

# MAINE STATE LEGISLATURE

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



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

Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Thursday, April 6, 1939.

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

Prayer by the Rev. Mr. Andrews of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

**Senate Bills in First Reading**

Bill "An Act Creating the Port Authority of Mount Desert" (S. P. 550) (L. D. 1076); in second new draft (S. P. 626) (L. D. 1126) under same title.

Bill "An Act relating to the State Police" (S. P. 411) (L. D. 810); in new draft (S. P. 623) (L. D. 1124).

Bills were read twice and tomorrow assigned.

**Senate Bill Tabled**

From the Senate: Bill "An Act relating to Election of Commissioners of Police in Sanford" (H. P. 1981) (L. D. 1051) which was passed to be engrossed in the House on March 22nd.

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

In the House, on motion by Mr. Pelletier of Sanford, tabled pending further consideration.

From the Senate: Bill "An Act to Permit Sunday Moving Pictures" (H. P. 1665) (L. D. 736) which was passed to be engrossed in the House on March 30th as amended by House Amendments "A", "B" and "C".

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

In the House:

The CLERK (reading)

In the Senate, Senate Amendment "A" was offered and failed of adoption, on April 5th; Senate Amendments "B" and "C" were adopted on April 5th. House Amendment "A" was adopted in concurrence in the Senate on April

4th; House Amendment "B" was adopted in the Senate on April 4th in concurrence, and House Amendment "C" was indefinitely postponed in the Senate in non-concurrence on April 4th.

The Clerk then read Senate Amendments "B" and "C".

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

The SPEAKER: The gentleman from Norway, Mr. Dow, moves that the House recede from its former action whereby it passed this bill to be engrossed as amended by House Amendments "A", "B" and "C" and concur with the Senate in the indefinite postponement of House Amendment "C" and further concur with the Senate in the adoption of Senate Amendments "B" and "C", and further concur with the Senate in the passage of the bill to be engrossed as amended by House Amendments "A" and "B" and Senate Amendments "B" and "C".

Mr. McGLAUFLIN of Portland: Mr. Speaker, I do not know that this is the proper time, but I want to oppose Senate Amendment "C". If it is in order for discussion, I will talk now.

The SPEAKER: The matter is open to debate if the gentleman desires.

Mr. McGLAUFLIN: Mr. Speaker, the proponents of this Sunday moving picture bill have come before the members of this Legislature and put up as one of the arguments why it should pass because it had local option and the people of the cities and towns of this State could determine for themselves whether or not they should have moving pictures on Sunday.

Now, notwithstanding the fact that they have got you to support the measure on those grounds, they put in an amendment here that does away with the local option for the time being entirely. All the moving picture people have got to do now is step up to some local official or town officer—and I want to say right now, that if they are as easy-marks as most of the members of this House, the moving picture people will be sure to get that permit.

I do not think that is good faith, after they put this matter up on the ground that it would be up to the

people themselves to decide, for them to take it away from the people by this method.

Mr. Speaker, I move that Senate Amendment "C" be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, asks that the motion of the gentleman from Norway, Mr. Dow, be divided.

The first question before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House reconsider the passage of the bill to be engrossed as amended by House Amendments "A", "B", and "C". Is this the pleasure of the House?

Cries of "No, No."

Mr. BROWN of Caribou: Mr. Speaker, I oppose the motion to recede from our former action whereby we adopted House Amendment "C", because I believe that a great many people, when they voted on this, thought that there was a tax measure included in the original bill.

I take the position that if we are going to grant to the motion picture industry of the State of Maine a special privilege, that of operating their business for profit seven days out of the week, something which we deny to any other business in the State, that they ought to pay a little something for that privilege. That is not only from the standpoint of the picture operators, but I believe those who wish to attend moving pictures on Sunday are willing to pay for that privilege.

I was in two different stores in Augusta yesterday, and, in both cases, I was asked what the Legislature was going to do about Sunday moving pictures, and I told them it looked as though it would be passed with a tax on it. And in both cases, every person in the store who was within the sound of my voice—I was not talking quite as loud as I am now—said they could see no objection to a five-cent tax on Sunday movies.

Now it has become very apparent to me, and I think to most of you, that it is going to be a very difficult matter to get any tax measure through this Legislature, in spite of the fact that we have got to have some more revenue. It seems to me that this is one of the easiest tax measures we can pass. It is a tax on amusements and it is a tax for a special privilege of operating moving pictures on Sunday and the

special privilege of attending them on Sunday. I hope that this House will not recede from its former action whereby we passed House Amendment "C". I hope the motion of the gentleman to recede will not prevail.

