

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, April 5, 1939.

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

Prayer by the Hon. Lee C. Good of Monticello, a member of the House.

Journal of the previous session read and approved.

From the Senate: Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for the Publication of an Annual Statement of the Financial Condition of the State by the State Controller" (S. P. 311) (L. D. 595) reporting same in a new draft (S. P. 618) (L. D. 1116) under same title and that it "Ought to pass."

Mr. PLUMMER of Lisbon: Mr. Speaker, if I am in order, I would make a motion that the original bill be substituted for the new draft, and I would like unanimous consent to explain it for just a minute or two.

The SPEAKER: The matter is debatable without unanimous consent.

Mr. PLUMMER: Mr. Speaker and ladies and gentlemen: The original bill calls for the statement to be published in all daily and weekly papers, and the new draft simply cuts out the weekly newspapers and leaves it in the daily papers. Now I contend that we should not discriminate between the weekly and the daily papers, because the weekly papers serve a lot of people who do not get the daily papers, and they also serve a lot of people who take their local weekly paper and take a Boston paper. I hope, if you want this published, it will be published in all the papers.

Mr. HINMAN of Skowhegan: Mr. Speaker and members of the House: At the time your committee heard this original bill I believe there were two proponents, and they were both editors of weekly newspapers. As a matter of fact, the reason for the publishing of this report is in order that the citizenry of this State may, if they choose, have a chance to go over in more or less detail the financial condition of the State. We submit to you that that is the only reason for the introduction of this measure. It was

taken up with those who were interested, including the Executive Department, and we discussed it pro and con. It costs four thousand dollars roughly to make this publication in the daily papers. It will cost us an additional six thousand dollars, roughly, to make the publication in the weeklies, a total of ten thousand dollars, if we take both, and four thousand dollars if we take the dailies.

We submit to you that a very large percentage of the citizenry of this State have some daily paper, and, if they do not, they will know of the publication and can at least buy a daily paper on that one day. There is a weekly in my town and they, too, would like this publication, but, in fairness to the State of Maine, I say it is not sound business or necessary and I hope that the motion of the gentleman from Lisbon, Mr. Plummer, will not prevail.

Mr. GRUA of Livermore Falls: Mr. Speaker, I will say to the members of the House that, of my own knowledge, I know many people do not have daily newspapers. I also know that they usually do have at seems to me that this is rather unfair legislation to just publish this in dailies and leave out the weeklies. I am as much for economy as any member of this House, but I think, if this is to be published at all, it ought to be published so as to reach all of our people. I hope the motion to substitute the bill for the report will prevail.

Mr. BOLDUC of Biddeford: Mr. Speaker, I really believe that the figures as given by the gentleman from Skowhegan, Mr. Hinman, are a little too high. I do not think the gentleman has had the experience that I have had in this matter, because I own a weekly myself. I believe it is a discrimination against weeklies to publish it in this manner and it is not fair to a lot of the citizens in the State of Maine.

Mr. MURCHIE of Calais: Mr. Speaker and members of the House: I hope that the members of this House will agree with me that there is not an attempt on the part of anybody in this measure to discriminate against any of the weekly newspapers or anyone else. The first thought was that the whole attempt to publish the report was more or less unnecessary, because

probably a very few people read it and understand it. I can assure you it is very difficult for me to understand it.

The second thought was that it would be sufficient simply if a notice were given to the public that the statement would be ready and in the hands of the Controller, and anybody desiring the same might write in and get it. We felt at first that was sufficient. Then when the matter of the difference in the expense became evident we found that there was a question of an increase of six thousand dollars in expense if it were to go in that way. This is purely a desire on the part of the Appropriations Committee to save expense to the State of Maine, and I want to assure you that there was no attempt to discriminate. We have a daily paper in my town which would just love to have it, but I think that there is an opportunity for us to save six thousand dollars, and let us do it.

THE SPEAKER: The question before the House is on the motion of the gentleman from Lisbon, Mr. Plummer, that Bill "An Act Providing for the Publication of an Annual Statement of the Financial Condition of the State by the State Controller" (S. P. 311) (L. D. 595) new draft (S. P. 618) (L. D. 1116) be substituted for the report of the Committee on Appropriations and Financial Affairs, the report being "Ought to pass in new draft." All those in favor of the motion of the gentleman from Lisbon (Mr. Plummer) that the original bill be substituted for the report of the committee will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the original bill for the report did not prevail.

THE SPEAKER: The Chair understands that the gentleman from Skowhegan, Mr. Hinman, now moves that the report of the Committee be accepted. Is this the pleasure of the House.

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

Senate Bills in First Reading

Bill "An Act relative to Trapping Muskrats" (S. P. 359) (L. D. 769); in new draft (S. P. 619) (L. D. 1117) under same title.

Bill "An Act relating to the Taking of Land by the State Highway Commission, and the Taking or Discontinuance of a Public Highway" (S. P. 298) (L. D. 584)

Bill "An Act relating to Procedure in re Support of Neglected Wives and Children" (S. P. 524) (L. D. 1064)

From the Senate: Bill "An Act Authorizing Peabody Law School to Confer Degrees" (H. P. 6) (L. D. 13) which was passed to be engrossed in the House on March 28th.

Comes from the Senate indefinitely postponed in non-concurrence.

MR. PRATT of Turner: Mr. Speaker, I move that we recede and concur with the Senate. It seems to be the opinion of some of the members that in order for a man to practice law it is necessary to have a degree. For the benefit of the members I will say that is not so. Anyone can go to school and study law three or four years and, if he can pass the examination, that is all that is necessary to practice law. To confer degrees is not necessary and I do not think that Peabody Law School should confer degrees.

MR. COWAN of Portland: Mr. Speaker, I dislike to take up the time of the House further with a discussion of the merits or demerits of this particular proposition. We have very important matters concerning the State that call for our earnest thought and it seems a shame that we should have to take the time on some of these things which, for many of us, are really of a minor character. Nevertheless, the position of this thing being such as it is, I feel that I had better explain my position to the House so that you gentlemen and ladies can do as you see fit. I had intended, myself, to make a different motion and I shall, after I have explained a few things. When this matter came before the House before, there was in my hands a suggested amendment to the bill to take care of the objection of certain honest gentlemen who were afraid that if this privilege were conferred upon this school that it might at some time be misused. I did not offer that amendment because it seemed to me it might be construed by some as a reflection on the integrity of the honorable gentlemen who are trustees of the school. The same amendment was in the Senate and was not offered for

the same reason, that they feared it might be construed as a reflection on the trustees. Now that amendment—and I hold a copy of it in my hand—limits the right of the trustees of that school to confer degrees in this way: That only such persons as have completed not less than two years in college and who have, in addition thereto, completed not less than three years of study in a law school shall be eligible for the degrees of Bachelor of Law, so that the right of the school to confer degrees shall be limited at the present time to Bachelors of Law.

Now gentlemen and ladies, that is exactly what the trustees of the school have in mind anyway, and they will be fully satisfied with that, and their suggestion in regard to this bill, that it would be of benefit to the boys and girls of the State of Maine who are unable for financial reasons to go outside the State to more expensive schools, has been confined to that. They have had no idea of conferring other degrees than that. I am going to offer such an amendment and I ask permission now to lay this matter on the table, and I promise to take it off tomorrow morning, to give you time to consider this amendment which I will place before you. I move that the bill lie on the table.

The SPEAKER: The gentleman from Turner, Mr. Pratt, moves that the House recede from its former action whereby it passed this bill to be engrossed, and concur with the Senate, in the indefinite postponement of this bill.

The gentleman from Portland, Mr. Cowan, moves that Bill "An Act Authorizing Peabody Law School to Confer Degrees" lie on the table pending the motion of the gentleman from Turner, Mr. Pratt.

Mr. THOMPSON of Castle Hill: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? The motion to table is not debatable.

Mr. VARNEY of Berwick: Mr. Speaker, I ask for a division on the motion to table.

The SPEAKER: The gentleman from Berwick, Mr. Varney, asks for a division. All those in favor of the motion of the gentleman from Portland, Mr. Cowan, that the bill lie on the table, pending the motion of the gentleman from Turner, Mr. Pratt, 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.

Fifty-seven having voted in the affirmative and 41 in the negative, the motion prevailed, and the bill was so tabled.

From the Senate: Bill "An Act Amending the Law relating to Eb-balmers and Funeral Directors" (H. P. 1666) (L. D. 856) which was passed to be engrossed in the House on April 1st as amended by Committee Amendment "A".

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

In the House, on motion by Mr. Stilphen of Dresden, the House voted to recede from its former action whereby it passed the bill to be engrossed as amended by Committee Amendment "A".

On further motion by the same gentleman the House voted to concur with the Senate in the adoption of Senate Amendment "A." The House then concurred with the Senate in the passage of the bill to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A"

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

Taxation

Petition of Maurice A. Parquette and 53 other citizens of the State in favor of H. P. 1758, L. D. 933, Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 2156) (Presented by Mr. Churchill of Brewer)

Petition of G. H. Hinckley and 10 others of Bluehill in favor of same (H. P. 2157) (Presented by Mr. Emery of Bucksport)

Petition of Ralph M. Muzzrole and 23 other citizens of the State in favor of same (H. P. 2158) (Presented by Mr. Hussey of Windsor)

Petition of Fred Gowen and 43 others of Sanford, Cumberland County in favor of same (H. P. 2159) (Presented by Mr. Pelletier of Sanford)

Petition of Charles M. Brown and 42 others of Bangor and Brewer in

favor of same (H. P. 2160) (Presented by Mr. Whitney of Bangor)
Sent up for concurrence.

Resolution of Readfield Grange against any Increase in the Gasoline Tax (H. P. 2161) (Presented by Mr. Downs of Rome)

Was ordered placed on file and sent up for concurrence.

Ways and Bridges

Remonstrance of the Maine State Grange, Maine Automobile Association, State of Maine Camp Owners Association, Maine Independent Oil Dealers Association, Maine Petroleum Industries Committee and The Commercial Motor Vehicle Association of Maine in form of Resolution against diversion or additional appropriation of State Highway Funds to Local Roads (H. P. 2162) (Presented by Mr. Richardson of Strong)

Sent up for concurrence.

Orders

Mr. VARNEY: Mr. Speaker, I have an order here which amounts to amending the amendment to the House Order relative to tabling matters which we passed earlier in the session, and I want to make just a brief explanation of the reason for this order.

Earlier in the session we provided that on Wednesdays all matters which had been tabled during the previous week should be removed from the table and making them the first order of business. For example, today we have some thirty-three—I guess not quite as many as that—but nearly thirty-three tabled matters, which will be the first order of business under Orders of the Day. If the House should not succeed in considering all of these matters before adjournment, there would not be any opportunity for a man to make a motion to reconsider. A motion to reconsider, under our rules, must be made on the next legislative day, or else made under suspension of the rules.

This order simply amends the House Order passed on February 16th by adding: "With the exception of motions to reconsider."

I now offer the order and move that it lie on the table pending passage.

The SPEAKER: The gentleman from Berwick, Mr. Varney, presents an order which, under the Rules of the House, will lie on the table for one day and will be specially as-

signed for tomorrow. The Clerk will enter notice of the order on the Journal, and the Clerk will read the order.

ORDERED, that House Order relative to tabled matters which was passed in the House on February 16th be amended by adding at the end thereof the following words: "with the exception of motions to reconsider."

The SPEAKER: Are there any further orders?

Mr. Larrabee of West Bath, presented the following order, and moved its passage:

ORDERED, the Senate concurring, that no meeting of either branch of the Legislature shall continue after 8 P. M. of any day.

Mr. LARRABEE: Mr. Speaker, we came here to do a job. We have taken our time and have deliberated on all of the many matters that have come before us. During the next two weeks we will be expected to pass upon practically all of the important legislation which we came here to do. I do not believe, after we have sat in this room from ten o'clock in the morning until eight at night that we are in any shape mentally to pass on legislation that comes before us.

You know what has happened in every session, or, at least, what happened two years ago — that was my first session — but I understand it always happens that way the last night of the session, that we run way into Sunday morning, which I feel is a disgrace to the State of Maine.

We have had members stand up here on the floor of this House and wax eloquent on the floor of this House on the morals of the State of Maine. I wonder what their reasoning can be about twelve o'clock, when you take a black cloth and hang it over that clock? If we have got to have a Sunday session, I say adjourn and come back Sunday morning and have a Sunday session. Would it be any worse than to try to deceive ourselves by covering the clock? We know that when the sun begins to rise in the east windows on Sunday morning, that it is not Saturday night.

Last session we repealed the chain store tax, and you remember when we repealed that that the sun began to shine in these windows on

Sunday morning. Now the same delegation has come back and say they want to put that tax on again.

I am the least able financially of anyone in this House to stay here, but I am willing to stay here until next June and do the job right, and I do not believe we will do it right if we stay here until Sunday morning. (Applause)

Mr. VARNEY of Berwick: Mr. Speaker, I want to say that I am heartily in accord with everything that the gentleman from West Bath, Mr. Larrabee, has just stated. It so happens that this very morning I prepared an order or started to prepare an order which would accomplish the same result.

As I heard Mr. Larrabee's order read, it occurred to me that I am afraid that it will not do what he intends it to do, because as we get along in the final closing hour, somebody will suggest that it will take us only about another hour or two hours to close up, and so they will want to suspend the rule, and the first thing we know, we will be here all night, the same as we were two years ago.

Now I would like to see an order pass along the lines that he has presented, but, before it is passed, I would like an opportunity to give it a little consideration to be sure that it is going to do exactly what he intends to do.

I might suggest that this order which I drew perhaps does not do what I intended it should do, and for that same reason I am now criticizing the order of the gentleman from West Bath, Mr. Larrabee. I have drawn it up in these words: "No business shall be transacted by either the House or the Senate after the hour of ten o'clock P. M."—I want to say that I am not fussy about the hour — "and before nine o'clock A. M. At ten o'clock P. M. either House that may be in session shall stand adjourned. Notwithstanding the provisions of Rule 16, this rule shall not be suspended except by joint order which shall require for its passage by each House a two-thirds vote of all the members elected to each House, such vote to be taken by the yeas and nays."

Now I want to state that I am not quite sure that this is in proper form, and in order that we may have a little opportunity to talk

this thing over and decide upon an order which will assure us that we will not go into an all-night session, I will ask that this order lie on the table pending passage.

The SPEAKER: The gentleman from West Bath, Mr. Larrabee, presents an order and moves its passage. The gentleman from Berwick, Mr. Varney, moves that the order lie on the table pending passage. Is this the pleasure of the House?

The motion prevailed, and the order was tabled pending passage.

Reports of Committees Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects" (H. P. 250) (L. D. 75)

Report was signed by the following members:

Messrs. MARDEN of Kennebec
MORSE of Waldo
CHASE of Washington
—of the Senate.
DOW of Norway
SHESONG of Portland
BUZZELL of Belfast
—of the House.

Minority Report of same Committee reporting same in a new draft (H. P. 2165) under same title and that it "ought to pass"

Report was signed by the following members:

Messrs. PIKE of Bridgton
PAYSON of Portland
DWINAL of Camden
DONAHUE of Biddeford
—of the House.

The SPEAKER: The Chair will call the attention of the House to an error in the calendar, which was correctly read by the Clerk, the minority report being "Ought to pass in new draft".

Mr. DOW of Norway: Mr. Speaker, I move acceptance of the majority report "Ought not to pass".

The SPEAKER: The gentleman from Norway, Mr. Dow, moves that the House accept the majority report of the Committee on Legal Affairs, reporting "Ought not to pass" on Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Arch-

itects" (H. P. 250) (L. D. 75). The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker and members of the House: I suppose that no one could have anticipated that this Legislature would be so allergic to commissions and bureaus. There is a member of the House who is so allergic to boards that every time he walks past a lumber pile he breaks out in a rash. (Laughter)

Now the new draft of this so-called architect bill provides one thing and one thing only of practical importance. It provides that only a person who is an architect can call himself an architect, and it has no other effect upon any person or any contracting parties or on anyone who wants to build any type of house or building or anything of the sort. The only single, solitary purpose of the new draft of this bill is to provide that if a man is not an architect, he cannot call himself an architect. That is not an awfully stringent and severe measure. I find some reason to speak for this bill in this session in spite of the fact that I have gone on committee reports refusing to set up any board or commission for any other occupations, and I think these reasons are fairly sound. In the first place, an architect is a professional man. I think that the men who are in professions are entitled to require certain restrictions, certain examinations and certain requirements which will show that those who seek admission to those professions have that standard of education and fitness that they purport to have.

In the second place, I go along on this measure for an architect's bill because it does have a good deal to do with public safety. For those reasons, I hope the motion of the gentleman from Norway, Mr. Dow, will not prevail.

Mr. SHESONG of Portland: Mr. Speaker and members of the House: Being one of those who signed the majority report, I should like to make a few explanations. This bill is L. D. 75, one of the first to come before the Legislature, and I think it was almost the first hearing we had. At that time the proponents of this measure told us that all they wanted to do was to be called architects and become professional men. At the hearing it developed that a railroad company could not build a round-house or a station, a mill could not build any sort of

work house, and no person could build a building of any sort whatsoever—I am speaking of large buildings — without an architect. Furthermore it provided that no person could build a building for another person without employing an architect. In other words, all construction in the State would be tied up so that you could not build any building without an architect. The committee did not like that. I will say that the proponents of the bill admitted that was the effect of the bill. Now we have waited about two and one-half months since that time and the new draft comes in. That new draft, while it has been changed substantially—I will admit that—but it has also much of the language of the first original draft, and after we had looked it over to determine whether or not the new draft would accomplish what they thought they were accomplishing, I, for one, say that it will not accomplish it. For that reason, I am opposed to the passage of the bill in the new draft.

The SPEAKER: The question before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House accept the "Ought not to pass" report. All those in favor of the motion of the gentleman from Norway, Mr. Dow, that the House accept the majority report "Ought not to pass" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, the "Ought not to pass" report was accepted, and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Authorizing and Licensing of Greyhounds, on the Pari-mutuel System of Betting Shall be Permitted, and Creating the Office of Director of Racing" (H. P. 1655) (L. D. 853) together with Remonstrances H. P. 1999, 2065, 2043, 2114, 2115, 2113, 2112, 2079, S. P. 606 and 595.

Report was signed by the following members:

Messrs. MARDEN of Kennebec
CHASE of Washington
MORSE of Waldo

—of the Senate.

DOW of Norway
PIKE of Bridgton
PAYSON of Portland
SHESONG of Portland
DWINAL of Camden

—of the House.

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

Report was signed by the following members:

Messrs. DONAHUE of Biddeford

BUZZELL of Belfast

—of the House.

Mr. DOW of Norway: Mr. Speaker, I move the acceptance of the majority report "Ought not to pass."

The SPEAKER: The gentleman from Norway, Mr. Dow, moves the acceptance of the majority report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Authorizing and Licensing of Greyhounds, on the Pari-mutuel System of Betting Shall be Permitted, and Creating the Office of Director of Racing." Is this the pleasure of the House? The Chair recognizes the gentleman from Belfast, Mr. Buzzell.

Mr. BUZZELL: Mr. Speaker, I feel perhaps that I ought to say just a word about this bill. It takes more courage to sign a minority report, especially when you are in the small minority than it does to be with the majority.

I want to preface my remarks with the idea of making another motion in connection with this bill. In the first place, this bill had one of the finest hearings of any bill that I know of during this Legislature. We had some of the ablest men in the State of Maine there. Those men gave you facts and figures and told us about the revenue that it would provide for the State of Maine, and while I have not read the bill since I made some figures at the time of the hearing in my thoughts, I want to say in the first place that I do not think it is any worse to race dogs than it is to race horses. We have pari-mutuel betting at horse racing and this bill provides for pari-mutuel betting on dogs. One of the very able men of this State said that he rather favored dog racing to horse racing. Well, of course I could not go so far as that with him because I am rather partial to horse racing, but I would say, as he said, that I believe you can trust a good dog just as far as you can trust some drivers of horses at horse racing, and I believe that even the members of this Legislature and others feel the same way about it. They must feel that

way. Now this bill—it was reported to us—would give the State of Maine thousands of dollars by the way of revenue. Now there is no chance for us to get any more revenue because we cannot throw back on to the farms, the farmer's land, any more taxes because, in many instances, they cannot pay the taxes. Now if we are going to have any money to work with to take care of old age assistance — and some of you are not going to agree with me on this—one of the finest things the State of Maine ever did, we must get the money from somewhere either by the way of an excise tax, or my way of a luxury tax.

Now I never went to a dog race in my life, but I know something about how people attend or would attend those races. I have raced horses in the Grand Circuit in Massachusetts where we would have from ten to twelve thousand in attendance while they would have fifty to seventy-five thousand at the dog races. Some of the people have told me that when the dogs start, however—I never saw them start—but you would think that a French Revolution was taking place in that immediate vicinity from the noise that the people sent up over that dog race. Because of the revenue, and because I do not believe it is any worse to race dogs, and because I do not believe you can buy the dogs off as you can some men in horse racing, because of the revenue, and because so many people would love to go see those dog races—I do not know as I would go—I do not know as I would care enough about it—but there would be plenty who would because it would be the means of expending hundreds of thousands of dollars of money in the State of Maine to make a track, and to provide a place of entertainment, I am in favor of it. You know we have tourists coming into the State of Maine and they leave with us millions and millions of dollars every year, and we ought to do something to entertain them the same as they do in other states, and so if we could at this time take our elastic conscience in one hand and the possible benefits to the State in the other and then weigh them on the imaginary scales, I think perhaps in time we might adopt this bill. I think that we might adopt dog racing in the State of Maine so that those tourists might go there and enjoy the sport of dog racing

and we might get the income therefrom to spend for old age assistance and other things. Now I do not believe that the aged, I do not believe that the needy would raise any objection to the payment of their assistance if it were obtained from dog racing. I do not believe they would—at least I have not heard of a single instance where they might—and so, Mr. Speaker, with these few passing remarks, I move that this bill be referred to the next Legislature.

The SPEAKER: The gentleman from Norway, Mr. Dow, moves that the House accept the majority report on the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Authorizing and Licensing of Greyhounds, on the Pari-mutuel System of Betting Shall be Permitted, and Creating the Office of Director of Racing." The gentleman from Belfast, Mr. Buzzell, moves that the bill and the two reports be referred to the Ninetieth Legislature. Is the House ready for the question? The Chair recognizes the gentleman from Caribou, Mr. Brown.

