committee, I joined with several others in signing the majority report "Ought to pass" on the original bill. This amendment introduces a tax feature and there is a question in my mind how many of the proponents for L. D. 736 would have appeared before our committee in support of the passage of that bill had they known that House Amendment "C" during the process of legislation was to become a part of that bill. I, for one, would not have signed the majority report on this bill if House Amendment "C" had been put on the original bill.

Mr. BROWN of Caribou: Mr. Speaker, I move that House Amendment "C" be laid on the table.

The SPEAKER: The gentleman from Caribou, Mr. Brown, moves

that House Amendment "C" lie on the table, pending the motion of the gentleman from Biddeford, Mr. Donahue, that House Amendment "C" be indefinitely postponed. Is this the pleasure of the House.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that House Amendment "C" be indefinitely postponed. The Chair recognizes the gentleman from Berwick, Mr. Varney.

Mr. VARNEY: Mr. Speaker, I would like to call to the attention of the House to the fact that many of the members had to leave on account of the lateness of the hour. I feel that it is not fair to debate this matter at this time. I therefore renew my motion that the House adjourn.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House adjourn until ten o'clock tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the House so adjourned.