Mr. WALLACE of Sanford: Mr. Speaker, it seems kind of funny to me that when you try to put a cent tax on gasoline, no one in the House will vote for it, yet they will stand up and want to put a tax on some poor little fellow so he will have to pay forty cents. I am against any tax, whether it is on the little fellow or the big fellow.

The SPEAKER: The question before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House recede from its former action whereby it passed this bill to be engrossed as amended by House Amendments "A", "B" and "C".

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

The SPEAKER: The gentleman from Caribou, Mr. Brown, asks for a division. Is the House ready for the question?

All those in favor of the motion that the House recede from its former action in the passage of the bill to be engrossed as amended 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-one having voted in the affirmative and sixty in the negative, the motion prevailed.

The SPEAKER: The Chair will make the explanation that the Chair voted in the affirmative.

The question before the House now is on the motion of the gentleman from Norway, Mr. Dow, that the House concur with the Senate in the indefinite postponement of House Amendment "C." Is the question clear to the House? The question now before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House recede from its former action whereby it adopted House Amendment "C" and concur with the Senate in the indefinite postponement of House Amendment "C." All those in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Fifty-seven 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 motion of the gentleman from Norway, Mr. Dow, that the House concur with the Senate in the adoption of Senate Amendment "B." Is it clear to the House? Is the House ready for the question?

The Clerk will read Senate Amendment "B" again, if there is no objection.

Senate Amendment "B" read the second time by the Clerk.

The SPEAKER: Is it the pleasure of the House that Senate Amendment "B" be adopted in concurrence?

The motion prevailed and Senate Amendment "B" was adopted in concurrence.

The SPEAKER: The question now before the House is on the motion of the gentleman from Norway, Mr. Dow, that the House concur with the Senate in the adoption of Senate Amendment "C." The gentleman from Portland, Mr. McLaughlin, moves that Senate Amendment "C" be indefinitely postponed. The question before the House is on the motion of the gentleman from Portland, Mr. McLaughlin, that Senate Amendment "C" be indefinitely postponed. All those in favor of the indefinite postponement of Senate Amendment "C" will say aye, those opposed no.

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

The SPEAKER: Is it now the pleasure of the House that Senate Amendment "C" be adopted in concurrence?

The motion prevailed and Senate Amendment "C" was adopted in concurrence.

The SPEAKER: Is it now the pleasure of the House that Bill "An Act to Permit Sunday Moving Pictures" be passed to be engrossed as amended by House Amendments "A," "B" and "C," and Senate Amendments "B" and "C" in non-concurrence as to Senate Amendment "C"?

The motion prevailed.

The SPEAKER: The question now before the House is on concurrent action or non-concurrent action with the Senate. The Chair recognizes the gentleman from Winthrop, Mr. McNamara.

Mr. McNAMARA: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Winthrop, Mr. McNamara,

moves that the House insist and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair at this time will invite the gentleman from Portland, Mr. Payson, to come to the Speaker's desk and designate him as Speaker pro tempore.

Thereupon, the Sergeant at Arms conducted the gentleman from Portland, Mr. Payson, to the Speaker's desk, amid the applause of the House, the members rising, Speaker Philbrick retiring.

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

#### Taxation

Petition of Freeman Smith and 106 others of Kennebunk and vicinity in favor of H. P. 1758, L. D. 933, Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 2173) (Presented by Mr. Dow of Kennebunkport)

Petition for C. S. Crosby and 71 others of Farmington and vicinity in favor of same (H. P. 2174) (Presented by Mr. Mills of Farmington)

Petition of L. G. Hanson and 118 others of Portland and vicinity in favor of same (H. P. 2175) (Presented by Mrs. Robinson of South Portland)

Petition of W. R. Christie and 121 other growers and shippers of Aroostook County growing a total acreage of over 5,700 acres of potatoes, in favor of same (H. P. 2172) (Presented by Mr. Cleaves of Presque Isle)

Remonstrance of E. L. Philbrook and 662 others of Rockland against any Tax on Tobacco (H. P. 2176) (Presented by Mr. Bird of Rockland)

Remonstrance of Robert Emery and 205 others of Belfast against same (H. P. 2177) (Presented by Mr. Buzzell of Belfast)

Remonstrance of H. D. McNeil and 332 others of Brewer and Bangor against same (H. P. 2178) (Presented by Mr. Churchill of Brewer)