Mr. BROWN: Mr. Speaker, I very much dislike to oppose the gentleman from Belfast, Mr. Buzzell, on this measure, but I want to say that I have lived in a State during the winter where they race dogs. I hope that the State of Maine has not gone to the dogs in order to get the revenue for running the State as much as additional revenue is necessary. I want to say that it is the consensus of opinion of a great many people that of all sports to get money out of the public, dog racing is the most crooked of them all. Horse racing is a gentleman's game, and I am not saying anything about horse racing, but dog racing is not in the same category. It is true that when dogs are once let loose you have not any jockey to hold them in, but a dog can be conditioned so that he will not run. If he is fed a short time before the race he does not run, that is all. His feet may be sandpapered a short time before he races so that he goes lame or at least will not try to run and may be run out of position. I know but a very little about dog racing because I have attended but one or two races. It is a very fascinating sport, much faster than horse racing, and people have a

chance to gamble a great deal faster than on horse racing. They put on one heat after another and they only run a quarter of a mile. The dogs are taught to run in a certain position, sometimes on the right hand, and sometimes on the left hand, and if a dog is taught to run on the right and he is shifted to the left, his immediate desire is to crowd over to the right, so you see there are all kinds of crooked ways connected with dog racing. More than that very few of the dogs that race are ever registered and so it is easy to switch a dog from one place to another. The dogs have no registered marks of any kind and so they can be run in most any position at any time. The only people, the only two classes of people, who go to dog races are the professional dog racers and the sucker who is playing them. Now as to people coming into the State of Maine in order to go to dog races, they could stop at Massachusetts. They have plenty of dog racing there and they will until they get it abolished. Perhaps you have read about the scandal in dog racing in Massachusetts. I submit that a great majority of the people who come to the State of Maine come here on a budget with about so much that they are going to spend, and I submit that if they stopped at Old Orchard and attended the dog races and they dropped fifty, one hundred, two hundred or three hundred dollars, that money would not be going to the State of Maine. I would suggest that if we have to have dog racing that we have it up to Fort Kent or Van Buren so that the people will have to drive through the State of Maine and we will get the benefit of their money. I hope the majority report "Ought not to pass" will prevail.

Mr. YOUNG of Old Orchard Beach: Mr. Speaker and ladies and gentlemen: I will be frank to tell you in the beginning that I am not moralizing. I am going to speak direct and to the point. This discussion reminds me of a story of a very strict orthodox Jewish gentleman who went one morning for a stroll down the street. The sun was shining brightly and as he went along in philosophical contemplation he suddenly detected the odor of fine newly cooked ham. Looking around, his conscience struggling within him whether he should break

the rules of his faith that morning and enjoy a piece of ham or whether he should strictly restrain himself to those habituated things to which he had been taught, seeing no one observed him he decided he would go in. So he went in and ordered himself a fine ham sandwich. While he was eating the ham sandwich with a great deal of gusto and enjoyment, a severe thunderstorm came up, and at the completion of his enjoyable lunch, he turned and paid the clerk, and, as he suddenly turned toward the door to step out, a terrific bolt of lightning came down with a tremendous crash. Frightened and trembling he shrank back and said to the clerk: "Good Heavens, would you think God Almighty would make such a touse about a ham sandwich." (Laughter)

I trust that the majority report of the committee will prevail.

The SPEAKER: The gentleman from Norway, Mr. Dow, moves that the House accept the majority report "Ought not to pass". The gentleman from Belfast, Mr. Buzzell, moves that the bill and two reports be referred to the Ninetieth Legislature. The Chair will rule that until the bill has been substituted for the report, or the minority report accepted, the motion of the gentleman from Norway, Mr. Dow, has precedence. The question is therefore on the motion of the gentleman from Norway, Mr. Dow, that the majority report "Ought not to pass" be accepted. All those in favor of the motion of the gentleman from Norway, Mr. Dow, will say aye, those opposed no.

A viva voce vote being taken, the motion prevailed, and the majority report, "Ought not to pass" was accepted, and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act to Create a State Boxing Commission" (H. P. 1668) (L. D. 749) reporting same in a new draft (H. P. 2168) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. CHASE of Washington
MORSE of Waldo
MARDEN of Kennebec
—of the Senate.
BUZZELL of Belfast
PIKE of Bridgton
DWINAL of Camden
DONAHUE of Biddeford
—of the House.

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

Report was signed by the following members:

Messrs. DOW of Norway
PAYSON of Portland
SHESONG of Portland.
—of the House.

Mr. BUZZELL of Belfast: Mr. Speaker, I move the acceptance of the majority report, and I am glad to be on that side once.

The SPEAKER: The gentleman from Belfast, Mr. Buzzell, moves that the House accept the majority report of the Committee on Legal Affairs reporting "Ought to pass in new draft." The Chair recognizes the gentleman from Portland, Mr. Shesong.

Mr. SHESONG: Mr. Speaker, I suppose that in any session of the Legislature a person is entitled to be on the minority at least one time, and I will say that I signed the minority report on this bill for two reasons: First, I am convinced that we do not need a Boxing Commission in Maine. I think we have ample laws to take care of all regulation of boxing that we need. That is my first premise.

In the second place, so far as Portland is concerned, we do not want this Commission. Portland supervises its boxing very well. I think the members here who attend boxing matches in Portland will admit that fact.

It was estimated that the total revenue from boxing in the State ranges between \$60,000 and \$80,000. Of that amount about \$30,000 comes from Portland, and it did not seem fair for Portland to be required to pay about fifty per cent of the expense of running this Commission. Therefore, Mr. Speaker, I move that the minority report be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Buzzell, that the majority report be accepted. The Chair recognizes the gentleman from Lincoln, Mr. Weatherbee.

Mr. WEATHERBEE: Mr. Speaker and ladies and gentlemen of the House: This is a matter which does not very seriously concern most of the members of the House, but it does concern to a very important degree a large number of the people of the State, and, for that reason, I feel that it justifies my taking up a few moments of your time in

explanation. It concerns very seriously those of us who are fond of the sport of boxing. As I said when I appeared before the Legal Affairs Committee on this bill, I felt like a physician who was recommending a serious surgical operation on his best friend, because, in many ways, the boxing game is my best friend and some of my best friends are in it.

At that time we considered the case, and seven of the physicians whom I called in for consultation on the case thought that an operation was necessary and three of them felt that it was better to let the patient go along as he is.

Now I feel I am calling in a larger group on a consultation, and I am going to put this case before a hundred and fifty-one physicians.

Let us for a few moments diagnose this case and make up our minds as to whether the patient is going to get along as he is or whether he needs this operation.

In the first place the boxing game at the present time is at a very low ebb in the State of Maine. I think this is true for many obvious reasons. It is because the chiseling managers and promoters have been so greedy to get a few dollars that they have forgotten whatever ethics belong to the game. It is because inexperienced boys, who ought to be at home in bed, have been fighting for one dollar or two dollars at the risk of serious injury. It is because fighters do not show up to fight, and when you get there you sometimes find two total strangers in the ring. It is because people who follow the game have entirely lost faith in a great many sections of the State, because they don't know who they are going to see or how well matched the fighters are going to be, and they do not know but what they are going to see brutality, injuries and needless death.

This is, as I said, a sport which is very dear to many people. It is one which is the only amusement to a great many people of the State, many of whom I know well, and whose interest in this sport I am very well aware of. It is a sport which, if properly conducted, will develop manhood and sportsmanship with very small risk of injury, and it is one which, if properly conducted, is not at all degrading to those who watch it.

I could tell you many stories of the abuses which are now prevalent in boxing in the State of Maine. I could tell you of a man who ranked among the first of the heavyweights of the world who fought a man in the State of Maine whom I am firmly convinced never was in the boxing ring in his life. Why serious injury or death did not result, I cannot say, but it was certainly fortunate. I could tell you of fourteen-year-old boys fighting grown men for a dollar or two and I could tell you of forty-five or fifty-year-old men fighting strong young boys. Why more injury does not result, I cannot say.

I could tell you of many, many cases where there were twenty or thirty pounds difference in the contestants, in spite of our law which should regulate this matter and intends to regulate this matter very well. I could tell you of blind men, more than one case, and I could tell you of a case of a man who was so nearly blind that he had to be conducted on the street by a guiding hand, yet this fellow was taken into the ring to fight a man with all his senses. I could tell you of many instances of men fighting in the ring with their hands encased in dangerous weapons.

Just before I came in here this morning there was handed to me a roll of black tape, which I have here in my hand, and I was told that it was worn by a heavyweight champion of Maine when he fought in this city and when he knocked out the local heavyweight. This is a very dangerous weapon and not much different from the cestas worn by the Roman gladiators in the early days of boxing, hundreds and hundreds of years ago. I have seen in my own experience a hundred cases or more where men have had their hands encased in these dangerous weapons, with the result that very serious injury was inflicted on their opponents, and I can tell you the story of a fine boy dying in the ring after he had been matched with a man many, many pounds heavier than himself, dying there with no doctor in attendance, in spite of the fact that the law says that a doctor shall be in attendance and examine the contestants before they enter the ring, a needless death—and there have been several of those in recent years.

I know in the larger states the

Boxing Commissions are often political footballs and do not do any good to the sport. Being political appointments, the men on the Commission are men who have had no experience whatsoever with the sport. But I do not think we have any danger of that in the State of Maine. In the first place, we are fortunate enough to have a man as Governor of the State who understands the sport of boxing and who has a genuine sympathy for sport. There is no question in my mind but what, if this bill should pass, he will make a fine appointment, whoever he chooses.

This Commissioner cannot cost the State more than three thousand dollars, and I believe even in the first year the Commission is certain to take in more than that sum. This bill provides for a tax of three per cent on gross admissions. Last year they would have grossed more than two thousand dollars revenue in the State of Maine on this three per cent tax alone, beside an estimated sum of \$1,500 to \$2,500 which would be realized from the small license fee which the bill provides for boxers, managers, seconds, promoters, etc. It seems to me that it is bound to a little more than pay its way, and possibly, with the increased interest of the public in the sport which will come as a result of this bill, it may even show a fair profit to the State of Maine.

I have spoken about these abuses of the sport. I think it is only fair for me to state that what my colleague from Portland, Mr. Shesong, has told you about conditions in the city of Portland is absolutely true. I know of no evils existing there. They have one of the finest boxing clubs in the State, and if all the other clubs in the State were conducted as Portland is conducted, there would be no great need of such a bill as I have suggested, but, unfortunately, the city of Portland stands alone in that respect.

I have always been very reluctant to urge a Boxing Commission on this State. I have been interested in the matter since I have been taking part in the boxing game, which has been for some ten years now. I even came down here to argue against a very radical boxing bill back in 1933. But, in spite of my reluctance to interfere with the sport and to create a new commission in any industry, I am convinced that such a

bill as this is necessary at this time if the boxing game is going to be saved at all.

This bill is a very mild sort of bill, as mild as possible. It provides for a chairman of the Commission and two other Commissioners, who will meet every two weeks, for a minimum salary, to hear appeals, as it were, from disgruntled managers, boxers or promoters whose licenses have been denied or suspended by the Commission. It provides only what control is necessary. If you read the Bangor Daily News or the Kennebec Journal, you will find that Jack Moran of the News and Dick Kendall of the Kennebec Journal, men who represent the very highest that we have in sports writers in the State, men who are not in anyone's pay and call things just as they see them—these men are of the opinion that the boxing game does need such a Commission as I have suggested.

I am going to tell you very briefly why I believe we should have this bill. In the first place, the Commission will have the power to grant and refuse licenses, with an appeal to the courts. The bill will give them the power to refuse licenses to young boys who should not be out that late at night, to say nothing of being in the ring fighting professionally, and it will give them power to refuse licenses to old men, to punch-drunks, to men who have already suffered serious injury to their health and may be seriously injured any time they step into a ring. It will give them power to suspend these licenses and to control the sport by threatening punishment to those boxers and managers and promoters who persist in violating the rules of the sport.

This Commission will have a check on the question of whether or not our laws are enforced, because the bill provides that the Commission will send a slip to the promoter, and this slip must be signed by the promoter, referee and physician and returned to the Commission, stating the names of the contestants that took part in the fight, that they were examined and found fit, what their weights were, and how much difference in weight there was between one fighter and another, and it will state the result of the contest.

This is, as I say, a great sport. Jack Moran, in his column, esti-

mates that about a hundred thousand dollars was spent on this sport last year, and the last part of the admissions were on forty cent tickets on which no tax was paid. It is an industry substantial enough so that it demands regulation, and it is an industry which so peculiarly endangers the safety of the contestants if it is carried on improperly that I believe it justifies regulation, and it is an industry which has got to the place where it must have such regulation if it is going to continue.

The fate of this patient of whom I am speaking is in your hands. I believe that the patient is dying a lingering and tortuous death. I believe that we had better operate on him, because I believe that we have everything to gain and nothing to lose. So, members of the House, I urge the acceptance of the majority report "Ought to pass."

Mr. FARRINGTON of Augusta: I am speaking and members of the House: I can add nothing to what the gentleman from Lincoln, Mr. Weatherbee, has just given you. The Internal Revenue figures, as I understand it, show that a tax was paid on gross receipts in the boxing industry in Maine during 1938 of \$60,000, which, at three per cent, would raise \$2,000 right off the bat. Now the gentleman from Portland, Mr. Shesong, has argued that Portland would have to pay a larger percentage of the money which was paid in than would the others to the Boxing Commission. He also says that Portland runs boxing efficiently and that the sport is well handled there. It seems to me that that argument is really an argument in favor of this Boxing Commission, because in other places in the State it is not true that boxing is run efficiently and well. If this bill were passed it would mean that boxing would be run in a better manner in other sections of the State with the result that boxing would increase in other sections of the State and would provide more revenue to maintain the Boxing Commission. I feel that since we have boxing it should be regulated and handled properly. I have the same feeling that possibly many of the members of this Legislature do in regard to the creation of new commissions. I think this is an instance where the welfare of the people who take part in boxing should be considered and, for that

reason, I am not opposed to the creation of this Commission. I feel that it should come into existence. Augusta also, I believe, conducts its boxing games in a pretty good manner. It is my understanding that the bulk of the boxing people in Augusta are in favor of this bill. Simply because we have boxing here which is run well is no reason why we should object to bringing about the same results in other parts of the State. I hope the motion of the gentleman from Belfast, Mr. Buzzell, will prevail.

Mr. BUZZELL: Mr. Speaker, I feel very zealous about that majority report of ours. I want to approach the proposition from another angle. I want to approach this proposition from the angle of safety. I want to disagree with the gentleman from Lincoln, my friend and your friend, Representative Weatherbee, when he talks about 151 physicians. I want to take exception to that — they are not physicians but surgeons. Now let us operate on this bill in keeping with the best interests of a great many people of our State. There are three sports that I am particularly partial to. Now because I am partial to those sports I do not feel like imposing upon all others by saying that just those three sports should be enjoyed. I like baseball very, very well indeed. I like boxing and I like horse racing. I have not had a gun in my hands for 35 years. It is no fun for me to kill something and see it die. So far as game in the State of Maine is concerned, if everybody felt the same as I do the game would not have to have any protection. I do not care any more about fishing than I do about gunning but I do not say that because I do not like gunning and fishing that you should not have a right to do those things, but I do say this about this bill: I say if we are going to have boxing let us regulate it. I had not been to a real boxing exhibition until the other night by special invitation, here at the City Hall, since I saw a young University of Maine student by the name of Prout killed in Bangor by a much larger boxer. He was a young boy who was trying to work himself through the University of Maine by boxing and this bruiser hit him and killed him. I believe it was because there was no regulation, no examination and

no regulation as to matching. I believe that if we had had a commission in the State of Maine that those two men never would have been permitted to fight, those two men never would have been put in there, and possibly that young man might have been one of the ablest citizens of the State of Maine. This proposition is a safety measure. This morning here we had an exhibition from the boys from Portland — I like them all — but when one is for a proposition and another is against, there is some hope for the rest of us when the Portland delegation disagrees. (Laughter)

Let's pass this bill in the interest of safety, in the protection of the boys that may be lured into the ring by the bright lights, many times without the consent of the parents. Let's have some protection for them.

Mr. HINMAN of Skowhegan: Mr. Speaker and members of the House: It may be because of my feeble capacity, but I feel that we have not the information that we should have before us before this bill is finally accepted by the House. To begin with I have never seen the bill and secondly I do not know what the salary is that is set up for the commission, and finally I would like to know whether or not it is going to be self-supporting.

Mr. WEATHERBEE: Mr. Speaker, I would say for the benefit of the members of the House who have not had an opportunity to read the bill L. D. 749 that there is a new draft H. P. 2168.

The SPEAKER: The Chair will call to the attention of the gentleman that the new draft has not been printed and distributed.

Mr. WEATHERBEE: Mr. Speaker, I have not myself seen the new draft since it came from the committee so that I cannot enlighten him.

Mr. HINMAN: Mr. Speaker, I have no objection to the committee report but it does seem that I do owe it to my committee to know something about what the expense is to State of Maine and whether or not it would be a proper expense. I have no particular objection but I would suggest that the bill lie upon the table until such time as we can have it. Perhaps it can be read to us.

Mr. FARRINGTON: Mr. Speaker,

I have not seen the new draft but it is my understanding that the new draft will provide that there will be no expense to the State of Maine. All the expense of running the commission will come out of the fees paid.

Mr. RICHARDSON of Strong: Mr. Speaker, I move that this be tabled pending the printing of the revised bill.

The SPEAKER: The gentleman from Strong, Mr. Richardson, moves that the two reports of the Committee on Legal Affairs and accompanying bill lie on the table, pending the motion of the gentleman from Belfast, Mr. Buzzell, that the majority report "Ought to pass in new draft" be accepted, and that 500 copies be printed.

Mr. HINMAN: Mr. Speaker,—

The SPEAKER: For what purpose does the gentleman rise?

Mr. HINMAN: On the tabling of the bill, Mr. Speaker.

The SPEAKER: The Chair will inform the gentleman that the motion to table is not debatable.

Is this the pleasure of the House.

The motion prevailed, and the two reports and accompanying bill were tabled.

Divided Report

Report A of the Committee on Salaries and Fees reporting "Ought not to pass" on Bill "An Act relating to the Compensation of the Register of Probate of York County" (H. P. 941) (L. D. 369) which was recommitted.

Report was signed by the following members:

Messrs. McGILLICUDDY of Houlton
DOWNS of Rome
DOUGLASS of Gorham
CHURCHILL of Brewer
FERNALD of Levant

—of the House.

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

Report was signed by the following members:

Messrs. SPEAR of Cumberland
HARKINS of Androscoggin
—of the Senate.

On motion by Mr. Churchill of Brewer, Report A, "Ought not to pass" was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Reducing Registration Fees of Motor Vehicles and Increasing the Gasoline Tax, and Increasing the Allotment of Highway Funds to the Municipalities" (H. P. 1800) (L. D. 968) together with Remonstrances S. P. 420, 421, 424, 434, 443, 446, 454, 456, 458, 460, 461, 462, 463, 464, 467, 468, 469, 470, 471, 472, 502, 511, 512, 542, 594, 532, 533, 535, 537 and H. P. 1763, 1777, 1778, 1779, 1804, 1845, 1819, 1823, 1850, 1851, 1849, 1852, 1854, 1855, 1814, 1824, 1832, 1856, 2021, 2045, 2080, 3081, 2082, 2083, 2084, 2104, 2144.

Report was signed by the following members:

Messrs. TOMPKINS of Aroostook
CONY of Kennebec
CHAMBERLAIN of Penobscot

—of the Senate.
WORTH of Stockton
Springs

NOYES of Franklin
RICHARDSON of Strong
DORSEY of Fort Fairfield
DEAN of Greenville
ELLIS of Fairfield

—of the House.

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

Report was signed by the following members:

Mr. MAXIM of Portland
—of the House.

Mr. NOYES of Franklin: Mr. Speaker, I move that we accept the majority report "Ought not to pass."

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the House accept the majority report "Ought not to pass." The Chair recognizes the gentleman from Portland, Mr. Maxim.

Mr. MAXIM: Mr. Speaker, I would like to state to the members of the House briefly why I signed the minority report and why I think the majority report should not be accepted at this time.

We members of the Taxation Committee had before us, up to this morning, only three major revenue producing measures, or perhaps I should say four—two measures concerned with the taxing of cigarettes and tobacco, this measure dealing with registration fees and the taxation of gasoline, and a measure pro-

viding for the taxation of women under a proposed poll tax measure. You will notice on the calendar, farther over, that the poll tax measure is reported out with the unanimous report "Ought not to pass." That leaves us with only two major sources of revenue on which we can fall back to produce whatever money may be needed at the end of the session in order to finance old age assistance, if we need any, which I hope we shall not.

If you accept the majority report on this measure, the whole subject of the taxation of gasoline is out of the window, and you have only one major source, and, in fact, only one adequate source of taxation left, the tobacco tax.

I opposed within the committee the reporting of this measure at this time. It seems to me to be entirely premature. But I was only one out of nine members who felt that way about it, and, in justice to the other members, I want to explain that I think that they felt that we are so near the end of the session that the time has come when we should report out all measures now before us and allow them to be discussed on the floor of the House and the Senate in order that sentiment may be crystalized for one method or the other of raising tax money.

I cannot concur in this point of view, for this reason, among others: That is nothing is more vulnerable on the floor of any deliberative body than a taxation measure which does not definitely and immediately provide money for an appropriation measure. You can shoot any taxation measure full of holes unless it is hooked up definitely to a particular appropriation measure which is going to provide some useful and desirable service to the citizens of the State. To bring out on the floor of the House a revenue measure at this time unsupported by a corresponding appropriation measure, to me seems very unfair and very unwise.

I hope the motion for the acceptance of the majority report will not prevail, for the reason that I believe this Legislature ought to keep before it these last two major revenue measures, in order to have them before it if they should be needed in the closing hours of this session when the financing of old age assistance is going to be decided. If you should see fit not to accept the majority

report, I should then move the acceptance of the minority report, with the idea simply that it would be held on the table, with your indulgence, until such time as we could hear the report of the Appropriations Committee, which is not yet available, or, perhaps I should say, the joint report of the Appropriations Committee and the so-called Economy Committee.

Now nobody, including myself, can vote intelligently on any revenue measure producing a certain amount of income unless he knows approximately how much money has to be raised, and I do not know it at this moment nor do any of you know it. Therefore, how can anybody vote intelligently as to whether a certain vehicle for the raising of funds should be adopted? I maintain that the thing is not common sense and that the procedure is not a wise one.

I am not a proponent of this taxation bill as such. I do recognize in it a perfectly feasible method, however, for the raising of necessary funds. I might say that the bill under discussion was introduced to finance Senator Wentworth's bill, Legislative Document 973, which would pass back to the towns the responsibility of raising money to support old age assistance. I am opposed to this method as it was incorporated in the Governor's Budget Message and I am opposed to it now after hearing the testimony at the very well attended hearing on the subject. I do not think it is the best way to handle the matter. Nevertheless, that matter has not yet been decided. If Senator Wentworth's idea should finally meet with the approval of this body, we might very much need this bill to fall back on to pay back to the towns certain moneys to be used on roads in order to relieve them of that large expense for which they might make a corresponding contribution to the State Treasury for the support of old age assistance. I question personally the desirability of that method of approach. My own thought on it is that we would do better to get out a revenue measure, the proceeds of which would be devoted directly and specifically to the payment of old age assistance. Nevertheless, in fairness to Senator Wentworth's bill and to those who support it, I think we ought not at this time to turn down the revenue measure on which

he is counting to some extent to make his idea possible.

I want to call your attention to one thing in connection with the idea embodied in this bill: There were three excellent tax bills introduced. It might be said of two of them that, under the Federal Act, they would constitute a diversion of funds. Of this one I think it could not be said that it does constitute a diversion of funds, inasmuch as by the provisions of this bill any funds raised by it would be allocated definitely to the municipalities under a certain three-way division which would definitely allocate it for road purposes. Therefore, of the three bills, this is the one which perhaps has all the arguments in its favor if we are going to enact a gasoline tax bill in order indirectly to finance or help finance old age assistance.

In view of these facts, the fact that it is premature to kill the bill, that we may need it very much at the end of the session, that if it is killed and we still desire at the end of the session to use the idea of a gasoline tax to do our financing, it would be necessary to get a majority vote of both Houses in order to instruct the Taxation Committee to re-enact such a measure, in which case, unless we adopt substantially the original measure, it would be necessary to delay for two or three days to advertise hearings on such a bill—for all these reasons I hope that the motion of the gentleman from Franklin, Mr. Noyes, that the majority report be accepted, will not prevail.

Mr. VARNEY of Berwick: Mr. Speaker, I just want to say one or two words on this along the lines of the method of procedure.

I do not agree with the gentleman that if we accept this report now this bill is forever dead, because, if I understand the procedure correctly, if there should ever crystalize in this body any sentiment or desire for this particular measure, it could be recalled from the files by a joint order, which would need only a majority vote of the House and a majority vote of the Senate to bring it back from the files. You will remember that about a week ago I suggested, in connection with a taxation measure which I presented, that I was willing to let it go "Ought not to pass," with the

thought that if we ever decided that we needed it or wanted it, it could be recalled.

I think the proper procedure here, if there is anyone who believes that a gasoline tax is the proper kind of a tax to raise revenue, is that we ought to consider the gasoline tax on its merits as a tax and then proceed to consider on its merits every other form of taxation that we have, and then, when the time comes to consider each appropriation, we will consider that on its merits; we will consider how much we want to appropriate for all of the different departments, and we will consider how much we want to appropriate for old age assistance, and then, if we find that we have appropriated so much money and we have not revenue enough to balance the budget, then we will consider whether we will balance the budget by a gasoline tax or a payroll tax or an income tax or by any other form of tax that we have had here before this Legislature.

I oppose the suggestion made by the gentleman from Portland (Mr. Maxim) that we should keep this particular tax bill hanging here because it may be one that we need. If you do that, you will get to a point eventually where someone will say to you that in order to take care of old age assistance, you have got to take this tax and cannot take any other.

Mr. McGLAUFLIN of Portland: Mr. Speaker, I would like permission to address the Speaker facing the House.

The SPEAKER: The gentleman has permission.

Mr. McLAUGHLIN: Mr. Speaker and ladies and gentlemen of the House: I hope that you will be patient in listening to me briefly on the discussion of this important matter. I take it that notwithstanding the fact that we differ on some matters, every last one of us realize the fact that we have come here for the purpose of getting money for the old people of this State. We have already provided for nearly 12,000 of them, and, according to the best estimates that I can get, we have perhaps five to eight thousand more who are just as deserving as those who have been granted relief. In order to raise that money or to save that money great efforts are being made by various committees to try to see

where we can cut down or where we can get rid of useless branches of government. I, for one, can see no possible way of solving this problem and solving it as it should be unless we have some new taxes. In order for us to raise this money or to save the money we are very apt to go to some absurd extent. Already an attempt has been made to raise money by lottery, to raise money by Sunday movies, to raise money by dog racing, to raise money by cutting down the salaries of the employees of this State. We are being driven to an absurd extent. Now the money we need for this purpose can be raised and it can be raised legitimately, and if we do this job, we want to do it well. Mr. Speaker, I was the man who introduced this tax measure on gasoline. I want to express to this House now that this is no pet theory of mine. I do not care whether we raise this money by gasoline or by some other method so long as we raise it in a proper, legitimate way, but I want to say to you that long before I came up to this House this winter I was deeply concerned with how we were going to raise the necessary funds to take care of these old people. I considered many ways, considered the matter of transfer of funds from the Highway, the matter of a cigarette tax, the matter of the luxury tax, and so on, and I talked this matter over with many men, men whom I considered men of intelligence and brains, and I find that in the course of the conversation that I had with these men that the vast majority of them seemed to think that there was more merit in the gasoline tax than in some others. I therefore introduced into this House two gasoline tax measures, this particular one being by request. It seems to me that at this time it is very proper that I should let the members of this House understand what these measures tried to do, because it is quite possible that if we solve this problem as it should be solved that we will have to come back to this measure or back to the measure reported on by Mr. Varney of Berwick, that has been reported out. There are various methods by which this tax can be raised. I would like to say just a word on the gasoline tax measure that is now tabled in the Senate in connection with this same thing. That tax provided that we should have one cent tax on gasoline

earmarked for old age assistance and passed as an emergency measure. I find from the report of the State that would bring into the State about one and one-half million dollars. That tax would have these two advantages and it refers to either this bill or the other tax bill. It does have this advantage: It costs practically nothing to collect because the machinery for the collection is already established.

In the second place, it would bring in from \$250,000 to \$300,000 from out-of-state tourists, thus being practically a gift to the State of Maine of that amount of money. In connection with that first measure, the one now pending in the Senate, I also introduced a measure that would reduce the rate of registration twenty-five per cent. That would save the people who buy gasoline a little more than \$500,000. The income from out-of-state tourists would give us more than a quarter of a million dollars so that the actual amount of money that many of us would have to pay to raise one and one-half million dollars on this plan would be one-half of one cent. Now just to show this House how little the people who protest this tax know about it I want to cite one instance: A man in Portland stated that if my gasoline tax bill went through his tax would be \$150 with four dollars back for registration. I showed that man after we analyzed it that his tax would be \$5.25 with four dollars back or a total tax of \$1.25. I want to call your attention to this fact also, that out of thousands of people who have protested against this tax there are thousands upon thousands of them who would not have to pay one extra cent under that plan because if they got back three or four dollars on their registration they could drive from 3,000 to 5,000 miles without costing them one cent more than they are paying at the present time.

Now this particular bill I introduced by request. The plan of this bill was coupled with the scheme that was suggested by the Governor in his inaugural address, that part of this expense should be thrown back on the towns, and the object of this bill was in case that should happen that the State would be giving the towns the money that they afterwards took away from

them. In other words, the very object of this bill was to relieve the towns from the burden that would come from Senator Wentworth's bill which was mentioned by the gentleman from Portland, Mr. Maxim. Now I want to take up this feature for just a moment. If the Wentworth bill should go through, one quarter of the burden of the old age relief would come back on the town, and if you kill this measure you would have nothing to take its place. You people who were so ready to kill this bill or any measure that relates to a tax on gasoline should stop to consider that you may be cutting the throat of your own town by throwing this measure out so that it cannot be considered in the future. I want to say one thing further. It has been mentioned about the Hayden Cartwright Act. I think the members of this House should know what the Hayden Cartwright Act is. I just want to give you some idea. It says: "That on and after June 30, 1935, that at least the amount now provided by law for such purposes (referring to the gas tax) should be used for roads and for no other purpose." Then it provided "in no case shall the provisions of this section operate to deprive any state of more than one-third of the amount that it would otherwise receive." Now the gas tax that is proposed by either of these bills has nothing whatsoever to do with the Hayden Cartwright Act for the reason that we have the same rate of four cents for a tax that we have now, and we pay a larger amount now for roads from that source than we did in 1935. Further, for your information, I want to give you two or three figures.—I got these from the Highway Department. We took in for gasoline last year \$5,832,988, and the estimate of the Highway Department is that in 1940 it will be about \$5,700,000. We take in at the present time for registrations approximately \$3,600,000. In other words, for gasoline and registrations, the people of this State are now paying approximately nine and a half million dollars. Now what do we get from the State? From the Highway Department I find that for the year 1940 they expect to get \$1,139,664. You will see that we spend many, many millions of dollars more in the State of Maine than is matched by the government. The possible

loss to the State of Maine, if we divide with the government and take money from the Highway Department deliberately, would be \$379,000 a year that we would lose. I call to your attention that even if that should happen, which it will not, we would take in a substantial amount of that from outside tourists if this bill passed. Now I am not trying to get this House to pass this bill. I am trying to make you familiar with what it is trying to do. I certainly agree with the gentleman from Portland, Mr. Maxim, that we ought not to kill these measures until we see whether or not we are going to need them to take care of the problem that we have got to solve.

Again I want to say to the members of this House that this is no pet measure of mine. I do not want any new taxes any more than you want them, but I do want to see this problem solved, and I want to call your attention to the fact that if we allow ourselves to drift, this is just what we are going to do: We are going to take care of two or three thousand old age pensioners when we ought to take care of eight thousand. In other words, if we do not look out, we are only going to half do the job we were sent here to do. I want to tell you that we can do the job and we can do it well and we can take care of every last one of our needy in the State of Maine and we have not got to take away the salaries of our employees to do it either. I hope this House will carefully consider before they vote to kill this measure.

Mr. ELLIS of Fairfield: Mr. Speaker, I move that this bill and the two reports lie on the table pending the acceptance of either report.

The SPEAKER: The gentleman from Fairfield, Mr. Ellis, moves that the report of the Committee on Taxation, together with Bill "An Act Reducing Registration Fees of Motor Vehicles and Increasing the Gasoline Tax, and Increasing the Allotment of Highway Funds to the Municipalities" lie on the table pending the motion of the gentleman from Franklin, Mr. Noyes, that the House accept the majority report "Ought not to pass." 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.

Mr. YOUNG of Old Orchard Beach: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Young, moves the previous question. In order for the Chair to entertain this motion it requires the affirmative 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: Obviously more than one-third of the members present having arisen, the previous question is ordered. The pending question now is, shall the main question be now put?

A viva voce vote being taken, the motion prevailed that the main question be now put.

The SPEAKER: The question before the House is on the motion of the gentleman from Franklin, Mr. Noyes, that the House accept the majority report of the Committee on Taxation reporting "Ought not to pass." All those in favor of the acceptance of the majority report will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, the majority report "Ought not to pass" was accepted and sent up for concurrence.

House Report — Placed On File

Mr. Brown from the Committee on Inland Fisheries and Game on 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) reported that it be placed on file.

Report read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Fellows from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Amending the Unemployment Compensation Law relating to the Study of Merit Rating" (H. P. 1588) (L. D. 863) as subject matter is covered by other legislation.

Mr. Varney from same Committee reported same on Bill "An Act re-

lating to Commitment of Male Juvenile Delinquents" (H. P. 1607) (L. D. 700) as subject matter is covered by other legislation.

Mr. Donahue from the Committee on Legal Affairs reported same on Bill "An Act to Provide a Police Commission for the city of Biddeford" (H. P. 1163) (L. D. 482)

Mr. Dow from same Committee reported same on Bill "An Act relating to Nomination of Candidates for Town Meeting Members in Sanford" (H. P. 1180) (L. D. 496)

Same gentleman from same Committee reported same on Bill "An Act to Allow Beano at Fairs" (H. P. 1669) which was recommitted.

Mr. Everett from the Committee on Public Health reported same on Bill "An Act relating to Child Birth" (H. P. 1704) (L. D. 871)

Mr. Maxim from the Committee on Taxation reported same on Bill "An Act relating to Exemptions from Taxation" (H. P. 1729) (L. D. 837)

Mr. Worth from same Committee reported same on Bill "An Act relating to Poll-taxes" (H. P. 1735) (L. D. 752)

Reports were read and accepted and sent up for concurrence.

Ought to Pass—Consolidated Resolves

Mr. Peakes from the Committee on Inland Fisheries and Game on the following Resolves:

H. P. 122, Resolve Opening Bog Pond to Ice Fishing.

H. P. 123, Resolve Relating to Fishing in Long Pond.

H. P. 242, Resolve Opening Weymouth Pond to Ice Fishing.

H. P. 276, L. D. 86, Resolve Relating to Fishing in North Pond, East Pond and East Pond Stream.

H. P. 382, Resolve Regulating Fishing in Elbow Lake.

H. P. 383, Resolve Regulating Fishing in Grassy, Lower Grassy and Elbow Ponds.

H. P. 470, L. D. 141, Resolve Regulating Fishing in the Belgrade Chain of Lakes.

H. P. 471, L. D. 142, Resolve Regulating Fishing in Kokadjo River.

H. P. 472, L. D. 143, Resolve Relating to Fishing in Kenduskeag Stream.

H. P. 474, Resolve Relating to Fishing in Lower Springy Pond.

H. P. 476, Resolve Relating to Fishing in Lily Lakes in Township 30.

H. P. 477, Resolve Relating to

Fishing in Pineos Ponds in Township 17.

H. P. 478, Resolve Closing Pike Brook Trout Pond, in Township 18, N. D. to Fishing.

H. P. 479, Resolve Relating to Fishing in Schoodic Pond, in Township 18.

H. P. 480, Resolve Opening Georges Pond, in Hancock County, to Ice Fishing for Pickerel.

H. P. 547, L. D. 221, Resolve Regulating Fishing in Grand Lake and Pocompuss Lake.

H. P. 549, L. D. 223, Resolve Regulating Fishing in Great Embden Pond in Embden.

H. P. 675, L. D. 250, Resolve Regulating Fishing in Armstrong Brook.

H. P. 677, L. D. 252, Resolve Regulating Fishing in Wilson Lake.

H. P. 678, L. D. 253, Resolve Regulating Fishing in Mountain Brook Pond and Baker Pond in Bowdoin College Grant.

H. P. 884, L. D. 341, Resolve Regulating Fishing in Certain Oxford County Waters.

H. P. 885, L. D. 342, Resolve Regulating Fishing in Hobb's Pond or Little Pennessewassee Lake in Oxford County.

H. P. 886, L. D. 343, Resolve Regulating Fishing in Certain Oxford County Waters.

H. P. 887, L. D. 344, Resolve Regulating Fishing in Perleys Pond.

H. P. 890, L. D. 347, Resolve Regulating Fishing in Certain Franklin County Waters.

H. P. 892, L. D. 349, Resolve Regulating Fishing in Saddleback Lake.

H. P. 893, L. D. 350, Resolve Regulating Fishing in Blakesley Lake in Township 5, Range 6.

H. P. 894, L. D. 351, Resolve Regulating Fishing in Baker Pond in Township 5, Range 6, B. K. P., W. K. R.

H. P. 895, L. D. 352, Resolve Regulating Fishing in Beck Pond in Township 3, Range 5.

H. P. 1107, L. D. 395, Resolve Relating to Fishing in Harriman Pond.

H. P. 1108, L. D. 396, Resolve Regulating Fishing in Rift and King Ponds in the County of Hancock.

H. P. 1109, L. D. 397, Resolve Regulating Fishing in Giles Pond.

H. P. 1110, L. D. 398, Resolve Establishing Opening Dates for Fishing in Piscataquis County Waters.

H. P. 1112-L. D. 400—Resolve Regulating Fishing in The South and West Branch Tributaries of the Penobscot River in Somerset County.

H. P. 1113-L. D. 401—Resolve Reg-

ulating Fishing in Fry Pan Pond in Square Town, Somerset County.

H. P. 1114-L. D. 402—Resolve Regulating Fishing in Horseshoe Pond in East Moxie, Somerset County.

H. P. 1115-L. D. 403—Resolve Regulating Fishing in Round Pond, in Square Town, Somerset County.

H. P. 1318-L. D. 504—Resolve Regulating Fishing in Moosehead Lake.

H. P. 1319-L. D. 505—Resolve Regulating Fishing in Little Pond.

H. P. 1457-L. D. 556—Resolve Regulating Fishing in South Pond.

H. P. 1458-L. D. 557—Resolve Regulating Fishing in Mt. Blue Pond in Avon.

H. P. 1571-L. D. 634—Resolve Relating to Ice Fishing in Aroostook County.

H. P. 1576-L. D. 639—Resolve Regulating Fishing in Fourth Buttermilk Pond.

H. P. 1577-L. D. 640—Resolve Regulating Fishing in Pierce Pond.

H. P. 1578-L. D. 641—Resolve Regulating Fishing in Certain Somerset County Waters.

S. P. 65 Resolve Regulating Pick-erel Fishing in Pattee's Pond in Winslow.

S. P. 66 Resolve Regulating Pick-erel Fishing in Lovejoy Pond in Albion.

S. P. 109 Resolve Closing Androscoggin Lake in the Towns of Leeds and Wayne, to Ice Fishing.

S. P. 255 Resolve Regulating Bass Season in Kezar Lake.

S. P. 256 Resolve Regulating Fishing in Virginia Lake.

S. P. 257 Resolve Regulating Fishing in Hobbs and Hanna Brooks.

S. P. 316 Resolve Regulating Fishing in Howard Lake in the Town of Hanover, Oxford County.

reported a Consolidated Resolve under title of "Resolve Regulating Fishing in the Various Waters of the State" (H. P. 2163) and that it "Ought to pass"

Report was read and accepted.

The SPEAKER: The Consolidated Resolve will lie on the table for printing.

Ought to Pass in New Draft

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relative to Fishing in Fishways" (H. P. 1553) (L. D. 661) reported same in a new draft (H. P. 2151) under same title and that it "Ought to pass"

Same gentleman from same Committee reported same on Bill "An Act relative to Transportation of Deer within State" (H. P. 1558) (L.

D. 656) reported same in a new draft (H. P. 2152) under same title and that it "Ought to pass"

Mr. Starrett from same Committee on Bill "An Act relative to the Use of Buckshot in Hunting Deer" (H. P. 676) (L. D. 251) reported same in a new draft (H. P. 2153) (L. D. 1130) under same title and that it "Ought to pass"

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

Mr. HOWES of Charleston: Mr. Speaker, I would like to make a few remarks in regard to this bill.

I was in here at the time this bill came up, and I objected to it.

There are some old people who cannot shoot a rifle, and so I object to it for the same reason now. There are many people in the State of Maine who enjoy going out hunting but who cannot shoot a rifle.

I remember one day my father, who was about seventy years old, showed me his rifle and said to me: "I don't use it and I don't think you ever will want it. I have got a fellow that wants to buy it." I says, "Why don't you keep it?" He said that he had a shotgun but that he couldn't see to shoot a rifle and he had no further use for it.

If you pass this bill, you are going to make a lot of poachers. I do not own a rifle and I am not going to buy one either, but I am going to hunt just as long as I can see. Don't do this thing.

There are people in the State of Maine who used to go out in a deer yard and kill sixty or seventy deer, but I don't know of any deer being killed now in the winter. We have a wonderfully efficient Fish and Game Department, and they can do much in the way of educating people along these lines, and I have heard that remark from several sources.

As I said in the hearing, I go out hunting and I used to go out with a rifle and hunt game, but now I always take a shotgun. For the last ten or fifteen years I have not used anything but a shotgun. I am getting to the point now where I cannot see anything, and I am soon going to join the old men's club myself, and I would like the privilege as long as I live of going hunting. I will hunt with what I please as long as I am able to. I hope this bill does not pass, because you will find conditions just as I say.

There are thousands of people in

the State of Maine who cannot go hunting with a rifle. I know a fellow, a neighbor of mine, who has hunted all his life and who was a wonderful shot, and now he goes out and seldom gets a shot. I believe we should do something for these citizens of Maine who have upheld the integrity of the State of Maine all these years and who have paid their taxes. I say they should still have the privilege of going hunting.

Mr. DEBECK of Holden: Mr. Speaker, I wish to say that I do not hunt now, but I used to. Now if it is the desire of the voters of the State of Maine to protect deer first and men second, vote for this bill. I know that it is not customary to hear of a man being killed in the woods by buckshot. If you are going to do away with hunting with buckshot and use high-powered rifles, you will have more men shot than ever before. I am opposed to this bill.

Mr. GOOD of Monticello: Mr. Speaker, I introduced this bill, but it was not my purpose when I introduced it to deprive anyone of the privilege of hunting with a shotgun. It was introduced for the sole purpose of protecting our game. I checked up with the game wardens and they told me about the deer they have found in the woods shot with buckshot and which had got away.

I do not want the members of the House to understand that because this bill deprives anyone of using buckshot that they have got to throw their shotgun away. That is not so. There is a ball for use in shotguns that will kill deer and you can do as good a job as with a rifle. Therefore, I cannot see why a man should object to this bill. I have talked with several people that hunt and they tell me there are very few cases where they have ever got a deer with a shotgun. When people hunt at night, they generally use a shotgun. Of course you know it is not legal to hunt at night anyway.

I feel this is a fair bill. It will protect our game, protect the deer; and if we do not protect them in a few years we won't have any to hunt either with a shotgun or a rifle. I feel it is a fair bill. I would feel badly if it prevented anyone from hunting with a shotgun and they had to throw their gun away.

I cannot see for the life of me where it is going to injure anyone, and it is a measure to protect our game. Therefore, I hope that the unanimous report of the committee on this bill, "Ought to pass," will be accepted.

Mr. NOYES of Franklin: Mr. Speaker, I would like to support the remarks of the gentleman from Charleston, Mr. Howes.

I sympathize with the Fish and Game Committee in what they are attempting to do, but I do think that a great deal of this legislation that we are passing in this 89th Legislature, a great many of the improvements that we are trying to achieve, could be achieved through education. For that reason, I hope that the motion of the gentleman from Charleston, Mr. Howes, prevails.

Mr. COWAN of Portland: Mr. Speaker, I would like to endorse, for once, the remarks of the gentleman from Charleston, Mr. Howes. I thoroughly sympathize with him in his troubles here today.

I was in the hearing at the time this thing was discussed and I heard the pseudo-expert give a lot of misinformation in regard to trajectories, penetration, and things like that.

This Legislature has from time to time, at the insistence of various interests, brought in bills and passed laws that have gradually cut down on the rights of the ordinary common man to do a little hunting and fishing which he has been accustomed to do. We cannot fish for hornpout or eels as we used to do, and there are all kinds of restrictions on hunting.

Personally, I do most of my hunting with a rifle, but I occasionally take a shotgun. I heartily endorse the remarks of the gentleman from Charleston, Mr. Howes.

Mr. GOOD: Mr. Speaker, I would like to say I have petitions from the Portland Fish and Game Club, the Auburn Fish and Game Club and several Aroostook Fish and Game Clubs in favor of this bill. They feel it is one of the best bills ever introduced to protect our deer. I feel we have got to recognize the Fish and Game clubs in the State of Maine. It is not my purpose to deprive anyone of any rights, but I do feel this bill ought to pass.

Mr. HOWES: Mr. Speaker, I attended this hearing on the bill. I

want to say that I had a cousin who was shot with buckshot and seriously injured.

I have been up river and run sporting camps and stayed there for three or four months and I have found lots and lots of deer that have been shot with a rifle. I am sure I never saw a deer in the woods that had been shot with a shotgun, and I have seen plenty of deer in my day. I am going to move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Charleston, Mr. Howes, moves that the Bill "An Act relative to the Use of Buckshot in Hunting Deer" together with the report, be indefinitely postponed. Is this the pleasure of the House?

Mr. DeBECK: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Holden, Mr. DeBeck, asks for a division. All those in favor of the motion of the gentleman from Charleston, Mr. Howes, that the report and bill be indefinitely postponed will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

Sixty-five having voted in the affirmative and 20 in the negative, the motion prevailed, the bill, together with the report, were indefinitely postponed and sent up for concurrence.