Remonstrance of Arthur B. Arey and 67 others of Vinalhaven against same (H. P. 2179) (Presented by Mr. Crockett of North Haven)

Remonstrance of Irving Poland

and 14 others of Waldo against same (H. P. 2180) (Presented by Mr. Buzzell of Belfast)

Remonstrance of R. S. Moore and 644 others of Bangor against same (H. P. 2181) (Presented by Miss Clough of Bangor)

Remonstrance of J. G. Hutchins and 90 others of Camden against same (H. P. 2182) (Presented by Mr. Dwinall of Camden)

Remonstrance of Lynewood Z. Shaw and 432 others of Old Town against same (H. P. 2183) (Presented by Mrs. Latno of Old Town)

Remonstrance of John J. Cassidy and 20 others of Eastport against same (H. P. 2184) (Presented by Mr. Macnichol of Eastport)

Remonstrance of E. M. Hodgkins and 425 others of Rockland against same (H. P. 2185) (Presented by Mr. Sleeper of Rockland)

Remonstrance of Joseph A. Herbert and 85 others of Westbrook against same (H. P. 2186) (Presented by Mr. Smith of Westbrook)

Remonstrance of Clarence Leonard and 31 others of Union against same (H. P. 2187) (Presented by Mr. Starrett of Warren)

Remonstrance of Carl Richards and 16 others of Van Buren against same (H. P. 2188) (Presented by Mr. Violette of Van Buren)

Remonstrance of Edmund A. Thibault and 21 others of Bradley against same (H. P. 2189) (Presented by Mr. Weatherbee of Lincoln)

Remonstrance of Frank McNamara and 498 others of Bangor and vicinity against same (H. P. 2190) (Presented by Mr. Whitney of Bangor)

Petition of Edgar A. Ames and 187 others of Thomaston and vicinity in favor of H. P. 1758) (L. D. 933, Act relating to Licenses for Operation of Retail Stores (H. P. 2191) (Presented by Mr. Smith of Thomaston)

Petition of Paul Hebert and 70 others of Waterboro in favor of same (H. P. 2192) (Presented by Mr. Belanger of Biddeford)

Petition of Robert Alley and 24 others of Camden in favor of same (H. P. 2193) (Presented by Mr. Dwinall of Camden)

Petition of Emmons J. Young and 40 others of Norridgewock in favor of same (H. P. 2194) (Presented by Mr. Everett of Norridgewock)

Petition of Aime Casavant and 92 others of Augusta in favor of

same (H. P. 2195) (Presented by Mr. Farrington of Augusta)

Petition of Clyde L. Mann and 69 others of Livermore Falls in favor of same (H. P. 2196) (Presented by Mr. Grua of Livermore Falls)

Petition of Rose Berenson and 214 others of Portland in favor of same (H. P. 2197) (Presented by Mr. Jordan of South Portland)

Petition of Lydia E. Hall and 258 others of Casco in favor of same (H. P. 2198) (Presented by Mr. Meserve of Casco)

Petition of Frank Naiman and 186 others of Gardiner in favor of same (H. P. 2199) (Presented by Mr. Slosberg of Gardiner)

Petition of Annie F. Hooper and 389 others of Berwick in favor of same (H. P. 2200) (Presented by Mr. Varney of Berwick)

Sent up for concurrence.

Mr. COWAN of Portland: Mr. Speaker, in order to do a courtesy to the Senate, I would ask that the rules be suspended so that I may take up out of order, if the House later thinks it is proper, the first tabled and today assigned matter.

The SPEAKER pro tem: The gentleman from Portland, Mr. Cowan, moves that the rules be suspended to permit him to take up out of order the first tabled and today assigned matter on today's calendar.

The motion prevailed.

The SPEAKER pro tem: The gentleman from Portland, Mr. Cowan, now moves that the House take from the table the first tabled and today assigned matter—Motion of Mr. Cowan of Portland, that the House reconsider its action of April 3rd whereby it passed to be engrossed Bill "An Act Relating to the Expenditure of Highway Funds" (H. P. 1468) (L. D. 572) tabled on April 4th by the same gentleman and specially assigned for Thursday, April 6th.

Mr. COWAN: Mr. Speaker, at the request of the Committee on Ways and Bridges I now move that this bill be recommitted to the Committee on Ways and Bridges and sent to the Senate forthwith.

The SPEAKER pro tem: The gentleman from Portland, Mr. Cowan, moves that this bill be recommitted to the Committee on Ways and Bridges and sent to the Senate forthwith. Is this the pleasure of the House?