Ought To Pass In New Draft (Continued)

Mr. Peakes from the Committee on Inland Fisheries and Game on Bill "An Act relative to Closed Time on Deer in Certain Counties" (H. P. 72) (L. D. 29) reported same in new draft (H. P. 2154) under title of "An Act relating to Closed Time on Deer in Islesboro and Rabbits in Vinalhaven" and that it "Ought to pass"

Mr. Everett from the Committee on Public Health on Bill "An Act Permitting Alden Ulmer of Rockland to Practice Embalming" (H. P. 1237) (L. D. 464) reported same in a new draft (H. P. 2155) under title of "Resolve Permitting Examination of Alden Ulmer and Arthur Andrews by Embalming Board" and that it "Ought to pass"

Mr. Good from the Committee on Temperance on Bill "An Act Regulating the Sale of Malt" (H. P. 1744) (L. D. 847) reported same in a new draft (H. P. 2164) under same title and that it "Ought to pass"

Same gentleman from same Committee on Bill "An Act relating to Advertising Liquor, Malt Liquor, Wines and Spirits" (H. P. 945) (L. D. 330) reported same in a new draft (H. P. 2166) under same title and that it "Ought to pass"

Mr. Mills from same Committee on Bill "An Act relating to Malt Liquors" (H. P. 1743) (L. D. 846) reported same in a new draft (H. P. 2167) under same title and that it "Ought to pass"

Mr. Dow from the Committee on Legal Affairs on Bill "An Act relating to the Discharge of Persons Committed to the Insane Hospitals" (H. P. 1643) (L. D. 725) reported same in a new draft (H. P. 2169) under same title and that it "Ought to pass"

Mr. Varney from the Committee on Judiciary on Bill "An Act relating to Commitment of Female Juvenile Delinquents" (H. P. 1604) (L. D. 668) reported same in a new draft (H. P. 2170) under title of "An Act relating to Commitment of Juvenile Delinquents" and that it "Ought to pass"

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

Ought to Pass

Mr. Peakes from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve for Screening Outlet of Bog Lake in the town of Northfield (H. P. 239)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Scraggly Lake (H. P. 277)

Reports were read and accepted.

The SPEAKER: These resolves will lie on the table for printing.

Mr. Varney from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Absent Voting" (H. P. 912) (L. D. 316)

Mr. Downs from the Committee on Public Health reported same on Bill "An Act relating to the Practice of Optometry" (H. P. 1465) (L. D. 600)

Reports were read and accepted.

Ought to Pass When Amended by Committee Amendment "A"

Mr. Hinckley from the Committee on Judiciary on Bill "An Act relating to Children of Women Committed to Reformatory for Women" (H. P. 1603) (L. D. 697) reported

"Ought to pass" when amended by Committee Amendment "A".

Mr. Dow from the Committee on Legal Affairs reported same on Bill "An Act to Incorporate the Lincoln Water District" (H. P. 1182) (L. D. 498).

Reports were read and accepted.

Mr. VARNEY of Berwick: Mr. Speaker, I move that the House recess until two o'clock this afternoon.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House recess until two o'clock this afternoon. Is this the pleasure of the House?

The motion prevailed, and the House so recessed.

After Recess —2 P. M.

The House was called to order by the Speaker.

First Reading of Printed Bills

Bill "An Act relative to Non-resident Fishing Licenses" (H. P. 1569) (L. D. 632)

Bill "An Act relating to the Western Hancock Municipal Court" (H. P. 2148) (L. D. 1127)

Bills were read twice and tomorrow assigned.

The SPEAKER: The Chair will suggest that if any member desires to make any motion on any of the bills in the third reading, that they wait until after the acceptance of the report of that committee.

Passed to be Engrossed

Bill "An Act relating to Exemption of Homes from Claims in re Old Age Assistance" (S. P. 124) (L. D. 114)

Sent up for concurrence.

Bill "An Act to Promote the Blueberry Industry of the State" (S. P. 553) (L. D. 1079)

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

Mr. Noyes of Franklin, offered House Amendment "A" and moved its adoption.

House Amendment "A" to S. P. 553, L. D. 1079 Bill "An Act to Promote the Blueberry Industry of the State."

Amend said Bill by striking out all of the second section and inserting in place thereof the following:

'Sec. 2. Terms defined. The terms used in this act shall be construed as follows: "blueberries" shall mean and include all present commercial

grades of blueberries, or such grades as may from time to time be promulgated by the department of agriculture of the state of Maine.'

Further amend said Bill by adding at the end thereof a new section as follows:

'Sec. 5. Application of act. The provisions of this act shall apply only to blueberries grown in the state of Maine.'

The SPEAKER: Is it the pleasure of the House that House Amendment "A" be adopted?

Mr. MURCHIE of Calais: Mr. Speaker, up to the present moment I have not taken any part in this matter. It went along yesterday, and, while I have no certain knowledge, I believe that there are many men in this House who honestly do not know just what was desired in this measure. It was an insipid bill in the first place, and if we pass this amendment, it shoots it all haywire. I tell you, we should not pass it. If we do, a certain industry in the city of Calais that now caters to the blueberry trade and does receive a certain amount of blueberries from the Canadian side will be forced out of business.

I say it was haywire in the first place, and while I do not know what the amendment will do to it, I am going to move that it be indefinitely postponed.

The SPEAKER: The gentleman from Calais, Mr. Murchie, moves that House Amendment "A" be indefinitely postponed.

Mr. NOYES of Franklin: Mr. Speaker, I feel a good deal the same way as the gentleman from Calais, Mr. Murchie, does. I do not know what the bill is all about, but the amendment was prepared by a certain gentleman from the county of Washington who seriously objects to the State of Maine advertising Canadian blueberries, and that is the purpose of the amendment. Those are all the remarks that I care to make.

The SPEAKER: The Chair will inquire of the gentleman from Calais, Mr. Murchie, if he intended his motion for indefinite postponement to apply to the amendment or to the bill.

Mr. MURCHIE: I think, Mr. Speaker, when I made the motion I intended it to apply to the amendment, and, if the gentleman will permit me, I will be glad to and I do now move the indefinite postponement of the whole darned

thing. (Laughter) I promise you that it will meet the wishes of all of the blueberry men in Washington County.

The SPEAKER: The gentleman from Calais, Mr. Murchie, moves the indefinite postponement of House Amendment "A".

Is it the pleasure of the House that House Amendment "A" be adopted?

The motion prevailed.

The SPEAKER: The gentleman from Calais, Mr. Murchie, now moves the indefinite postponement of Bill "An Act to Promote the Blueberry Industry of the State" (S. P. 553) (L. D. 1079) as amended by House Amendment "A". Is the House ready for the question? Is this the pleasure of the House?

The motion prevailed, and the bill and amendment were indefinitely postponed in non-concurrence and sent up for concurrence.

Passed to be Engrossed (Continued)

Bill "An Act relating to Apportionment of Motor Vehicle Registration Fees Paid by Inhabitants of Swan's Island" (H. P. 1220) (L. D. 462)

Mr. CROCKETT of North Haven: Mr. Speaker, I would like to offer an amendment. There is another amendment being drawn up which has not been distributed yet. The reason for that amendment is that Senator Graves spoke to me about including Cranberry Island in this bill. This amendment has not been distributed yet but is being printed and will be in here shortly.

The SPEAKER: The Chair understands that the gentleman from North Haven, Mr. Crockett, moves that Bill "An Act relating to Apportionment of Motor Vehicle Registration Fees Paid by Inhabitants of Swan's Island" (H. P. 1220) (L. D. 462) lie on the table and be specially assigned for action immediately after the House Enactors. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

Passed to Be Engrossed (Continued)

Bill "An Act relating to Removal of Infected Persons and Goods and Securing Infected Articles" (H. P. 1601) (L. D. 912)

Bill "An Act relating to Imper-

sonating Justices or Officers" (H. P. 1617) (L. D. 705)

Sent up for concurrence.

Amended Bills

Bill "An Act relating to Dealers in Motor Vehicles" (S. P. 385) (L. D. 786)

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

Bill "An Act relating to Real Estate Brokers" (H. P. 1616) (L. D. 865)

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

Bill "An Act to Provide for Civil Service Rules for the Police and Fire Departments in the City of Bath" (S. P. 510) (L. D. 1049)

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

Passed to Be Enacted

An Act relating to Aid to Libraries, Expenses of State Historian, Topographic Mapping and Abolishment of Grade Crossings (S. P. 131) (L. D. 115)

An Act relative to the Taking of Hellgrammites (S. P. 178) (L. D. 229)

An Act relating to Sale or Possession of Poisons (S. P. 330) (L. D. 581)

An Act to Authorize the Construction of a Bridge on Square Pond in Shapleigh (S. P. 498) (L. D. 1039)

An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey (S. P. 549) (L. D. 1075)

An Act Authorizing the Issue of Full Paid Stock by Public Utility Companies at Less than Par when Authorized by the Public Utilities Commission (S. P. 551) (L. D. 1077)

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

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

An Act to Provide for the Surrender by Bigelow Plantation of Its Organization (H. P. 521) (L. D. 176)

An Act to Provide for the Sur-

render by Milton Plantation of Its Organization (H. P. 522) (L. D. 175)

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

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

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

An Act Changing Ward Boundaries in the city of Saco (H. P. 1169) (L. D. 488)

An Act to Provide for the Surrender by town of Williamsburg of Its Organization (H. P. 1750) (L. D. 677)

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

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

An Act Prohibiting Trapping in the town of Scarboro (H. P. 2098) (L. D. 1103)

An Act relative to Bird Sanctuary in Old Orchard Beach (H. P. 2100) (L. D. 1104)

Resolve Creating a Recess Committee on Feasibility of Acquiring Property for the Establishment of Public Bathing Beaches and for Encouraging the Development of the Shores of the Lakes and Streams of the State (H. P. 2038) (L. D. 1072)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the matter specially assigned for this time Bill "An Act relating to Apportionment of Motor Vehicle Registration Fees Paid by Inhabitants of Swan's Island" (H. P. 1220) (L. D. 462).

The Chair understands that the gentleman from North Haven, Mr. Crockett, offers House Amendment "A" and moves its adoption. The Chair understands that the same gentleman further moves that House Amendment "A" be indefinitely postponed.

The same gentleman now offers House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B."

House Amendment "B" to H. P. 1220, L. D. 462, Bill, "An Act Relating to Apportionment of Motor Ve-

hicle Registration Fees Paid by Inhabitants of Swan's Island."

Amend the title of said Bill by adding at the end thereof the following: 'Isle au Haut and Cranberry Isles.'

Amend said Bill by numbering the present section Section 1 and adding the following section to be numbered Section 2:

'Sec. 2. Motor vehicle registration fees in Isle au Haut, apportioned. Seventy-five per cent of all fees received from the inhabitants of the town of Isle au Haut by the state for the registration of motor vehicles shall be spent in said town under the supervision of the state highway commission on the roads in said town.'

Further amend said Bill by adding thereto Section 3.

'Sec. 3. Motor vehicles registration fees in Cranberry Isles, apportioned. Seventy-five per cent of all fees received from the inhabitants of the town of Cranberry Isles by the state for the registration of motor vehicles shall be spent in said town under the supervision of the state highway commission on the roads in said town.'

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

The Chair lays before the House the first tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on State Lands and Forest Preservation on Bill "An Act Creating the Office of Land Agent" (S. P. 401) (L. D. 987) tabled on March 28th by Mr. Good of Monticello, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. GOOD: Mr. Speaker, it was not my intention to upset the Committee report. I tabled this bill for one special reason, and that was that I wanted to know more about it, and, not knowing what it meant when it came in, I tabled the bill.

Now I have here some figures which I would like to read. They may be facts, and I have no doubt they are facts. If they are facts, I believe a committee should be appointed, or a recess committee, to investigate. I am not disagreeing with the committee report, but if there is anything to this I think that some of us should look into it.

The State of Maine owns 1000

acres of land in each unorganized township of six miles square and the same ratio in all townships that are more or less than a full township.

The reservation of 1,000 acres of land in every township commonly known as school lands comes from an old regulation of Massachusetts adopted while Maine was still a part of that Commonwealth.

In order to encourage the settlement of the District of Maine, the Legislature of Massachusetts in 1788 enacted a law providing that in the disposition of all towns thereafter four lots of 320 acres each should be reserved for certain purposes in each and every township, whether sold or granted. The purposes for which these lots were reserved were as follows: The first was for the first settled minister in the township and was known as the "Minister Lot." The second was for the use of the ministry and known as the "Ministerial Lot." The third was for the support of the common schools in that township and became known as the "School Lot." While the fourth was reserved to the future disposition of the State and was known as the "State Lot."

By the article of separation of 1820 when Maine became an independent state it was provided that Maine should carry out all the regulations regarding sale and settlement of the wild lands embraced in the plan originally adopted by Massachusetts unless the consent of that state was obtained for any change in policy.

Consequently, for several years after Maine became a state in the sale or grants of all Maine towns for whatever purpose these several lots were reserved in accordance with the plan adopted in 1788.

In 1831 Maine changed the law providing for the disposition of these lots for various reasons and purposes to take effect when Massachusetts consented to the new arrangement.

By the new law the minister's claim was ignored except in cases where the title had become vested. By the new provisions all the land reserved in each new township (acreage having been changed to 1000 acres for each full township and at the same rate in all tracts less than a full township) was to be for the support of the schools in that township. Hence all townships surveyed from 1788 to 1832 would

have reserved lands of 1280 acres. Three hundred and twenty acres of this for the state, leaving 960 acres for the benefit of schools. All lands surveyed since 1832 would have 1000 acres of land.

The law provided that the land agent could sell from time to time the timber and grass on the reserved lands and pay the money to the State Treasurer which must be kept for school purposes.

Each 100 acres of good timberland will produce 1,000,000 feet of saw logs or 2000 cords of pulpwood. From 1916 to 1929 the stumpage of pulpwood was worth \$5.00 per cord which would be \$10,000 on every 100 acres or \$100,000 for each 1000 acres. There should be more than \$35,000,000 in the State Treasury today for the support of the common schools. Maine has received very little if any cash for stumpage in all these years, except what has been reserved for school lands in organized plantations.

In 1850 the Legislature of Maine passed an act authorizing the Land Agent to sell the timber and grass on the reserved lands and gave the purchasers the right to cut and take away the timber until the township was organized as a plantation or incorporated as a town. This law could only apply to the reserved or school lands that had actually been surveyed by meets and bounds. We have many townships where the school lands have never been surveyed and located. Therefore, we have thousands of acres of land that the timber as well as the land itself still belongs to the State of Maine.

There are approximately 161 townships where the school lots have never been located. These lots when located will contain 1000 acres of land in each lot.

The price of pulpwood stumpage today is not less than \$3.00 per cord. Each 1000 acres will produce 20,000 cords of pulpwood, which would equal \$60,000 for each school lot. The timber on 161 school lots is worth \$9,660,000 to the State of Maine today, and the land is still left to produce more timber.

Some of our school lands have been cut over three different times since the stumpage was sold.

Now, members of the House, if there is any truth in these figures—and I have no reason to doubt it—I feel that it is the proper time

for a Recess Committee to be appointed to look into this.

I find that there have been campsites leased for \$600, and the State treasury gets \$300 and the adjoining land owner gets \$300. I cannot understand for the life of me why the adjoining land owner should have \$300. When these are leased to the camp owner for \$600 by the State I feel it belongs to the State rather than the land owner. In addition to that, for every stick of wood cut on this wild land the owner gets \$2.50 a cord. I understand, in another case, the man who owns a camp in a certain place offers to pay his lease and pay for the site, but the Eastern Manufacturing Company will not accept his money. As I understand it, the State is not accepting it, just for the reason they want to move that man off the land to get rid of him.

As I said in the beginning, I do not wish to disturb the committee report, but I will ask the Speaker to appoint a Recess Committee to investigate this matter.

Mr. PAUL of Portland: Mr. Speaker and members of the House: I rise in defense of the committee report, and I am surprised to find that my good friend from Monticello, if he is so much interested in this matter, did not appear before the Committee at the time of the hearing.

We had an extended hearing which lasted almost the entire afternoon, and, from the facts which were brought out, the committee could see no purpose in creating the office of Land Agent.

As my good friend has said, this goes way back to historical days when the State of Maine was set off from the State of Massachusetts and one thousand acres were set off in each township. My records show 164 lots which have not been laid off.

Now we listened to the entire story of both the proponents and the opponents of this bill and it seemed to us as a committee that the real object back of this bill was possibly the rental which is received from camp owners who operate camps on these lands.

As it now sets, our Forest Commissioner has ample authority, with the consent of the Governor and Council, to fix the price at which these camp lots shall be paid for, and in many cases we could see justification for the fifty per cent.

revenue that goes to the individual owning the lumber lot. In other words, when these camp owners go upon the property they create a certain fire hazard; they destroy certain lumber and wood by occupation of those camps. We listened to all the facts and we could see no real purpose in setting up a land agent and I sincerely hope that this House will follow the committee report.

Mr. HINMAN of Skowhegan: Mr. Speaker, once again I rise from the standpoint of the money involved. It is estimated by the State of Maine that the enactment of such legislation will cost us \$15,400 a year. We have a Forestry Department that is not overworked and is well able to take care of matters of this kind. I hope that the committee report "Ought not to pass" will prevail.

Mr. GOOD: Mr. Speaker, I am not trying to upset the committee report. I am just asking that a Recess Committee be appointed to investigate.

The SPEAKER: The Chair will inform the gentleman that there is no procedure whereby a Recess Committee can be appointed unless some proper order or resolution is introduced. The question before the House is on the acceptance of the "Ought not to pass" report of the Committee on State Lands and Forest Preservation. Is it the pleasure of the House that the report of the committee be accepted in concurrence?

The motion prevailed and the "Ought not to pass" report was accepted in concurrence.

Mr. LaFLEUR of Portland: Mr. Speaker, out of order and under suspension of the rules I move to take from the table the third tabled and unassigned matter.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves to take from the table the third tabled and unassigned matter, majority report of the Committee on Salaries and Fees on the several bills which were all recommitted, and on Bill "An Act relating to the Salary of the Judge of Probate of Lincoln County," reporting a consolidated bill under the title of Bill "An Act relating to Salaries in Certain Counties, H. P. 2073, L. D. 1100, and that it "Ought to pass" and minority report of the same committee reporting "Ought not to

pass" on the same bills, both reports being tabled on March 28th by Mr. LaFleur of Portland, pending acceptance of either. Is this the pleasure of the House?

The motion prevailed.

Mr. LaFLEUR: Mr. Speaker, I wish to say at the outset, in order to disabuse the suspicion in the minds of a few, that I have absolutely no personal animosity as to the individuals concerned in these proposed salary raises. As a matter of fact, I believe I can claim friendship with the majority of the individuals affected in this bill, and during the past two or three weeks I have met, I think, the balance of those whom I did not know previous to this discussion, and I find in every instance that they are honorable gentlemen.

May I discuss briefly traveling from the southern part of the State to the northern part of the State so that you may think your way with me and arrive at a definite conclusion, and whatever that conclusion may be I, as an individual, will be satisfied therewith. I recognize that this body eventually is the deciding factor in these questions, and I, as an individual, have no personal interest therein and must abide that result. When we first came to this Legislature I found, if my numbers are correct, some thirty-one bills increasing the salaries of our judges, recorders and county commissioners, and increasing the clerk hire in the State of Maine. Today I think we made some progress along the lines of economy for, if my figures are correct, there are now pending before these bodies only some twelve or thirteen bills. The remainder of the bills have all gone by the board. Let me discuss my county first because you will recollect that on the docket is a salary increase for one of our municipal recorders. The result on that particular bill awaits the decision on this consolidated bill. Why they did not put it into this blanket resolve I do not know.

In the city of Portland the Referee in Bankruptcy died about a month and a half ago and before the gentleman was in his grave there were thirty-two lawyers looking for the job. At the present time one of our County Commissioners is sick and there have been fifteen men come to me looking for the job, and the Speaker, if he would

say so, would tell you that three had been to him. Now as a matter of fact the Commissioner is not even dead. (Laughter)

If you will inquire of the gentleman from Portland, Mr. Cowan, who represents the Springfield Land Bank of Springfield, he will inform you that he is now foreclosing for that bank on certain farm property in Cumberland County. If you will go to the Home Owners' Loan, you will find that they are foreclosing on about three hundred pieces of property in the State of Maine.

Now let us pass from Cumberland County and I will eventually come back to that when the North Bridgton Court comes up. We go into Androscoggin County and we find that the delegation, after deliberation, has withdrawn their various increases but the significant part of that is this: That in the county estimates we passed emergency legislation which went into the Governor's hands and their own delegation found that their County Commissioners had estimated for the next two fiscal years over \$34,000 in excess of the last two years, and I want to compliment that delegation from Androscoggin County in cutting off that excess estimate of expenditures for the next two years, and I think if the other delegations had gone into their own counties, they might have found a similar condition. If my understanding is correct, Franklin County has dropped out of the picture.

Now let us go into the County of Aroostook. A member of this Legislature has said that we should discuss these bills upon their merits and that each county should be allowed to determine its own problem. First as to the merits of the bill: You will note, and I say here, that I have the highest respect for the Committee on Salaries and Fees. I would do nothing to hurt their feelings; I respect them but I wonder—these bills were recommitted to the committee on Salaries and Fees and what did they do with them? They brought them in in a blanket resolve. Now I ask you a fair question: Might it not well be that there were a lot of those salary raises that had absolutely no merit? Now as to being a county matter, let us go into the county of Aroostook, and I hope I will not offend my good

friends from Aroostook. I find for the years 1935 to 1939 that the State of Maine has dumped into the county of Aroostook \$1,119,000 on emergency relief and that, ladies and gentlemen, is in addition to old age assistance of some \$230,000 a year, and again, if you will check with the Controller you will find that we are putting into the county of Aroostook approximately \$850,000 directly and indirectly more than all the taxes that we get out of the county of Aroostook. At the beginning of this session we voted for a City Manager or a Town Manager for the town of Houlton, and I find in the bill that the compensation of the members of that Council is placed at nothing. In other words, the Councilors will receive nothing in the way of salaries. In an editorial from the paper I find that there are a superabundance of candidates for the jobs that carry no compensation. I go into the town of Caribou and I find the same condition. If you will examine your records you will find the number of towns that have been reorganized in Aroostook, the number of towns now at this present Legislature that have asked to be deorganized. If you will confer with the Tax Assessor you will find that there are a lot of towns in this State and in Aroostook which are on the border line. Go into the three black books in the Clerk's office and what do you find? You find that in the county of Aroostook at the present time are 1,237 old people receiving old age assistance, and if you multiply that by \$20 a month—you can figure as well as I can the amount you are paying into that county. It is no longer a county matter when your money and my money is being put into Aroostook. And they argue to me that the County Commissioners know best what is best for that county. You know as well as I know that you can get a lot of County Commissioners to give an increase to their clerks because it is the easy way out. It is my contention that just as long as we are pouring money into the county we ought to be able to say something about the way that they are going to carry on their affairs. Now when this Treasurer, and I do not know the individual in this case—I assume he is an honorable gentleman or she an honorable woman,—asks

for an increase of almost one hundred per cent—as you will note from the bill, he is now paid \$800 and he asks for \$1,500, and I understand that it is only a part-time job—that is a significant factor.

Now let us go down into the county of Hancock, I met the Treasurer of Hancock county and he is a very fine gentleman. I asked him when he was elected to the job and he said he was elected January 1, 1939. I asked him how many candidates there were for the job and I understood that there were four. I said: "Did you know when you ran for the job the compensation attached thereto?" He said: "Yes." Now he is asking for an increase in salary.

Now go into the county of Lincoln. Before I go into the county of Lincoln let me make this statement. At our Fish and Game hearing we heard complaints from over the State that the farmers could not pay their taxes. I talked with an elderly man from Hancock county last Tuesday afternoon and we were discussing the proposed increase in the Fish and Game license. I said to him: "Are you in favor of increasing the salary of the Treasurer in Hancock county?" He says: "Young man, let me tell you a story. Fifty years ago my father had a farm in Hancock county and he left it to me in 1917. At that time the tax rate was \$17. I had plenty of stock and plenty of equipment to carry on. Today I haven't any stock left and my taxes have gone up \$135." This man knew what he was to get when he ran for the job and now he wants an increase.

Let's take up the Municipal Court in Lincoln. I want to say here that the Judge of that Court is a friend of mine in the American Legion and I have said to him frankly that I am taking this question up on the floor. Now what does he ask? My understanding is that he gets \$700 a year. The original bill was for an increase of \$500 a year, making \$1,200. The committee, in its good judgment, apparently decided that he ought to get a \$200 increase. He is a lobbyist at this present session of this Legislature so apparently his duties are not so arduous but what he can come down here. From the floor of this House, before the Fish and Game Committee last Tuesday afternoon, I think he stated the truth when he said: "The people of Lincoln county cannot afford to pay

a twenty-five per cent increase in the fish and game licenses." I think he told the truth but on the other hand he said: "Give me \$500 more."

I could go through the various counties in the State. I have made absolutely no attempt to get any help on this bill. If my vote is the only vote, it will be recorded that I am opposed to any increase in the salary of any County Commissioner, Register of Probate, Register of Deeds, or Recorder. First, under the present conditions I cannot see how you can do those things when we are struggling here to find ways and means to take care of the aged in the State. Second, every man who occupies these jobs, when they ran for those jobs, they knew how much they were going to get. As I said, I have made no effort, I have asked not a member of this House to vote with me. I do not ask you to vote with me. I do not ask you to vote against me. I ask every man and woman to use their own good conscience and good judgment. All I ask you to do is this: Vote for Mr. John and Mary Jones, the taxpayers of the State of Maine, and say to these gentlemen "No salary increases to you or to anyone who occupies these jobs." If they are dissatisfied with the compensation attached thereto, I assure you members that if my county is any example they can resign tonight and tomorrow morning the job can be filled by the Governor. Mr. Speaker, I move the acceptance of the minority "Ought not to pass" report on this consolidated bill. (Applause).

The SPEAKER: The gentleman from Portland, Mr. LeFleur, moves that the House accept the minority "Ought not to pass" report on the several bills included in the consolidated bill. The Chair recognizes the gentleman from Brewer, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, as a member of the Salaries and Fees Committee I signed the majority report "Ought to pass." I want to state that the committee considered every resolve and after it came in we took it up with the members of the County Commissioners and we also took it up with the members of the various delegations and we went a good deal by their advice in the matter. Therefore, we reported this blanket bill "Ought to pass" on the recommendations of the County Commis-

sioners and the various delegations. I hope that the motion of the gentleman from Portland, Mr. LaFleur, does not prevail.

Mr. LaFLEUR: Mr. Speaker, in order that there may be a record I would ask for a vote by the yeas and nays.

Mr. CLEAVES of Presque Isle: Mr. Speaker and members of the House: I will not talk as long or as eloquently as the gentleman from Portland, Mr. LaFleur. In regard to the salary of the Judge at Presque Isle, he now gets \$1,300 and they want to give him \$1,500. It has been approved by the delegation and the County Commissioners. It is only a small matter.

Mr. NOYES of Franklin: Mr. Speaker, I hesitate to attempt to answer the gentleman from Portland, Mr. LaFleur. His eloquence exceeds mine to a great degree. However, as some of you gentlemen probably know, I happen to belong down in Hancock county, and I want to say that we in Hancock county feel that we are capable of deciding what salaries our county officials shall have. In defense of the majority report of the committee on Salaries and Fees, I will say that it was a unanimous report and the desire of the Hancock county delegation that these bills should be passed. It was also the desire of our County Commissioners. Considering the fact that this country has been developed upon the lines of local self government, I question the advisability of this Legislature going to work and accepting the recommendations of a man from another county in trying to upset what Hancock county would like to do. I hope that the majority report will be accepted.

Mr. EMERY of Bucksport: Mr. Speaker, without going into any detail concerning this matter I wish to go on record as being heartily in accord with my colleague, the gentleman from Franklin, Mr. Noyes.

Mr. FERNALD of Levant: Mr. Speaker, as a member of the Committee on Salaries and Fees I wish to state that in all of these matters we accepted the recommendations of the County Commissioners and of the delegations. Every one that we recommended "Ought to pass" contained the endorsement of the County Commissioners and of the county delegation.

The SPEAKER: The question be-

fore the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House accept the minority report "Ought not to pass" on consolidated bill "An Act relating to Salaries in Certain Counties". The gentleman from Portland, Mr. LaFleur, asks that the vote be taken by the yeas and nays. Under the Constitution the yeas and nays vote is ordered on the request of one-fifth of the members present. As many as are in favor of taking the vote by 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: Twenty-six having voted in the affirmative and 26 being more than one-fifth of the members present, the yeas and nays are ordered. The Chair will remind the members that under the House Rule no member may leave his seat during the calling of the roll or until the result has been determined and declared. 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 excuse him, and when the yeas and nays are ordered, no member shall leave his seat until the vote is declared." The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the minority report "Ought not to pass" on these five bills be accepted. All those in favor of the acceptance of the minority report "Ought not to pass" will answer yes; those opposed to the acceptance of the minority report will answer no. The Clerk will call the roll.

YEA—Arzonico, Ayotte, Belanger, Bragdon, Burbank, Butler, Chandler, Colby, Cook, Cowan, Crockett, Cushing, Davis, Dean, DeBeck, Dennison, Dorrance, Douglass; Dow, Norway; Downs, Eddy, Erswell, Fowles, Goss, Grua, Gyger, Hall, Haskell, Hawes, Hinckley, Holden, Holman, Howes, Hussey, Jordan, LaFleur, Lambert, Leveque, Lord, Luro, MacNichol, McNamara, Meserve, Otto, Peakes, Pelletier, Plummer; Poulin, Waterville; Pratt, Ramsdell, Richardson, Robins, Robie; Robinson, South Portland; Snow, Dover-Foxcroft; Snow, Hermon; Starrett, Tardif, Thompson, Varney, Violette, Wallace, Weed, Williams, Winter, Worth; Young, Acton.

NAY—Babin, Bacon, Barter, Bates, Bowers; Brown, Caribou; Brown, Cor-

inna; Brown, Eagle Lake; Bubar; Burgess, Limestone; Buzzell, Churchill, Cleaves, Clough, Donahue, Dorsey, Dow, Eliot; Dow, Kennebunkport; Dwinal, Ellis, Emery, Everett, Farrington, Farwell, Fellows, Fernald, Fogg, Ford, Good, Hinman, Hodgkins, Jewett, Keene, Labbee, Larrabee, Latino, Mahon, Marshall, Maxim, McGillicuddy, McGlauffin, Miller, Mills, Murchie, Norwood, Noyes, Palmeter, Paul, Payson; Pike, Bridgton; Pike, Lubec; Poulin, Rumford; Race, Shesong, Sleeper, Stacy, Stilphen, Sylvia, Townsend, Walker, Weatherbee, Welch, Winslow; Young, Old Orchard Beach.

ABSENT—Batchelder, Bird, Bolduc, Burgess, Rumford; Hamel, Hanold, Melanson, Merrifield, Porell, Preble, Robinson, Bingham; Robinson, Peru; Slosberg; Smith, Thomaston; Smith, Westbrook; Stevens, Thorne, Whitney.

Yes—67.

No—64.

Absent—18.

The SPEAKER: Sixty-seven having voted in the affirmative and 64 in the negative, and 18 being absent, the motion prevails, and the minority report "Ought not to pass" is accepted.

Sent up for concurrence.

The Chair lays before the House the second tabled and unassigned matter, two reports of the Committee on Salaries and Fees on Bill "An Act relating to Clerks in the Office of Register of Probate and Clerk of Court in Hancock County" (H. P. 405) (L. D. 110)

Bill "An Act relating to Clerk Hire in the Office of the Register of Deeds in Lincoln County" (H. P. 579) (L. D. 204)

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

Bill "An Act relating to Clerk Hire in Washington County" (S. P. 398) (L. D. 815)

Bill "An Act relating to Salaries in Lincoln County" (H. P. 1339) (L. D. 510)

All recommitted; and

Bill "An Act relating to Clerk Hire in the Office of Register of Deeds in the county of York" (H. P. 940) (L. D. 368) reporting a consolidated bill under the title of "An Act relating to Clerk Hire in Certain Counties" (H. P. 2072) (L. D. 1099) and that it "Ought to pass" and

Minority Report of the same Committee reporting "Ought not to pass" on same bills. Both reports

tabled on March 23th by Mr. LaFleur of Portland, pending acceptance of either; and the Chair recognizes that gentleman.

Mr. LaFLEUR: Mr. Speaker, I wish to say very frankly to this House that I know the vote was close upon the other consolidated bill. I felt pretty keenly upon the other bill, but when I come to this consolidated bill I must, in all honesty to this House and as a matter of fair dealing to the parties therein involved, say that the conditions that apply in the other consolidated bill do not apply in this situation, and were it not for the fact that York County is involved. I would move the acceptance of the majority report upon the clerk hire. That may seem an inconsistent position, ladies and gentlemen, when you have in mind the action upon the other bill.

In the other bill, the gentlemen who ran for the jobs knew the compensation attached thereto. In this consolidated bill I can well recognize that some of our clerks are illy-paid and that the proposed increase here may be a fair matter. I wish merely to make this observation insofar as York County is concerned:

If you will check in the Laws of 1937, under the Resolves, the delegation from York County came into this House and Senate on an emergency proposition and secured from this House and Senate \$1000, more or less, which would last for only two years. That was an emergency, as they said, and the House and the Senate passed that Resolve. That is in Chapter 64 of the Laws of 1937.

Now they are back here again in 1939, claiming that the emergency still exists, and they want another \$1000.

As I said in the first place, this House is the court to decide, and were it not for that particular time—and that is one of the reasons why I cannot understand how this committee on Salaries and Fees put it into the blanket resolve—it is a difficult matter to discuss the merits of one case which is tied up with six other cases—you might have one case that has all the merit in the world and five cases that have absolutely no merit, and we might have a right throw out the five and thus penalize the one. I am not asking this House to do that.

I would move for the acceptance

of the majority report, and then I would file an amendment to the bill which would strike out that emergency appropriation for the next two years in Hancock County as a matter of fair-dealing to those clerks.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that the House accept the majority report of the Committee on Salaries and Fees reporting a Consolidated Bill on these six bills and that the Consolidated Bill "Ought to pass." Is this the pleasure of the House? All those in favor of the motion for the acceptance of the majority report will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the majority report was accepted.

Mr. LaFLEUR: Mr. Speaker, I now offer House Amendment "A" to the Consolidated Bill L. D. 1099.

The SPEAKER: Will the gentleman withhold his amendment until after the second reading of the bill tomorrow morning?

The Chair lays before the House the fourth tabled and unassigned matter Bill "An Act relating to the Registration and Licensing of Dogs and the Duties of the Sheep Specialist" (H. P. 2054) (L. D. 1099) tabled on March 28th by Mr. Noyes of Franklin, pending second reading; and the Chair recognizes that gentleman.

Mr. NOYES: Mr. Speaker, very briefly, I would like to explain to the House the reason why I tabled this bill. I will confess that until a few weeks ago I did not know that we had a Sheep Specialist, and it was my thought at the time we tabled this bill that we should have a Blueberry Specialist, and it might be well to have a Cow and Heifer Specialist. However, I have talked with the members of the Committee on Agriculture and they feel that this Sheep Specialist Bill should go through, the thought being that with increased money more work can be done to promote the sheep industry. I sincerely hope that the conclusions of that committee are right. For that reason I am not going to make any motion at this time.

The SPEAKER: The pending question is on the second reading of the bill.

Thereupon, the bill was given its

second reading and tomorrow assigned for third reading.

The Chair lays before the House the fifth tabled and unassigned matter, Bill "An Act Relating to Town Reports" (H. P. 2057) (L. D. 1093) tabled on March 28th by Mr. Welch of Chapman, pending second reading. The Chair recognizes the gentleman from Old Orchard Beach, Mr. Young.

Mr. YOUNG: Mr. Speaker, in order to facilitate matters, I submit House Amendment "A" and House Amendment "B" to this bill and I move that Amendment "A" be indefinitely postponed and move that Amendment "B" be adopted.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Young, offers House Amendment "A".

The same gentleman now moves that House Amendment "A" be indefinitely postponed.

The motion prevailed.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Young, now offers House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B."

House Amendment "B" to H. P. 2057, L. D. 1093, Bill, "An Act Relating to Town Reports."

Amend said Bill by striking out the figure "7" wherever it appears before the word "days" in the Bill and inserting in place thereof the figure "3".

Thereupon, House Amendment "B" was adopted and the bill was given its second reading and tomorrow assigned for third reading.

The Chair lays before the House the 6th tabled and unassigned matter, Bill "An Act Relating to the County Commissioners of Androscoggin County, (H. P. 2061) (L. D. 1097) tabled on March 28th by Mr. Winslow of Auburn, pending second reading; and the Chair recognizes that gentleman.

Mr. WINSLOW: Mr. Speaker, there are some things in this bill I do not like and I am almost constrained to move for its indefinite postponement, but I do understand that there will be an amendment offered tomorrow which may change it. I would therefore move that it be laid on the table and definitely assigned for tomorrow morning.

The SPEAKER: The gentleman

from Auburn, Mr. Winslow, moves that Bill "An Act Relating to the County Commissioners of Androscoggin County lie on the table and be specially assigned for tomorrow morning. Is this the pleasure of the House?"

The motion prevailed, and the bill was so tabled.

Mr. EMERY of Bucksport: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. EMERY: If it is in order, I would like to ask to take from the table the nineteenth unassigned matter.

The SPEAKER: It is not in order, but the gentleman may request it under suspension of the rules.

The gentleman from Bucksport, Mr. Emery, moves that the rules be suspended and that the House take up out of order the nineteenth unassigned matter, Senate Report "Ought to pass in new draft" of the Committee on State Prison on Resolve relating to the Construction of a New Wall at the Maine State Prison and a Dormitory at the Prison Farm (S. P. 231) (L. D. 274) reporting same in a new draft (S. P. 552) (L. D. 1078) under the title of "Resolve relating to the Construction of a Dormitory at the Prison Farm", tabled by that gentleman on March 31st, pending acceptance in concurrence.

The motion prevailed.

Mr. EMERY: Mr. Speaker and members of the House: I have been delegated to obtain some additional information on this particular matter which I have been unable up to now to put before my committee. I hope to be able to do so this afternoon, after this session. So, with that purpose, I would request that I be allowed to retable this matter until tomorrow morning.

The SPEAKER: The gentleman from Bucksport, Mr. Emery, moves that report, together with the resolve, lie on the table pending acceptance of the report and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the report, together with the resolve, were so tabled and so assigned.

The Chair lays before the House the seventh tabled and unassigned matter, Bill "An Act to Grant a

New Charter to the City of Bath" (H. P. 1164) (L. D. 483) tabled on March 28th by Mr. Miller of Bath, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. MILLER: Mr. Speaker, in order that I may offer an amendment, I move, under suspension of the rules, that we reconsider the passage of this bill to be engrossed.

The SPEAKER: The gentleman from Bath, Mr. Miller, moves that the rules be suspended to permit reconsideration of the passage to be engrossed of Bill "An Act to Grant a New Charter to the City of Bath" (H. P. 1164) (L. D. 483). Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that the passage of the bill to be engrossed be reconsidered?

The motion prevailed.

Mr. Miller thereupon offered House Amendment "B" and moved its adoption.

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

Amend said Bill by striking out paragraph (e) of Section 1 of Article II thereof and inserting in place thereof the following:

'(e) 1. Civil service rules for the police department. The city council shall provide by ordinance for a system of civil service rules for the appointment, promotion, demotion, lay-off, reinstatement, suspension and removal of the members of the police department and for a civil service commission to administer the same.

2. Civil service rules for the fire department. The city council shall provide by ordinance for a system of civil service rules for the appointment, promotion, demotion, lay-off, reinstatement, suspension and removal of the members of the fire department and for a civil service commission to administer the same.'

House Amendment "B" was then adopted.

Mr. Miller then offered House Amendment "C" and moved its indefinite postponement.

The motion prevailed, and House Amendment "C" was indefinitely postponed.

Mr. Miller of Bath, then offered

House Amendment "D" and moved its adoption.

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

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

'The city council shall consist of 5 members, who shall be elected at large by and from the qualified voters of the city voting in their respective wards, one each year for a term of 5 years and until his successor is elected and qualified; except that at the 1st election after the adoption of this charter 5 members shall be chosen, the candidate having the largest number of votes shall serve for a term of 5 years, and the candidate having the next largest number of votes shall serve for a term of 4 years, and the candidate having the next largest number of votes shall serve for a term of 3 years, and the candidate having the next largest number of votes shall serve for a term of 2 years, and the candidate having the next largest number of votes shall serve for a term of 1 year, and until their successors are elected and qualified.'

Further amend said Bill by striking out in the first paragraph of Section 1 of Article IV thereof the word "biennially" and inserting in place thereof the word 'annually.'

Further amend said Bill by striking out in the first paragraph of Section 8 of Article II thereof the figure "2" and inserting in place thereof the figure '1', and by striking off the letter "s" from the word "years."

Further amend said Bill by striking out wherever it occurs in said Bill the figures "5/7" and inserting in place thereof the figures '3/5'.

Further amend said Bill by striking out "2 years" in the first sentence of Section 2 of Article IV thereof and inserting in place thereof '1 year'.

Further amend said Bill by striking out in Section 8 of Article IV thereof in the printed form of ballot the word "seven" and inserting in place thereof the word 'five.'

Further amend said Bill by adding at the end of Article VIII thereof the following:

'Sec. 10. Constitutionality. If any part, section, subsection, sentence, clause or phrase of this act is for

any reason held to be unconstitutional, said decision shall not affect the validity of the remaining portion of this act.'

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

The Chair lays before the House the eighth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Permitting Signboards Under Certain Conditions" (H. P. 1789) (L. D. 957) tabled on March 28th by Mr. Hinckley of South Portland, pending the motion of Mr. Sleeper of Rockland, that the bill be substituted for the report; and the Chair recognizes that gentleman.

Mr. HINCKLEY: Mr. Speaker, I tabled this matter at the request of the gentleman from Madison, Mr. Thorne, who has been ill but who expects to be in the House tomorrow morning. I would therefore request that this matter be retabled and assigned for tomorrow morning.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves that the report of the Committee on Judiciary, "Ought not to pass" on this bill lie on the table, pending the motion of the gentleman from Rockland, Mr. Sleeper, that the bill be substituted for the report, and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled and so assigned.

The Chair lays before the House the ninth unassigned matter, Senate Report "Ought not to pass" of the Committee on Public Health 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) tabled on March 29th by Mr. MacNichol of Eastport, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. MacNICHOL: Mr. Speaker, having an interest in this bill, I tabled it for the purpose of finding if there was any way the thing could have the breath of life breathed back into it, and, finding that there is not, it seems that the motion to table has only been a means

of arresting its flight from the committee to the waste paper basket, so I now move that the House accept the committee report.

The SPEAKER: The gentleman from Eastport, Mr. MacNichol, moves that the House accept the "Ought not to pass" report of the Committee on Public Health. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report was accepted in concurrence.

The Chair lays before the House the tenth tabled and unassigned matter, House Report "Ought to pass in new draft" of the Committee on Inland Fisheries and Game on Bill "An Act Relative to Close Time on Deer" (H. P. 272) (L. D. 82); New Draft (H. P. 2099) (L. D. 1102) tabled on March 29th by Mr. Noyes of Franklin, pending acceptance; and the Chair recognizes that gentleman.

Mr. NOYES: Mr. Speaker, I did not realize I had so much stuff on the table. The hour is late, and I am not going to make a long speech. However, I find myself in a position where I do not know how to vote.

We have always hunted in Hancock County fifteen days into December. We came to this Legislature and a bill was introduced for a uniform deer season, the argument being that in the last fifteen days the citizens of Maine, in the other fourteen counties, came into Hancock County and hunted. It seemed desirable that we should retain a uniform season. I attended the hearing, at which time I stated that I believed a uniform season was desirable, but I did not see how you could regulate the climate in the State of Maine and make it uniform, and if a uniform bill was passed, someone would be hurt. In saying that, I felt that it was Hancock County that would be hurt by the passage of such legislation.

Now I find the bill in a new draft which changes our season to October 21st, from October 21st to December 1st, and I find on my desk an amendment which has been prepared by the Washington County members which would open the Washington County season November 1st.

Now the county of Waldo, which is upon our west, opens its season November 1st. The county of Washington, if they open their season

November 1st, and Hancock County accepts the bill, we have ten days in October in which the residents of these two adjoining counties are going to hunt in Hancock County.

I am frank to say that I do not know how the people of Hancock County would vote on this bill. At this time I am going to move the acceptance of the committee report and prepare an amendment which I will offer tomorrow and ask for your support.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the House accept the "Ought to pass in new draft" report of the committee. Is this the pleasure of the House?

The motion prevailed, and the report was accepted.

Mr. DENNISON of East Machias: Mr. Speaker, I wish to present Amendment "A" to this bill.

The SPEAKER: Will the gentleman defer the presentation of the amendment until after the second reading of the bill tomorrow.

The Chair lays before the House the eleventh tabled and unassigned matter, Bill "An Act Relating to the Clerk of Courts in Lincoln County" (S. P. 271) (L. D. 503) tabled on March 29th by Mr. Varney of Berwick, pending third reading; and the Chair recognizes that gentleman.

Mr. VARNEY: Mr. Speaker and members of the House, perhaps this bill is not particularly important one way or the other, but I happen to notice it in its second reading, and it occurred to me that four years ago the Legislature, in order to prevent a certain bad practice which was prevalent in some parts of the State of Maine, amended the law applying to bail commissioners to read as follows:

"No judge, clerk or recorder of any municipal court or any trial justice who is also a bail commissioner shall act in his capacity as bail commissioner in any case wherein process is made returnable to his court."

I understand that was passed to prevent a man who happened to be an officer of the Court and also a bail commissioner, instead of arraigning a person as an officer of the court, doing it as bail commissioner and collecting an additional fee for doing it.

I happened to notice this bill going through providing as follows: "Such clerk is authorized to act as bail commissioner in any case wherein the process is made returnable before said court."

For the reasons I have stated I move that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that Bill "An Act Relating to the Clerk of Courts of Lincoln County" (S. P. 271) (L. D. 503) be indefinitely postponed. Is this the pleasure of the House?

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

The Chair lays before the House the twelfth tabled and unassigned matter, Bill "An Act Relating to Compensation of County Attorneys" (H. P. 1968) (L. D. 1037) tabled on March 29th by Mr. Hinckley of South Portland, pending the motion of Mr. Stilphen of Dresden, that the bill be indefinitely postponed.

Mr. HINCKLEY: At the request of the gentleman from Madison, Mr. Thorne, I also ask that this bill be retabled and specially assigned for tomorrow morning.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves that Bill "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 and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled and so assigned.

The Chair lays before the House the thirteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Operation of Motion Picture Machines" (H. P. 1675) (L. D. 885), tabled on March 30th by Mr. Stilphen of Dresden, pending acceptance; and the Chair recognizes that gentleman.

Mr. STILPHEN: Mr. Speaker, I would say that I tabled this bill by request.

Mr. POULIN of Rumford: Mr. Speaker, I move to substitute the

bill for the report of the committee. My reason for this members—I am a member of the Committee on Mercantile Affairs and Insurance. The last time this was discussed in executive session it was suggested by some of the members that this bill provided only for electrical devices in this safety measure. This was eliminated in the amendment by including mechanical devices. It was suggested whereas many members of the committee were not familiar with the handling of the safety protective features of this device that it should be approved by the National Board of Underwriters. It was further pointed out that the present bill did not authorize the Insurance Commissioner to enforce this measure and that he did not have any control whatsoever. This was taken care of. It was also admitted by members of the committee that this would eliminate a great fire hazard. It was suggested by some of the committee that a draft or an amendment be drawn up by the committee and which would be favorable to the committee so that a report of "Ought to pass" could be made. The suggestion having been refused by the committee it was told us there at that meeting that we were only there to consider the bill as it was, so I voted with the committee "Ought not to pass" but reserving the right, with some of the other members, to consider any amendment presented to the House. Therefore I submit the amendment to you and move its adoption.

The SPEAKER: The gentleman from Rumford, Mr. Poulin, moves to substitute the bill for the "Ought not to pass" report of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Operation of Motion Picture Machines." The Chair recognizes the gentleman from Old Orchard Beach, Mr. Young.

Mr. YOUNG: Mr. Speaker and members of the House: I shall not try to tire you any longer than absolutely necessary. I want to say to you that every one of you has been most courteous to me in my legislative sojourn here. You have generously responded and assisted me in every way. But I do not want this House imposed upon by any tactics of dissembly, and, in return for the courtesies you have extended to me, I am going to be quite frank in opposing the substitution

of the bill for the committee report and this amendment.

I have seen quite a number of things in my day, and usually when a thing smells I call the wasteman to remove it. If ever you were presented with a bill in this House which smells to high heaven, it is this one. As Chairman of the House Committee on Mercantile Affairs and Insurance, I believe that if you substitute this bill for the report of the Committee and accept this amendment, that you are being lead down a blind alley that you do not understand before you vote for it.

I have seen persistent lobbyists in my day, and in my twenty years before the bar I have seen some clever things done before the bar, but this thing is appalling; it smells with a fearful stench to the nostrils of an honest man.

When this bill was presented to this House the lobbyist for it was attorney Hurley, who, by the way, is getting paid for his interest in this affair and is representing companies who are interested in commercializing and selling a particular private device upon which they and their co-conspirators have patent rights. This device is supposed to be the saving factor of all humanity in moving picture theatres, at a tune of \$200.

The original bill as drawn restricted that device in such a way that no other patented device whatsoever could be used.

At the first hearing on this bill, at which I was absent — and I speak on information given to me by my colleagues on the committee — only one person appeared in favor of the adoption of this device. They discussed its commercial possibilities and they dwelt on the great safety factor for the public. At that time the committee, by a unanimous vote, rejected this bill.

Time went on, and Mr. Hurley, the lobbyist for this concern, kept constantly putting pressure on everybody who belonged to the committee, with the exception of myself and several others who did not care to listen to the proposition, and finally, and very insistently, he sought the help of another member of the House to ask us to meet him in executive session in order that he could explain the inferences and innuendos surrounding the lobby on

this particular bill. At that time he gave assurance to the Senate Chairman that if we would convene that committee and listen to his explanation about this lobby and if we felt upon a reconsideration of that bill that it should not be passed, that he would be satisfied.

We took him at his word that time. We called that committee into executive session. There were a great many protestations of honesty and decency, and he began to tell us that they were not interested in any indirect way in putting this device on moving picture machines. He went on first to tell us that as a paid lobbyist of a man by the name of Denney that he only was interested in lobbying for that particular company.

It so happened that I was the only legal member on the committee, so I asked this gentleman several pertinent questions. Finally, under questioning, he admitted that they had paid another lobbyist here fifty dollars for lobbying for this bill and that if he was successful in applying the pressure to us that he was to receive fifty dollars more. Now you understand that this fifty dollars was offered to this other particular man with the intent, so he says, of legitimate Third House tactics.

In the meantime I ascertained from the committee that this device was never presented before the committee, that no other proponent spoke for this device. If you will read this bill carefully, you will observe that my remarks are true, and if this bill is passed nothing but this device can be put on moving picture machines. Therefore, in my humble and simple way, I believed that I ought to do a little investigating, and the most natural thing for me to do was to go to the department that had charge of insurance and fires, which I did. I believe, and I think you will agree with me, that Mr. Lovejoy is an honest man and an efficient public official. You thought so much of him that you very kindly assisted me with two emergency measures in the beginning of this session. Since then I have tried to keep in my seat, as my Brother Butler says once in a while, glued to my seat, and have not tried to talk all the time.

But on this particular bill I was much perturbed, and I asked Mr.

Lovejoy if there had been a single solitary complaint from anyone in regard to fires in the State of Maine because this particular device was not placed upon moving picture apparatus, and he said no, he had received absolutely no complaints.

Now this bill, ladies and gentlemen, varies quite considerably from the bill of years ago, when, after fires and panics occurred in theaters, we compelled by law the application of a hinged door arrangement so that when you pushed against the doors it would open them to save the lives of the people in those places.

For many years safety devices have existed, chemical, mechanical and electrical. Our present laws require that the booth in which the moving pictures are projected shall be fireproof.

I talked with some experienced men who have no selfish axe to grind. And then this committee convened again—I want to be fair about it, because, by innuendo, we were indirectly charged with being prejudiced against this bill. I want to say to each and every one of you, who are honest men, that I never permit my personal prejudices to overcome my fair sense of judgment. That afternoon, when we convened for the second time on this bill, after the promise of this lobbyist that if we would hear him in executive session that that would be the end, suddenly a redraft was dropped into our faces. The bill was exactly the same as the original one with one exception—he excluded some forty-five per cent of the machines that were equipped with shutters. My colleague, Mr. Crockett, and myself brought out the point before the committee that even that bill placed no authority on the Insurance Commissioner to judge as to the adequacy of the machine that must be installed. We mentioned the fact: What provision is there in the bill to set up anybody to judge whether this device is safe or not? And it was admitted there was nothing.

We raised the question, furthermore, that new devices of science were being invented every day, that for over twenty years chemical devices had existed and mechanical devices had been used, which was all admitted. And we tried to suggest a feasible, sensible, practical way to permit this bill to be enacted,

but we were not going to yield to any particular man who had a chemical device to sell for his own interest. And I think we were right, morally and legally, from the standpoint of committeemen, and I still feel so.

Without notice to any of us, this amendment was drawn up. Last evening, while sitting in the lobby of the Augusta House with my colleague on my committee, Mr. Cowan, we were again approached by the lobbyist for this concern, and he went over all of this again, and we very kindly offered him the suggestion that if he was sincere in this bill that he should present an amendment to this House permitting any safety device passed by the Board of Underwriters to be used on machines, with the authority vested in the Insurance Commissioner that he might require any device but not that he shall require a certain device. He professed to think very highly of our suggestions and he said he would go upstairs and prepare such an amendment.

And now this morning, gentlemen—again along that honest line—the amendment we are presented with here is an argumentative dissertation, signed by Harold W. Hurley, the paid lobbyist for this commercial machine.

Now, gentlemen, there has been no public protest, no public request for this device or any like device. I believe it is fair that any device that is honestly sold should have an opportunity to compete in the trade, and I call it an imposition upon the integrity of this Legislature and your honesty of character to attempt in any way to deceive you, under cloak of public safety, to make you think that only this device should be adopted. I therefore request you to sustain the committee's unanimous report, "Ought not to pass," and, having done so, I then move the indefinite postponement of the bill and the amendment. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Rumford, Mr. Poulin, that the bill be substituted for the "Ought not to pass" report of the Committee.

Mr. BUZZELL of Belfast: Mr. Speaker, I hesitate somewhat to make a reply to the ingenuity of some advocates. I also resent the re-

flection upon legislative agents in this Legislature. I have never seen any of them that ever have tried to get both underholds on me. They were usually rather informative, and from them I always got more or less information that many times was good. Perhaps I can say that some of it was good and some of it was otherwise, but it was up to me to accept the good and reject that I did not care for. So I am taking no legislative agent by the foretop and trying to drag him around the floor of this House. Now when anyone tells me that anything smells, that is all right. No one cares to take part and enter into a contest with that little animal that smells badly. I had a talk this morning over the telephone with a friend of mine in the city of Belfast whose brother-in-law is a moving picture operator in the city of Bangor. We have lost one theater in the city of Belfast because of defective apparatus. This same man, whose name is Norman E. Dorin, is a brother of Mrs. Howard Merrill of Belfast, was in one of those moving picture booths in Bangor and, because some of the film ignited or bunched up or stopped going, he was badly burned, and breathed in some of the fumes of the flames from that fire.

Now I approach this proposition from the matter of safety. I do not know whether it is safe or not and I do not care, but if it will safeguard moving picture operators, if it will save theaters, if it will save your family and my family by a bill properly drawn, I do not care who sells it to these picture concerns. It seems to be a tremendous thing to think that somebody wants to sell a machine that will safeguard lives. Isn't that an awful thing? It is an awful thing that somebody has got a device and wants to sell it so that it will help your family and my family and yes, and maybe I will want to go to the moving pictures—I go perhaps once a year.

Now I was an advocate of Sunday movies just because I believed that a majority of the people in my town wanted Sunday movies, and whatever they wanted, the best people in my city, I am for it. I would not say that I like just the attitude of some of the moving picture concerns in this State; as soon as they found they were going to get the Sunday movies, then they commenced to move in on that little five

cent tax on the tickets each Sunday. Now you know I would not have wept two handkerchiefs at one crying if they had to pay two hundred dollars for a safety device that was worthwhile, and no one else would, not for a minute.

I do not know who these legislative agents are that are doing anything out of the way. They do not bother me in the slightest, but I simply want to say that I am in favor of their selling these machines, whatever they have got. I read the amendment here this morning and I want to read the amendment to you. I don't feel like leading you along in a maze of doubt. I want to read to you the words. I have not read the original bill. I do not care anything about the original bill but if this amendment is adopted I do not see anything the trouble with the measure. Permit me to read the amendment. There may be a colored gentleman in the woodpile so let's try to dig him out if he is here. "House Amendment 'A'" to H. P. 1675, L. D. 885, Bill "An Act Relating to Operation of Motion Picture Machines." Amend said Bill by striking out Section 1 thereof and inserting in place thereof the following: "Sec. 1. Safety control devices provided for motion picture machines. (All right) Any machine or device—(I do not know what the gentleman's name is that has been mentioned or what the device is and I do not care) utilized in any performance, exhibition or lecture before an audience or collection of persons assembled therefor wherein an inflammable film or projection record is employed, excepting motion picture projector machines equipped with rear shutter fans of a type approved by the National Board of Fire Underwriters, * * *" It says "approved by the National Board of Fire Underwriters." Now I do not understand that there is anything the trouble with the National Board of Fire Underwriters, and I believe that whatever they approve would be pretty near all right. Any one of those booths that is, as I understand it, out in the back of the theater pretty much over the heads of where your family and my family go in and come out, shall be equipped or fitted with an electrical or chemical safety control device. I do not know what this device is that smells—that smell they

say something about. If these Underwriters approve of that, they might take the smell out of it, I do not know, if there is any there.

Furthermore, in Section 1-A, it says: "Insurance commissioner to have general control and may make rules and regulations." Now there is not anything about that that is mysterious. If this amendment is passed it will be under the control of the Insurance Commissioner that I paid a fitting tribute to the other day when I said that he was doing a fine job. I believe he will do a good job with this proposition if the Board of Underwriters approve of the proposition and it is sold to these picture concerns in the State of Maine, some one hundred and seventy of them as I understand it.

We figured up the other day—and here is something where I think I can detect a little something that smells a little too. I can smell with my nostrils now. One hundred and seventy moving picture houses in the State of Maine, and we thought there would be an average of five hundred people go to those houses. If a little fee of five cents could be turned over from those admissions we would get \$221,000 to add to Old Age Assistance. Then they marched in to the other end, the conservative end of Legislature, so some of them think, and there tried to defeat the whole proposition so that the bill could not be submitted to the towns and cities of the State of Maine. Stop and think of that. So that the bill was defeated seventeen to twelve. They did not trust the people who sent them here. Those people trusted us and sent us here, but they did not trust the people who sent them here. And, finally, after Sunday, the vote was different.

The SPEAKER: The Chair will remind the gentleman that he must not comment on the action of any other branch of this Legislature for the purpose of influencing legislation in this branch.

Mr. BUZZELL: Thank you Mr. Speaker. I saw some of the other members in here and I wanted them to know just how I felt. (Laughter)

And so because of our party platforms they said you could not tax five cents on them. So it was told over in this end of the House, and that is the reason they turned down that little five cent tax.

I have heard about all kinds of platforms in the State of Maine in

politics in the last twenty-five years. I have heard it frequently said, why, we know what the railroad platform is and what this kind of platform is, and what that kind of platform is. But you know a month before this session of the Legislature, and during this session of the Legislature, I never knew just how much importance you did attach to political platforms before. I always supposed they were to get into office on, but that it was what the party did for 365 days in the year that counted. (Laughter) That is what counts.

It is not the platform itself. It is not the lacquer and enamel on the outside and it is not whatever that platform is made up of that you get in on, but it is what you do after you get in there that counts. I want to say now that the people are so equipped that they know more about what we are doing here than many of us think. I simply want to say this in closing: What little I have to say on this amendment — I do not know what the original bill is and I have not acquainted myself long enough with it so as to be able to write out a speech — but there is nothing the trouble with that amendment and if anyone has any safety device that they can sell to these picture theaters that are now going to come into the possession of additional gross income in consequence of our activities here in behalf of our constituents, I will not object to their paying a couple hundred dollars or three hundred dollars, if it is going to make it safer for your family and my family. I am willing to leave that to the Underwriters and to our Insurance Commissioner to say. Thank you.

Mr. COWAN of Portland: Mr. Speaker and members of the House: I hadn't intended to say a word here because the gentleman from Old Orchard Beach, Mr. Young, had so thoroughly covered the subject. He explained to you how patiently, how conscientiously we listened to the arguments presented. We recognized the fact that not one of us were mechanical experts, that we had a problem there presented and a request by the proponents that we insist that certain moving picture operators in the State of Maine adopt a certain device. We made inquiries from those who were there,

and the proponents at that time had little knowledge on the subject.

Now I am not going to take up much of your time. I do not think that it is necessary. I think that the gentleman from Old Orchard Beach, Mr. Young, has covered the matter, and, in a way, the gentleman from Belfast, Mr. Buzzell, has also covered the matter. The gentleman from Belfast (Mr. Buzzell) called attention to the amendment and the wording of the amendment. The gentleman from Old Orchard Beach, Mr. Young, also spoke of the discussion that he and I had with the gentleman last night on the wording of the amendment. The suggestion made last night, as the gentleman from Old Orchard Beach, Mr. Young, said to you, was that an amendment be brought in authorizing the Insurance Commissioner to pass on these things and where, in his opinion, devices used were not sufficiently safe, that he have authority to require that certain safety devices or a device of some sort be installed, and we did go so far as to suggest to the gentleman last night that possibly his concern had a very fine sales force and, if the Insurance Commissioner required a safety device, that the salesman for his concern could probably sell these devices and the Legislature would not have to be the sales agency.

In this amendment which is on your desks, the one that the gentleman from Belfast, Mr. Buzzell, referred to, in the fifth line of this amendment, which, to me, does not mean anything because I do not know much about what it is—I do not want you to vote in favor of something you do not know much about—it says: "excepting moving picture projector machines equipped with rear shutter fans". There may be a thousand different ways of making them safe. I do not know whether rear shutter fans are important or not. We did not get that information. Now in the next line the third word is "shall"—they shall be equipped. We on the committee, in our ignorance, could not say to one of these gentlemen who runs a moving picture theater that he **shall** equip his machine with a device that we could not find out much about. We did not have the nerve to say you **shall** do this. We suggested to the proponent that he say that the Insurance Commis-

sioner shall investigate and may require certain things. It says further, in the following line, "shall be equipped or fitted with an electrical or chemical safety control device." I asked the proponent last night what would happen if during the next year a gas device were developed which would be far superior to these, and of course there is no answer. We did get a little negative evidence. I am not going to read you this letter. It is from E. E. Cony, 112 Arlington Street, Boston, Massachusetts. It is dated March 25, 1939. He discussed these various devices, but this letter left the committee even more in a fog than we were before, because this man Cony in his letter says that he has had occasion to study into these different things and he mentions that there are two or three of the same sort of device, but that, in his opinion, none of them were quite satisfactory; that they all had defects. Having this lack of evidence in favor of this device, the committee I believe correctly felt it was their duty to say that we didn't know whether or not this thing was good and we certainly should not say to the theaters of the State of Maine that they shall install something that we did not understand.

Mr. WINSLOW of Auburn: Mr. Speaker, I wish to be very brief. I wish to say, first, in behalf of the motion picture operators of the State of Maine, that the proponents of this measure, to my mind, and I think to the minds of the entire committee, failed to show the necessity or need of any such attachment in the State of Maine. Secondly, I think they failed to show that an attachment of this nature would do away with all of the faults or improve the safety of the machines as was implied in this bill. In other words, one of their claims was that it might save a panic when a flash occurred. They later acknowledged that the flash would be shown on the screen before any device could be brought between the projector and the film.

I am very sure that your committee were very careful and spent a great deal of time in studying this situation. The gentleman from Old Orchard Beach, Mr. Young, and the gentleman from Portland, Mr. Cowan, both have given the House a great deal of information. We did

everything possible to bring about a fair conclusion.

Mr. GRUA of Livermore Falls: Mr. Speaker and members of the House: As a member of that committee, I just want to back up my colleagues in what they have said in regard to this device.

We had a great number of hearings on this particular item. There was no evidence before us that there was any need of any such device, and no evidence was presented to us that there had ever been anything in the State of Maine requiring such a device. In the second place, there was no proof whatever that this device would do the job that they said it would do. The proof was all to the contrary, that the flash would be shown on the screen in spite of any device, mechanical or otherwise.

In the third place, instead of helping to prevent fires, we were shown that the booths in the moving picture theaters are now fireproof, so that so far as the fire getting out into the audience, this device would have no effect whatever.

We were also somewhat perturbed because no one appeared in favor of this measure except those parties who were interested in selling a device that was ready to be put on the market. There is no evidence that there is any other device ready to be marketed, and if this bill is passed we are just passing over to these men the right and privilege to step up and say: "Here it is; you have got to have it. Now you buy it at our price."

We did not like that feature of it. As I say, there was no one who appeared in favor of it, but there were several operators who appeared against the bill, telling us that it was unnecessary and would not do the job.

It seemed to us that this was merely a scheme to employ the Legislature in selling this device, and that if we passed this law the theaters would have to buy it. We did not like that idea.

Here is another thing that weighed very heavily in my mind: There was absolutely no evidence that this device had ever been offered to any of the theaters in the State of Maine for purchase. They were coming to us first to compel these theaters to buy it, without being able to tell us if the theaters knew about it and were not

going to buy it unless they had to. We did not like that feature.

Now this amendment here would seem to indicate that other devices could be used. The fact of the matter is: If there is only one on the market, which one is the theater owner going to buy in order to comply with this law?

If there had been any complaint by the Insurance Department, or if they had said this bill was a good bill, if there had been any reason why your committee could see that this was necessary, we are all interested in the safety of our public and the safety of our children—but we could not see any reason for this whatsoever. And, entirely apart from the other disagreeable circumstances connected with this particular measure, we had decided that this was not necessary and that it ought not to pass. I hope very much you will back up your committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Rumford, Mr. Poulin, that the bill be substituted for the report.

Mr. YOUNG: Mr. Speaker, when the vote is taken I ask for a division.

Mr. MURCHIE of Calais: Mr. Speaker and ladies and gentlemen: I occasionally talk about something I know a little about, and once in a while I am influenced to say something about something that I do not know a darned thing about. That is pretty near the situation today. I do know the man who is sponsoring the desire that this bill be indefinitely postponed and I do not want this Legislature to make any mistake.

It occurs to me that I might tell a story about a mistake. There was once a King's jester who saw His Majesty leaning over a pail bathing his face and, being prompted by temptation, he gave him a resounding kick on that part of his anatomy just behind his back breadbasket. The King ordered his immediate execution. After thinking the matter over, the King, desiring to save the life of his beloved Jester, decided that if the Jester himself could suggest a way or a suitable explanation, he might overlook it. So he called the Jester before him. By way of explanation the Jester said: "Your Majesty, I beg your pardon. It was an awful mistake; so help

me, I thought it was the Queen." (Laughter)

Now the idea I have here is that I don't want the Legislature to make a mistake. I am convinced that the gentleman from Old Orchard Beach, Mr. Young, is right because I know the gentleman. I am convinced from what little I know of the bill that in order to properly equip the theaters in the smaller places that it would put every small theater in the State of Maine out of business.

The SPEAKER: The question before the House is on the motion of the gentleman from Rumford, Mr. Poulin, that the bill be substituted for the report. The gentleman from Old Orchard Beach, Mr. Young, asks for a division. All those in favor of the motion of the gentleman from Rumford, Mr. Poulin, that Bill "An Act Relating to Operation of Motion Picture Machines" be substituted for the "Ought not to pass" 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.

Two having voted in the affirmative, and 96 in the negative, the motion did not prevail.

The SPEAKER: The Chair understands that the gentleman from Old Orchard Beach, Mr. Young, now moves that the House accept the "Ought not to pass" report. 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 fourteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Exemption from Taxation" (H. P. 1732) (L. D. 835) tabled on March 30th by Mr. DeBeck of Holden, pending acceptance. The Chair recognizes the gentleman from Brunswick, Mr. Erswell.

Mr. ERSWELL: Mr. Speaker, I feel it is pretty late to tackle this matter.

The SPEAKER: Does the gentleman desire to debate the acceptance of the committee report?

Mr. ERSWELL: Mr. Speaker, I want to make some remarks in regard to that particular bill.

The SPEAKER: The gentleman has the floor.

Mr. ERSWELL: Mr. Speaker and members of the House: In my feeble

way, I want to talk a few moments in regard to the bill which I put in to repeal Chapter 13, Section 6, paragraph II. Back in 1909 the Legislature here passed a law here known as the Tax Exempt Law; in 1909 in February, thirty years ago. During that time of thirty years every evidence of indebtedness issued by the State, by the county, by the city, or subdivision thereof, has gone free of tax. Every dollar invested in all those securities has not only been tax free to the State but also tax free to the Federal Income Tax. I am not making any complaint of the law but I want to submit some figures—I have got some figures from the departments. I want to tell you that there are tax exempt bonds in this State of forty-five million dollars. That is the present debt in this State, — State, County and twenty Cities. I maintain that it is about time to take from our books a law that has been there for thirty years exempting such bonds. We are trying to get money for old people and I think it is about time that that kind of legislation be taken off our statutes. I will state some reasons why it should be done.

It is unquestionably class legislation. It permits evasion of just taxation on millions of investment wealth which results in excessive tax on other forms of wealth. It has encouraged excessive extravagance throughout the State for the past thirty years. It has made possible the sale of many obsolete water companies to our cities and towns at high prices. It has created excessive legal fees verging in some cases on scandal. It has caused nullification of a limitation of debt. It has created millions of district debt. It has created a sanctuary for the rich to escape any tax on whatever amount they possess of these tax exempt bonds. The figures show that the State has tax free bonds of twenty-nine million dollars; counties nearly two million dollars, and twenty cities have thirteen million dollars of indebtedness under the tax exempt law as it stands on the books today. The bonded debt of the twenty cities is more than twelve million dollars. I was told that the sewer debt, school debt and all those things would build that up to fifteen per cent more. However, that would be a safe figure. The indebtedness of

the counties is around two million dollars, the bonded debt, and the total indebtedness is almost three million dollars.

Now I do not object so much to this bill being reported out "Ought not to pass," but in my opinion that has been on our books for thirty years exempting every class of debt in this state, and it should be taken off.

Now we are worrying about money for the aged. I am making these statements because I object to that bill having been reported "Ought not to pass." I would like to have some lawyer draw up an amendment if it is not in proper shape. It is class legislation. I wanted to put these figures before the people here and put the question before the House.

The SPEAKER: The question before the House is on the acceptance of the "Ought not to pass" report of the Committee on Taxation on Bill "An Act Relating to Exemption from Taxation." The Chair recognizes the gentleman from Portland, Mr. Maxim.

Mr. MAXIM: Mr. Speaker, I was not present at the executive session of the Taxation Committee when this bill was considered, as I was out sick at the time. I do want to say this: I think the idea of the gentleman from Brunswick (Mr. Erswell) has a great deal of merit, provided his bill had provided that such exemptions be removed from now on. His bill would repeal an exemption which dates way back to 1900. I have not a copy of the Revised Statutes here so I cannot give you the exact date. At any rate this has been in effect for about thirty years. I do not know the year that this exemption became effective. My attitude on it is this: It would be unfair to remove an exemption on bonds and notes and other evidences of indebtedness on all those issues which have been issued by the State and by municipalities as far back as thirty years. If his bill had provided that such an exemption be removed from now on, I would be for it. Unless he chooses to amend his bill, I shall have to support the attitude of the committee which felt it would be unfair to remove an exemption, as the gentleman (Mr. Erswell) has said, on some forty-five million dollars of indebtedness which has been issued in good faith and bought in

good faith by those who believed they would be exempt under the provisions of Chapter 13. Therefore, in the absence of any amendment which would remove the retroactive effect of this bill, I shall be compelled to follow the vote taken by the Taxation Committee in my absence.

Mr. ERSWELL: Mr. Speaker, the bill has no intent of any retroactive effect. I am asking for the repeal of that present law. If the thing is poorly drawn, and some one of our good lawyers would draw up a redraft along the lines suggested by the gentleman from Portland, Mr. Maxim, it would be all right. I think it is very strictly class legislation to permit certain people of wealth to buy these bonds and be tax exempt from any tax in this State. I have only asked for the repeal of the present law. I would be glad to have someone fix an amendment. I do not think that law should be left on the statute books.

The SPEAKER: The question before the House is on the acceptance of the "Ought not to pass" report of the Committee on Taxation on Bill "An Act Relating to Exemption from Taxation". All those in favor of the acceptance of the "Ought not to pass" report will say aye; those opposed no.

A viva voce vote being taken, the "Ought not to pass" report was accepted, and sent up for concurrence.

The Chair lays before the House the fifteenth tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Judiciary, on Bill "An Act Relative to Court Proceedings in Relation to the Enforcement of the Inland Fish and Game Laws" (S. P. 215) (L. D. 287), came from the Senate, the Majority Report read and accepted and the bill passed to be engrossed as amended by Senate Amendment "A", tabled on March 30th by Mr. Varney of Berwick, pending the motion of that gentleman that the Minority Report be accepted; and the Chair recognizes that gentleman.

Mr. VARNEY: Mr. Speaker, I guess most of the members of the House will remember at the time this came up before I was opposed to the bill because it provided that a person must be taken to the near-

est Trial Justice Court. Under the provisions of this bill, no officer could tell which Trial Justice to take a man to. There has been prepared an amendment which will be offered I assume at the proper time which would clear up that difficulty. The amendment provides that they must take that person before a Trial Justice whose usual place of holding Court is where the offence is alleged to have been committed.

The SPEAKER: The pending question is that the minority report be accepted. The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. MCGLAUFLIN: Mr. Speaker, I wish to say that that was a matter that I understood from the gentleman from Rockland, Mr. Bird, that he had prepared some amendment that made it satisfactory to the opponents. I understood it was also satisfactory to Mr. Varney. I would like to ask if there is a motion before the House.

The SPEAKER: The pending question is on the motion of the gentleman from Berwick, Mr. Varney, that the minority report be accepted in non-concurrence.

Mr. MCGLAUFLIN: Mr. Speaker, I would like to ask to have it laid on the table until the gentleman from Rockland, Mr. Bird, gets here. I know he has something prepared on the bill.

The SPEAKER: The Chair will call attention to House Amendment "A", filing No. 74, which has been reproduced and is distributed on the desks this morning. The Chair has no knowledge as to whether or not that is the amendment to which the gentleman refers.

Mr. MCGLAUFLIN: Mr. Speaker, I hope the motion of the gentleman from Berwick, Mr. Varney, does not prevail.

The SPEAKER: Does the Chair understand that the gentleman from Portland (Mr. McGlaufflin) makes the motion that this matter lie on the table?

Mr. MCGLAUFLIN: I understand I was out of order, Mr. Speaker.

The SPEAKER: The gentleman is in order.

Mr. MCGLAUFLIN: Mr. Speaker, I would like to have it lie on the table until tomorrow morning.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the two reports and accompanying bill lie on the table pending the motion of the gentle-

man from Berwick, Mr. Varney, that the minority report be accepted, and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the bill was so tabled.

The Chair lays before the House the sixteenth tabled and unassigned matter, House Report "Ought not to pass as subject matter covered in another bill" of the Committee on Salaries and Fees on Bill "An Act Relating to Salaries of the Public Utilities Commission" (H. P. 1714) (L. D. 672), tabled on March 30th by Mr. Hawes of Vassalboro, pending acceptance; and the Chair recognizes that gentleman.

Mr. HAWES: Mr. Speaker, I have kept this bill tabled because of the report of the committee that the subject matter was included in another bill. This was a very, very small part of another bill and was partially included, but as the other bill apparently met its Waterloo in this House yesterday, I should like to have this bill considered on its own merits.

I have not trespassed very greatly upon the courtesy of the House thus far and hope that I shall not for the remainder of the session, but I am curious to find out just what economies the House will practice. The bill before us permits a reduction in the salaries — yes, I said reduction — in the salaries of the Public Utilities Commissioners from \$6,000 to \$4,000 a year.

Now the Public Utilities Commission was created in 1913, and the salaries at that time were \$4,500 for the Chairman and \$4,000 for each of the associates. In 1929, the year that all you well remember, those salaries were increased to \$6,000 for each member. The reason for my bill at this time is first: The financial condition of the people of this state, and second: As a result of some investigation concerning the compensation for these positions in other states. I am not going to review this salary situation because we have heard much concerning this in the past few days and perhaps it is not necessary. When we came here we had a certain job to do. The weeks have passed and we realize that this matter of additional taxes can be obviated only by the curtailment of

any unnecessary activities. We have worked along that line and I believe that we have made real progress. There is still no time for needless expenditures.

As to other states, there are thirty states in which the compensation of the Public Utilities Commissioners or Public Service Commissioners have less than in the State of Maine. The duties and requirements vary somewhat in the various states, but there are several which may fairly be compared with Maine. The State of Wisconsin with more than three times the population of Maine, and nearly twice the area, pays its Public Utilities Commission \$5,000 — \$1,000 less than paid in Maine. The great State of Ohio, with six and one-half times the population, and with one city alone equal to the population of Maine, pays no more than is paid here. The State of North Dakota, with less population but a greater area, pays its Public Utilities Commission \$3,000 each.

I submit that measured by comparison with other states, as well as our own ability to pay, \$4,000 a year is just and fair for the service required to be rendered. If there was justification to increase these salaries in 1929 with State valuations and State revenue at high water mark, it is equally proper to reduce them in times of depression.

Finally I am not able to convince myself that the labors and responsibilities of the Public Utilities Commission are greater than those of the Governor of this State with a salary for the Governor of \$1,000 less.

Mr. Speaker, I move the substitution of the bill for the report of the committee, and when the vote is taken I would ask for a division.

The SPEAKER: The gentleman from Vassalboro, Mr. Hawes, moves that Bill "An Act Relating to Salaries of the Public Utilities Commission" be substituted for the "Ought not to pass" report of the committee on Salaries and Fees. Is the House ready for the question? The gentleman from Vassalboro, Mr. Hawes, asks for a division.

All those in favor of the motion of the gentleman from Vassalboro, Mr. Hawes, that the bill be substituted for the 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.

Twenty-four having in the affirmative and 28 in the negative, the motion did not prevail.

The SPEAKER: Is it now the pleasure of the House that the "Ought not to pass" report of the Committee be accepted?

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

The Chair lays before the House the seventeenth tabled and unassigned matter, Bill "An Act Relating to Holidays" (H. P. 1430) (L. D. 631), tabled on March 30th by Mr. Mills of Farmington, pending second reading; and the Chair recognizes that gentleman.

Mr. MILLS: Mr. Speaker, I put this bill on the table during the illness of the gentleman from Kennebunkport, Mr. Dow.

Mr. DOW of Kennebunkport: Mr. Speaker, I now move that the bill be given its second reading.

The SPEAKER: The gentleman from Kennebunkport, Mr. Dow, moves that the bill be given its second reading. Is this the pleasure of the House?

The motion prevailed, the bill was given its second reading and tomorrow assigned for third reading.

The Chair lays before the House the eighteenth tabled and unassigned matter, Senate Report "Ought to pass in new draft" of the Committee on Maine Publicity on Bill "An Act Relating to the Powers of the County Commissioners" (S. P. 382) (L. D. 789) New Draft (S. P. 538) (L. D. 1073), tabled on March 31st by Mr. Varney of Berwick, pending acceptance in concurrence. The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, I wish to move the indefinite postponement of this bill and the report. My reasons for doing so are as follows: I think it would be proper to read the bill at this time. It is only five lines, but in those five lines there is provision made for the expenditure by the State of Maine of \$168,000 at the discretion of the County Commissioners. "The county commissioners of the several counties in the state may, without obtaining the consent of their respective counties,

appropriate any sum, not exceeding $\frac{1}{4}$ of 1 mill on \$1, based on the valuation of the preceding year, to be expended and used for advertising the natural resources, advantages, and attractions of the State, or said county."

Now, Mr. Speaker and members of the House, that 1-4 of a mill would amount in the aggregate, if this discretion were used by the County Commissioners, to \$168,022.49. This bill would give the County Commissioners the power to raise the real estate tax in the State of Maine by 1-4 of a mill in the several counties. I know when we came down here it was an unwritten law that one thing we were not going to do was raise the real estate tax. Now this bill would do that very thing.

Dividing that up by counties, it would give the County Commissioners in our several counties the right to raise the following sums: In Androscoggin County over \$16,000; Aroostook, over \$13,000; Cumberland \$35,000; Franklin \$4,000; Hancock \$8,000; Kennebec \$13,000; Knox \$5,000; Lincoln \$3,000; Oxford \$7,000; Penobscot \$18,000; Piscataquis \$5,000; Sagadahoc \$3,000; Somerset \$9,000; Waldo \$3,000; Washington \$5,000 and York \$16,000.

I read those figures to bring home to you the ultimate cost to your respective counties. I do not think it is proper for this Legislature to pass over to the County Commissioners the power to raise the real estate tax in any such way. Real estate taxes come out of the hides of the farmers the same as it always has, and I do not believe the sentiment of the people is for any such proposal.

Secondly, I do not see the wisdom in giving the County Commissioners in our several counties the power to spend money for advertising the natural resources, advantages and attractions of the State or said county. We have set up a Maine Development Commission and there is in the State a Maine Publicity Bureau, and by giving the County Commissioners the power to spend money for advertising, there is duplication of effort.

I have always thought of the County Commissioners as the fellows who take care of the county buildings and look after the county roads. I have never known them to go into the advertising field. It seems to me that advertising is

more in the sphere of the Chambers of Commerce and the Maine Publicity Bureau and the Maine Development Commission.

Furthermore, I do not think it is good legislation to pass a discretionary bill of this kind which gives them the discretion that this bill would. We are here to do a job and if we think it is a good thing for them to raise this money we ought to say so. The Legislature is the place for the decision to be made, and not with the Boards of the various County Commissioners. I can imagine a situation where County Commissioners in some counties might be able to get this money for things that would be against the wishes of the county.

I believe it is very poor legislation to pass on to them the discretionary power to raise taxes. There is no good reason to raise the taxes in the first place, and if we want them to raise them, we ought to do it here.

The SPEAKER: The question before the House is on the motion of the gentleman from Farmington, Mr. Mills, that the "Ought to pass in new draft" report of the Committee on Maine Publicity and Bill "An Act Relating to the Powers of the County Commissioners" be indefinitely postponed. The Chair recognizes the gentleman from Poland, Mr. Goss.

Mr. GOSS: Mr. Speaker, this bill has been very ably explained to you, and I could not explain it any more. I want to go on record, however, as urging the indefinite postponement of this bill.

The SPEAKER: All those in favor of the motion of the gentleman from Farmington, Mr. Mills, that the bill and report be indefinitely postponed will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, the bill and report were indefinitely postponed in non-concurrence, and sent up for concurrence.

The Chair lays before the House the twentieth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Recorder of the Northern Cumberland Municipal Court" (H. P. 687) (L. D. 260). The House accepted the Report on March 23rd. Came from the

Senate recommitted to the Committee on Salaries and Fees in non-concurrence, tabled on March 31st by Mr. Pike of Bridgton, pending motion of Mr. Gyger of Cumberland that the House adhere; and the Chair recognizes the gentleman from Bridgton, Mr. Pike.

Mr. PIKE: Mr. Speaker, I have not anything more to say.

The SPEAKER: The pending question is on the motion of the gentleman from Cumberland, Mr. Gyger, that the House adhere. Is this the pleasure of the House?

The motion prevailed.

The Chair lays before the House the twenty-first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Public Health on Bill "An Act Relating to Charges made by Hospitals Receiving Public Funds for X-Ray Pictures" (H. P. 1707) (L. D. 874), tabled on March 31st by Mr. Goss of Poland, pending acceptance; and the Chair recognizes that gentleman.

Mr. GOSS: Mr. Speaker and members of the House: I have contacted all seven House members of the committee relative to this bill and, while they agree with me that the measure has some virtue, they have consented to have the bill recommitted to the committee for a new plan which would preserve the virtue which does lie behind the bill. I now move that the bill be recommitted to the Committee on Public Health.

The SPEAKER: The gentleman from Poland, Mr. Goss, moves that Bill "An Act Relating to Charges Made by Hospitals Receiving Public Funds for X-Ray Pictures" be recommitted to the Committee on Public Health. Is this the pleasure of the House?

The motion prevailed and the bill was recommitted to the Committee on Public Health and sent up for concurrence.

The Chair lays before the House the twenty-second tabled and unassigned matter, House Report "Ought to pass" of the Committee on Motor Vehicles on Bill "An Act Amending the Law Relative to Registration of Motor Vehicles" (H. P. 1188) (L. D. 470), tabled on April 1st by Mr. Noyes of Franklin, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Noyes the "Ought to pass" report was accepted.

The Chair lays before the House the twenty-third tabled and unassigned matter, House Report "Ought to pass" of the Committee on Pensions on Bill "An Act Relating to Requisites for Old Age Assistance" (H. P. 286) (L. D. 91), tabled on April 1st by Mr. Lambert of Lewiston, pending acceptance; and the Chair recognizes that gentleman.

Mr. LAMBERT: Mr. Speaker and members of the House: The reason that I want to give you at this time for tabling this bill last Saturday was the fact that I was surprised at the action of the Committee on Pensions in reporting "Ought to pass" on such legislation.

I do not stand here to criticize the committee in any way, but I am going to make an appeal here to the members of the House concerning a very delicate situation we are about to enter if we accept the committee report "Ought to pass". Unfortunately I could not attend the hearing to voice my opposition at that time, so therefore I hope you will be lenient with me and accept my apologies for not attending the hearing, and permit me to present some of the facts which I believe were not presented to the committee.

This bill, as I understand, will mean that 780 aliens will be stricken off the pension rolls who are now receiving old age pensions; in other words, they will be stricken off the rolls. I want to tell each and every member of this House that there is not one of those 780 cases that are not needy. If they were not needy they would not be receiving Old Age Pensions. These investigators in the Old Age Pension Bureau are very strict. I have found that the investigators are very strict. They go through the case thoroughly, and unless it is found that they are deserving, they do not report favorably. This bill would also mean that those aliens who are receiving aid would go back to the municipalities. I say to you now that I do not believe it is right. It might be an economy on the part of the State, but let me tell you that the records, according to the February report, show that each and every one of those aliens are receiving \$20.56 a month. That is the average. That

means that the Federal Government has paid half of that. This state here was only contributing one-half. You show me a municipality today that can take care of an aged person for ten dollars a month.

These aliens, I want each and every one of you to understand, are not deportable; if they were they would be gone now from this country. Only April 3rd in the Lewiston Evening Journal you have a story telling you that a man was picked up in the city of Lewiston and was deported for illegal entry into this country, so I believe the present immigration laws are strong enough to prevent any from coming into this country who are not deserving and who should be shipped back to Canada or any other country.

Years ago some of our unfortunate aged people came to this country when the mills were looking for a lot of workers. The labor situation then was very different from what it is now. There was a scarcity of labor. These people came to this country, some of them at the age of twelve or thirteen years. In those days there were no laws, absolutely no law to prevent them from entering the mills to work. There was no law to compel them to go to school. That was quite a few years ago. They are the people who are sixty-five today; they must be or they would not be getting a pension. When they came over here and entered the mills, some of them probably never had a chance to go to school. They could not very well learn to master the English language possibly to pass an examination for naturalization, but I will say to you that while they did go into the mills and work and labor in this country, you must remember that they helped build up our various cities, towns and also the State to where the State is today. You should also remember that some of those aliens were very good taxpayers, possibly better than some of our own citizens.

You should also remember that a good number of them have raised large families. These children who were born here in this country are naturally all citizens and good citizens today.

As you know, they have built up this country, they have built up this state to where it is today. Now are we going to turn them down? I was speaking to a Representative here

the other day and he was very much in favor of killing this bill. He said to me, he said: "You are right Lambert; now that we have all the juice out of the lemon, we want to throw the peeling away." I think he is right.

Now another point is the fact that the Federal Government you understand is not eliminating these aliens. The Federal Government is willing to pay up to \$15 as the State pays them. If the Federal Government is willing to pay them, I do not see any reason why the State of Maine should take the initiative step. Let us wait for the Federal Government to do it first and then we might follow suit.

These aliens, as I said before, are all taxpayers. I hold in my hand a tax bill. In every tax bill there is a clause stating that aliens are taxable as well as citizens. I think that the whole bill is unjust and unfair. Speaking the way I am now, I am certainly not looking for votes because these aliens are not voters. It is not a political question, but I am trying to appeal to the hearts of each one of you here. I say it is not only unjust and unfair but you are pledged here—there has been talk right along, it has been mentioned practically every day about raising money to pay the old age pensions. There are all kinds of taxation bills that you have here; you are trying to raise money to pay the old age pensions. We should stick to that and try to get the money and not try to eliminate pensioners from the relief rolls. Let us provide the money first before we eliminate anybody. I certainly do not want to go on record as being one that voted to send those people back to the poor farm. That is where some of them are headed for if you accept that report of the committee "Ought to pass".

In checking up, I find that there are 9,500 cases awaiting investigation. Of this number, 4,800 are on the waiting list. They are declared eligible. Now if we eliminate 780 aliens from these rolls, we will still have to provide for 4,200 or 4,100 and some odd. If we can provide money for 4,000, or 10,000 more, we can provide for the aliens as well.

I hope each and every one of you will think the same as I do, and I now move, Mr. Speaker, that this be indefinitely postponed.

Mr. HAWES of Vassalboro: Mr.

Speaker, the committee investigated and considered very carefully I think every argument that has been advanced by the gentleman from Lewiston (Mr. Lambert), and the figures which he gave for Maine are correct. There are 758 aliens now receiving aid. There are 574 who have been recommended for aid, making a total of 1,332; 4,800 more have been recommended and about 5,000 more who have not been investigated. Assuming that at least 4,000, and that is probably low, of the 5,000 who have been investigated are accepted, that makes a total of about 21,000 who in all probability, if money were available, would receive aid. It is entirely unlikely that that number can be provided for in the near future.

According to the department estimate, perhaps fifty per cent of the aliens now receiving aid might become state or municipal charges. Others it is estimated would take care of themselves.

It is believed that a substantial saving might be made by the elimination of these aliens. However, that was not the prime consideration of the committee. The committee believed that if all these who might become eligible did not receive assistance, that citizens of our own country should be of first consideration. Those who have come here from foreign countries and have not been interested enough to become naturalized and give allegiance to the land of their opportunity should not receive preference over our own citizens. That was probably the impelling consideration of the committee in making their report. The gentleman from Lewiston (Mr. Lambert) suggested that this proposition was unique in Maine. Out of fifty states and territories thirty of them already bar aliens. The states of Vermont, New Hampshire and Massachusetts close to us bar aliens and we are inviting ourselves to be a haven for those from those states and Canada.

In our present financial condition, the committee did not feel that foreign born citizens should be given preference over our own citizens. I hope the motion of the gentleman from Lewiston, Mr. Lambert, does not prevail.

Mr. WILLIAMS of Bethel: Mr. Speaker, I hesitate somewhat to

take up and speak on a bill which has been reported favorably by two committees, the committee on Pensions and the Economy Committee. I do, however, wish to call the attention of the members of the House to some facts which have been asked of me by different members.

One of the first things which I would like to state is the fact that there are now 27 states which require citizenship. There are some members who have the idea that this is a new idea in the State of Maine. Twenty-seven states require citizenship, and Maine is the only State in New England which does not require citizenship.

In regard to the justice of this matter, the law in Canada, from which a great many of our aliens come, provides that a person must be a British subject or has resided in Canada for at least twenty years. I would like to call attention to some figures in regard to persons now receiving pensions. Of the branded cases there are 11,726 persons now receiving pensions. Of this number, 780 are aliens. In other words, we are now paying \$187,200, of which the State of Maine contributes one-half. On the waiting list, those that have actually been investigated and approved, there are 4,373, of which 552 are aliens to whom we would pay \$132,480 if they were not eliminated from the roll. Of the pending cases which have not been investigated, it is estimated that there are some 500 who will be aliens, representing another \$120,000, or a total of about one-half million dollars or better, to which the State would contribute one-half. It is a fact, I believe, as stated, that a large number of these aliens if eliminated from the old age assistance roll could not come on for assistance to the State or municipalities. I would like to call attention to the fact that of the amount of \$187,200 which we would save by eliminating aliens, \$111,840 of that is being paid to aliens who at the time of investigation, were not town or State paupers. On the waiting list there are 391 aliens who were not State or town paupers at the time of investigation, who would be paid \$93,840, making a total for those on the waiting list and those receiving pensions of \$205,680, which would be paid to aliens who were not receiving pauper assistance at the time of investigation.

Assuming then that a certain portion would be thrown back on the towns on the waiting list of citizens, the number being so much greater than the number of aliens, both those receiving and those on the waiting list, a large number of citizens would be removed from the pauper roll to replace the aliens removed, they would displace those aliens but would not put them on the State or town rolls. There immediately would be a gain so far as the cost to the State and the municipality is concerned.

As to the question of justice of this legislation, I am wondering whom we are going to consider first. It is recommended by the Committee on Economy not that aliens be eliminated for all time, but simply eliminated until such time as we can take care of our own citizens. Personally while I am a new member of this body I feel quite well satisfied that as much as we regret having to do it, we have thrust this matter only temporarily aside. The matter will confront the next Legislature, only the problem is going to be greater. We are still going to have the problem of old age assistance; we will still have the problem of taking care of our old citizens. If the time should ever come when we were able to place them on the roll there is going to be a need for a greater number of pensions. Until such time as the matter of our own citizens is taken care of, I do not believe it is good government for the State to grant a pension to aliens while it permits its own citizens to go without. I do not think it is a good thing for a good, honest citizen to find an alien, who owes no allegiance whatever to the United States, receiving a bounty from the State when he cannot receive it.

I hope the motion of the gentleman from Lewiston, Mr. Lambert, will not prevail.

Mr. McGLAUFILIN of Portland: Mr. Speaker, I would like to say just a word or two on this matter, I am not in favor of the committee report. Upon investigation, as has already been stated, these aliens cannot be deported. Therefore, unless they are taken care of, they are going to be thrown back on the towns. It has already been called to your attention that one-half of the money that is now paid is paid by the United States government, and of course if these men are

thrown back on the towns, there is no help from the Federal government.

I will call your attention furthermore to the fact that I have been informed that many of these aliens have sons who have served in the war for this county and these aliens, when they have had property, have paid taxes as have the others. Now I agree with the sentiment that our own people should be taken care of first but I, for one, believe that we can take care of both. I think that if we are going to inaugurate that policy of having none but citizens receive this aid we should start on that policy now and not make it retro-active to those who have already been granted this aid. Many I think have been granted and they have been found to be needy cases. They are depending upon that aid. They have gotten the idea that the State in some way has taken care of them, and I think it would be a great hardship to suddenly take the old age assistance from them. If this can be amended so as to take care of that feature I would have no objection. I, for one, am opposed to this bill as drawn.

Mr. MacNICHOL of Eastport: Mr. Speaker and members of the House: Coming from Eastport, up close to the Canadian border, we have a great number of aliens. The way that word aliens has been used here today, you would think that somebody sneaked into the country and grabbed off old age pensions, that they were people who had not contributed or worked to build up the State. You would think they were some underhanded people who came into the State for the express purpose of getting pensions.

Let me tell you some of the cases we have up there. We have people up there who came in from Canada in great numbers, in fact, practically the whole town came from Canada at one time or another, but they have all become citizens. The older people there have married and have daughters and sons who are citizens.

Personalities make poor arguments. However, I just want to point out one or two instances of people who happen to be getting pensions up that way, and you can judge that there are possibly cases running parallel with that throughout the State. One case is a woman who has been a widow for over forty years and she has brought up a

family of six children. She worked hard, owned her own home and paid her taxes. Her children are all citizens of this country. Three boys went to war, and this woman worked hard, brought them up, educated them, and they all have large families. They all worked hard. Wages are not large in that locality and in that way they cannot contribute any substantial amount to their mother's upkeep or to her support. The home has burned, and that woman today has practically nothing. She has always been one of that type of women who go around the neighborhood, always doing a good turn. She has probably acted as mid-wife to half the town. Now after the State has gone out and given her that pension of twenty dollars a month, the State is going to turn around and say "No, you can't have it. We are going to give it to somebody else."

It is a good idea, I recognize, to take care of our own citizens first. There is a great deal of merit in the idea. When you come to look at the cases of people who have been investigated and have been getting aid, there is a lot to be said for leaving the aid there.

I think the gentleman from Portland, Mr. McGlaflin, made a very good suggestion when he said "Extend it no further, but at least do not go back and take it away from the people you have already given it to." One gentleman said they would be taken care of anyway. Where are they going to get it? If they were needy enough to get pensions what benevolent society is going to take them over now? The numbers are not so great, 780 people whom we cannot afford to take care of. After they have contributed and lived here a number of years, after they have contributed through their work and taxes and assisted in the upbuilding of our State, now when we come to the consideration of pensions, certainly this State is using highly discriminatory tactics. We are making fish of one and fowl of another. What are we doing for the citizens of our State? If we are going to be so benevolent, why not give it to every person who is eligible for it? Why not spread it out, and be fair about it? Why deny it to one citizen and give it to another citizen? Go back and take the money from these people after you have given it to them,—that is not justice.

Mr. WILLIAMS: Mr. Speaker, the gentleman from Eastport (Mr. MacNichol) has chosen to make an illustration of his own town of Eastport. He says there are a large number of aliens in the town of Eastport who would be adversely affected by the passage of this bill.

I want to call attention to the fact that in the city of Eastport, according to the figures of the Department of the Health and Welfare, there are now three aliens receiving benefits and five on the waiting list, and there are 46 citizens waiting. I wonder, in that group of 46 citizens as against eight aliens, three receiving aid and five waiting, if there are not some very worthy cases among those citizens?

Mr. MacNICHOL: Mr. Speaker, I said we had a large population of aliens. Most of them are thrifty people, and the ones who require aid are those who have met adversity, who have not been able to put aside something for their old age. In the struggle, as a good many of our own citizens have done, they have gone down to defeat. Our aliens are large in number but they do not ask a great deal. Those people who are asking aid throughout the State are probably not in the majority aliens.

Mr. COOK of Lewiston: Mr. Speaker and members of the House: I do not want to be unfair, but our citizens should be taken care of first. The gentleman from Lewiston, (Mr. Lambert) said that if these aliens were taken from the pension roll they would probably go to the poorhouse. That is also true of some of our citizens who are asking for aid and have not got it. They have large families and work hard, the same as the aliens, and they have been citizens of this country. I move the "Ought to pass" report of the committee be accepted.

Mr. NOYES of Franklin: Mr. Speaker, I think the ground has been pretty well covered. Explaining this bill briefly, I will try to explain to the House the reason which impelled the members of the Economy Committee to report on the measure as they did. The figures have been submitted concerning the number who are now receiving old age pensions and the number of aliens who are now receiving old age assistance. We were greatly impressed by the number of citi-

zens who were still waiting for old age assistance. It seemed to us that in that group of waiting citizens we had worthy cases that should be taken care of and it was our thought that preference should be given to the citizens of the State of Maine first. After we have found money enough to take care of all our own citizens who need assistance, then we can take care of the aliens.

Mr. BURGESS of Limestone: Mr. Speaker, I hesitate to rise and attempt to discuss this subject realizing that the county from which I hail borders on foreign land. I am only going to speak of it as a manner of economy to the State. There is no one who sits in this House more in accord with economy, when it is economy, than I am, but any attempt to discriminate when there is not a cent's worth of economy to be gained is not to me sound legislation. You will find on the rolls of your State paupers hundreds of aliens who have no settlement in any town who will be taken care of at a greater expense than the cost of the pensions. In my own town I have no grievance. We only have three, I believe, who are aliens. Just simply as a matter of economy I ask you members whether or not it is good legislation, whether or not it is economy to strike from the pension roll seven or eight hundred located in various towns over the State and find them struggling back to the Health and Welfare Department as State paupers. There is no economy in it. There are problems such as this and I will attempt to explain my interpretation of them. Certain towns which do border on foreign territory have more aliens than others and that is more of a problem. It is my conception of the State that those problems should be shared. Members, I do not believe and I think if you will look into the files of your Health and Welfare Department you will find that there is no economy in this matter. You are just saving it in one pocket and taking twice as much out of the other.

Mr. BUZZELL of Belfast: Mr. Speaker and members of the House: It is nice to be found on the side of those that you have not agreed with, especially with the boys from Aroostook. I am pleased to be with them in this proposition. You know that only one of them from up in

that county has spoken yet. I want to say that this alien proposition does not affect us while some of my colleagues have bragged about having three in their town. Now I can brag about having only three in our county and none of them are on the old age assistance list in the city of Belfast.

While sitting here enjoying the arguments I could not help but think about our first citizens of this country. Our own forefathers were all foreigners when they came here and they came here for a purpose. They came here for the purpose of finding a country where they could get along under certain conditions agreeable to all. Perhaps you have heard me say before that I dislike very much to make fish out of one human and fowl out of another. Of course I know that I am in the minority but that does not make any difference. Now just when did our old forefathers who left England and came across the water to Canada—just when did they become so high hat, I would like to know. Those of us who can trace our ancestry have a little feeling for those old original settlers. I know that this does not affect my county any to speak of, but for all that I do not feel it is fair, I do not feel that the proposition of my friend and brother colleague from Portland is fair. If we are going farther than the Federal government goes to cut out any aliens, then let us cut them all out. Let's not halfway do the job. Our Federal government says we will pay so and so to aliens as well as to citizens of this country. Now some have said that New Hampshire has done this, and Vermont and Massachusetts have done so and so. Now that does not make any difference to me. The Federal government says that they will pay ten dollars thirty-seven cents and a half if we will pay ten dollars thirty-seven cents and a half. Someone has said it has been considered by two committees and by the Economy Committee. What part of economy is it to take away ten dollars and thirty seven cents and ten dollars and thirty-seven cents paid by the government, and then have the towns support them? Is that part of economy? Is that the way we want to economize? You are going to economize in this particular instance, but not with my vote.

Aroostook county will be particu-

larly affected—that is the county where they have a nudist colony up there,—you know they invited some of us to come up—that is the county where they needed a million and some odd hundred thousand dollars. Oh I appreciate the stillness on certain occasions, I appreciate the attitude of some. But now if we want to be fair, if we want to be economical, this is the time. There was a time right after the Civil War when we needed a lot of those who came here who we now refer to as aliens or foreigners. They are no different than our old great-great grandfathers and our great-great-grandmothers were once, no different. They went into our mills and our mines when ten or twelve years old and went to work instead of enjoying the advantages of our children today. How could they become naturalized citizens? Of course they could not. You will find upon investigation that many of those old people signed their name with a cross. They have paid taxes. They have paid poll taxes and they have paid real estate taxes and all other taxes. You know we are living today at a time when the seen taxes are not so much as the unseen taxes. We pay taxes on pretty nearly everything you can think of except dandelion greens and spinach. I hope that does not get down to Washington.

Now you talk about our citizenship. Just where are you going to draw the line? I happen to know of a particular case in one of the counties in this State where a man and his wife came to this country, came to this country from Canada, and then later journeyed to Royal Aroostook. They came here with \$14,000; they raised a family of eight children; three of them went into the World War and two of them came back shattered, gased and broken. Three boys went in and fought our battles for us. Now we were not making fish then of one and fowl of another. We took them by the hand and we were so glad to have them go in for us. I cannot imagine anyone saying anything about that when they were marching side by side. I do not imagine anybody would question whether it was the life of an American citizen boy or whether it was the life of an alien boy. We were not making fish of one then and fowl of another. We were not figuring so closely then. No, we

were fighting for our lives. That was before we got so economical as we are today. I know what the House is going to do when you come to vote, but they are not going to vote with my vote to do any such thing. It makes no difference to me, it makes no difference to my county so to speak. There are only three in my whole county. But it is not fair. We should not be quite so economical for just 780, just 780 out of all the old age pensions in this State—that is about six and a half per cent of what we are doing. It is just a case my friends of being penny wise and pound foolish.

Mr. YOUNG of Old Orchard Beach: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Young, moves the previous question. In order for the Chair to entertain this motion it requires the affirmative vote of one-third of the members present. All those in favor of the Chair entertaining the previous question will say aye; those opposed no.

A division 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? All those in favor of the main question being put now will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, that the main question be now put.

Mr. LAMBERT: Mr. Speaker, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Lambert, that the report of the Committee on Pensions on Bill "An Act Relating to Requisites for Old Age Assistance" and the accompanying bill be indefinitely postponed. The gentleman from Lewiston, Mr. Lambert, asks for a division. All those in favor of the motion of the gentleman from Lewiston, Mr. Lambert, that the report "Ought to pass," and the accompanying bill, be indefinitely postponed will rise and stand in their places, and the Monitors will make and return the count.

A division of the House was had.

Fifty having voted in the affirmative and 62 in the negative, the motion did not prevail.

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

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

The Chair lays before the House the twenty-fourth unassigned matter, House Report "Ought to pass" of the Committee on Pensions on Bill "An Act Amending the Old Age Assistance Law Relating to Additional Aid by Municipalities" (H. P. 1446) (L. D. 623) tabled on April 1st by Mr. Grua of Livermore Falls, pending acceptance; and the Chair recognizes that gentleman.

Mr. GRUA: Mr. Speaker and members of the House: I will detain you but a very short time. I want to give you my reasons for opposing this particular measure. I think it is a bad piece of legislation. We have just voted down an attempt to make the towns contribute to old age assistance. I think this is another method of getting old age assistance out of the towns through the back door, and I rise for the purpose of making a motion to indefinitely postpone this report and the bill.

I feel that if we do this, the State is almost certain to reduce the amount of old age assistance granted to our poor people, relying on the fact that if they need more assistance, the towns will have to furnish that in the form of pauper supplies.

There is another provision here which I dislike very much. It provides that this shall not be regarded as pauper supplies. That means that those people actually receiving pauper supplies from the town will be permitted to vote the same as if they had not had pauper supplies. I think that is a very dangerous thing to start in a State, and I also think it is unfair. If a man who is unable to get old age assistance, and he receives supplies, he becomes a pauper and loses his vote, while if his neighbor happens to be lucky enough to get old age assistance and gets pauper supplies, he keeps his vote and does not become a pauper. It does not seem to me that is fair.

Now this old age assistance was something put on the towns by the

State. It was nothing the towns voted for, and, as I understand, only about seventy per cent. of the people receiving old age assistance would otherwise be paupers. Why should we require the towns to support this seventy per cent. as well as the thirty per cent. that otherwise would be paupers? I think it is up to the State, which has put forward this old age assistance, to take care of the aged so that these people can live without asking for pauper supplies from the town.

I am not going to take up any more of your time to argue this matter. I have talked it over with some of the members, and I feel that the members, especially from the smaller towns, are heartily in favor of doing away with this piece of legislation. It is for that reason that I am opposing it, and I hope my motion to indefinitely postpone will prevail.

Mr. WEED of Manchester: Mr. Speaker, years ago I read something to this effect: "The poor ye shall have with you always." It seems that every proposition reported to this House has that sort of tinge. I am perfectly in sympathy with the poor. You recall recently the proposition for shifting the responsible poor into the towns. If you have read this bill, you will find that this is one of the most vicious attempts to camouflage, so to speak, the shifting of ninety-seven per cent. of the responsibility on the towns.

You will note that it says "Whenever the amounts of old age assistance granted are insufficient, the city or town in which the recipient resides may grant additional aid to him without creating proper disabilities, and the expense of such additional aid shall be borne by the city or town in which the recipient has a settlement. Cities and towns are hereby authorized to raise money for the purpose of granting such additional aid."

Now it says they "may"; and the next Legislature may say "shall".

Mr. DOWNS of Rome: Mr. Speaker and members of the House, I promise you brevity in anything that I am about to say, but I think it is necessary for me to remind you that about two months earlier in this session a hearing was held before certain committees in this House considering the cutting back to the towns of the old age assist-

ance. You will remember well that this hall was packed to capacity by the inhabitants of the rural towns, and they showed by their presence their deep and significant interest in the matter. I wish to say to you at this time that this particular piece of legislation which you are considering is simply that question and nothing more. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the "Ought to pass" report of the Committee on Pensions, together with Bill "An Act Amending the Old Age Assistance Law Relating to Additional Aid by Municipalities" (H. P. 1446) (L. D. 623) be indefinitely postponed. The Chair recognizes the gentleman from Fairfield, Mr. Ellis.

Mr. ELLIS: Mr. Speaker, I would like to go on record as being very much opposed to this bill. At the present time a large proportion of our people who are receiving old age assistance, even if they do not have all they think they ought to have, they are trying to get along, rather than to call on the town and be classed as paupers. With this bill in effect, that is done away with, and I know we will have very many more calls on the towns for additional aid outside of old age assistance, so I am very much opposed to the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the "Ought to pass" report of the Committee on Pensions, on Bill "An Act Amending the Old Age Assistance Law Relating to Additional Aid by Municipalities" (H. P. 1446) (L. D. 623) and accompanying bill be indefinitely postponed. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the report and bill were indefinitely postponed and sent up for concurrence.

Mr. MCGILLICUDDY of Houlton: Mr. Speaker,—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MCGILLICUDDY: To make a motion to adjourn, Mr. Speaker.

The SPEAKER: The gentleman from Houlton, Mr. McGillicuddy, moves that the House now adjourn.

Is this the pleasure of the House?
Cries of "No, No."

The SPEAKER: All those in favor of the motion to adjourn will say aye; those opposed no.

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

The Chair lays before the House the twenty-fifth tabled and unassigned matter. "Resolve Creating a Recess Committee on Motor Vehicle Legislation" (H. P. 1699) (L. D. 928) tabled on April 1st by Mr. Bubar of Weston, pending assignment for second reading; and the Chair recognizes that gentleman.

Mr. BUBAR: Mr. Speaker and members of the House: I tabled this matter at the request of a friend, but, after looking into it, I just want to make a few remarks.

It seems to be the sentiment of this House to be opposed to any form of new taxes or to any measures requiring direct revenue, and we find, although this may not be of any great importance, still indirectly, it is a tax measure, because it creates a Recess Committee and guarantees their expenses. The expenses, I think, would amount to several hundred dollars, and, no doubt, a thousand. I believe this matter can well be taken care of by some of our departments which are set up for similar purposes. We have killed every measure that has asked for revenue so far, and you will remember that you put the boots to the Indians because they asked for the small amount of only four hundred dollars. Now, in the interests of economy, I move the indefinite postponement of the measure, as it seems inexpedient.

Mr. LaFLEUR of Portland: Mr. Speaker, I have no personal interest in this bill, but my brother Paul, who is on that committee, has asked if the House will not grant him the courtesy of replying tomorrow morning, as he wishes to explain the attitude of the committee.

The SPEAKER: Does the Chair understand the gentleman to make a motion to table, or does he wish the gentleman from Portland, Mr. Paul, to have a chance to speak at the time of second reading tomorrow?

Mr. LaFLEUR: Mr. Speaker, I would ask that the gentleman from Portland, Mr. Paul, have a chance to speak on it tomorrow.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. LaFleur, moves that the resolve be tabled and assigned for second reading tomorrow morning.

Thereupon, on motion by Mr. LaFleur, the resolve was tabled, pending the motion of the gentleman from Weston, Mr. Bubar, that the resolve be indefinitely postponed, and was specially assigned for tomorrow morning.

Mr. HOWES of Charleston: Mr. Speaker, I rise to a point of order in regard to Legislative Document 892, Bill "An Act Reducing the Compensation of State Officials and Employees." I will say that I voted for the principle of this bill yesterday, and I will say that I have had presented to me an amendment which I wish to present to the House. I do believe that we should reconsider our action of yesterday whereby we indefinitely postponed this bill, and I will bring in an order tomorrow morning for the Speaker to appoint a committee to report its recommendations next Thursday.

This calls for a cut in all salaries. I do not feel that all salaries should be cut. I understand that Mr. Stobie has been offered nine thousand dollars to go to Canada. I understand we give him five thousand dollars, and I believe that he is doing a good job. I do not consider that Mr. Stobie, for instance, is overpaid. He has got a big job on his hands.

I know that down in my country the Bangor Daily Commercial prints a report of the salaries of State officials. Well, many of the people down there with one or two tax deeds on their places may think that we should do something. It would be rather a strange thing if out of five million dollars we could not save something.

Mr. Speaker, I move that we reconsider our action of yesterday on House Paper 1716, Legislative Document 892, whereby we voted to indefinitely postpone it.

The SPEAKER: The gentleman from Charleston, Mr. Howes, moves that the House reconsider its action of yesterday whereby it accepted the majority report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Reducing the Compensation of State Employees." The Chair recognizes the gentleman from Skowhegan, Mr. Hinman.

Mr. HINMAN: Mr. Speaker, ordinarily it would not make much difference whether or not I voted at all, but I do want to vote intelligently on this question, and I did not hear any of the remarks of the gentleman who has just spoken. I want to say further that I think it is decidedly unfair to this assembly to attempt to move a reconsideration of any act at a time when the membership of the House is not at its fullest. I hope that we will not at this time go along with that kind of a motion. If this Legislature tomorrow morning at eleven o'clock, chooses to reconsider the matter, it is all right but I hope we will not do it tonight.

The SPEAKER: The Chair will inform the gentleman from Skowhegan (Mr. Hinman) that in order for the motion of the gentleman from Charleston, Mr. Howes, to be in order, the motion for reconsideration had to be made today.

Mr. MILLS of Farmington: Mr. Speaker, I move that the motion for reconsideration lie on the table and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the motion of the gentleman from Charleston, Mr. Howes, that the House reconsider the acceptance of the majority report 'Ought not to pass' on Bill "An Act Reducing the Compensation of State Officials and Employees" lie on the table and be specially assigned for tomorrow morning. Is this the pleasure of the House? All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

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

On motion by Mr. LaFleur of Portland, the House voted to take from the table the twenty-ninth tabled and unassigned matter, House Report "Legislation Inexpedient" of the Committee on Ways and Bridges on Resolve in Favor of Building a New Bridge Over the Navigable Waters of Casco Bay in Portland" (H. P. 1754) (L. D. 902), tabled by that gentleman on April 4th, pending acceptance.

Mr. LaFLEUR: Mr. Speaker, may I say in that connection that the bill calls for two million dollars. Our delegation met yesterday, and we have decided, after investigation, that it is inexpedient at this time. I move that the Committee report, "Legislation Inexpedient" be accepted.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that House Report "Legislation Inexpedient" of the Committee on Ways and Bridges on "Resolve in Favor of Building a New Bridge Over the Navigable Waters of Casco Bay in Portland" be accepted. Is this the pleasure of the House?

The motion prevailed, and the report was accepted and sent up for concurrence.

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

The motion prevailed and the House adjourned until ten o'clock tomorrow morning.