The motion prevailed, the bill was recommitted to the Committee on Ways and Bridges and ordered sent forthwith to the Senate.

### Reports of Committees House Committee Report

Mr. McGlaflin from the House Committee on Leave of Absence, being informed of the illness of Mr. Whitney of Bangor, reports that he be excused from attending the sessions of the House during his illness.

### Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Elections in the city of Biddeford" (H. P. 1162) (L. D. 481)

Report was signed by the following members:

Messrs. Marden of Kennebec  
Morse of Waldo  
—of the Senate.

Dow of Norway  
Pike of Bridgton  
Buzzell of Belfast  
Payson of Portland  
Shesong of Portland  
Dwinal of Camden

—of the House.

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

Report was signed by the following members:

Messrs. Chase of Washington  
—of the Senate.  
Donahue of Biddeford  
—of the House.

Mr. FORD of Saco: Mr. Speaker, I move the acceptance of the majority report of the committee, "Ought to pass."

Mr. DONAHUE of Biddeford: Mr. Speaker, I move that this bill and the two accompanying reports be laid on the table and be especially assigned for tomorrow morning.

The SPEAKER pro tem: The gentleman from Biddeford, Mr. Donahue, moves that the bill and two reports lie on the table and be specially assigned for tomorrow morning. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Forty-four having voted in the affirmative and 35 in the negative, the motion prevailed and the bill and two reports were so tabled and so assigned.

### Leave to Withdraw

Mr. Mahon from the Committee on Pensions on Bill "An Act relating to Support of Dependents of Soldiers, Sailors, and Marines of the World War" (H. P. 1443) (L. D. 562)

Report was read and accepted and sent up for concurrence.

### Ought to Pass in New Draft

Mr. Hinckley from the Committee on Judiciary on Bill "An Act relating to Jury Commissioners" (H. P. 1593) (L. D. 692) reported same in a new draft (H. P. 2201) under same title and that it "Ought to pass."

Mr. Smith from the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Department of Sea and Shore Fisheries" (H. P. 1721) (L. D. 895) reported same in a new draft (H. P. 2202) under same title and that it "Ought to pass."

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

### First Reading of Printed Bills and Resolves

Bill "An Act relating to Absent Voting" (H. P. 912) (L. D. 316)

Bill "An Act relating to the Practice of Optometry" (H. P. 1465) (L. D. 600)

Bill "An Act relative to Fishing in Fishways" (H. P. 2151) (L. D. 1128)

Bill "An Act relative to Transportation of Deer Within State" (H. P. 2152) (L. D. 1129)

Bill "An Act relating to Closed Time on Deer in Islesboro and Rabbits in Vinalhaven" (H. P. 2154) (L. D. 1131)

Bill "An Act Regulating the Sale of Malt" (H. P. 2164) (L. D. 1134)

Bill "An Act relating to Advertising Liquor, Malt Liquor, Wines and Spirits" (H. P. 2166) (L. D. 1135)

Bill "An Act relating to Requisites for Old Age Assistance" (H. P. 286) (L. D. 91)

Bill "An Act Amending the Law relative to Registration of Motor Vehicles" (H. P. 1188) (L. D. 470)

Bill "An Act relating to Clerk Hire in Certain Counties" (H. P. 2072) (L. D. 1099)

Bills were read twice and tomorrow assigned.

Bill "An Act relative to Closed Time on Deer" (H. P. 2099) (L. D. 1102)

Bill was read twice.

Mr. Dennison of East Machias, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P.

2099, L. D. 1102 Bill "An Act Relative to Closed Time on Deer"

Amend said Bill by inserting 'Washington' after the word "Waldo" in the sixth line.

Further amend said Bill by striking out the word "Washington" in the ninth line of the Bill.

Further amend said Bill by arranging alphabetically the names of the counties enumerated in lines eight and nine of the Bill.

Mr. DENNISON: Mr. Speaker, in offering this amendment, I will say it was with the approval of the entire Washington County delegation with the exception of one.

Now we are asking no change in the general law; we are just asking this in Washington County because we really believe these ten days in October is not really to our advantage. We know that a great many deer will be killed in that time and it is warm weather. We want the month of November only, and we are not asking anything additional. We ask that these ten days in October not be allowed in Washington County. That is the sentiment of the people in Washington County, so I ask for the adoption of House Amendment "A".

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

Mr. PALMETER of Charlotte: Mr. Speaker, I move the indefinite postponement of House Amendment "A".

The SPEAKER pro tem: The gentleman from Charlotte. Mr. Palmetter, moves the indefinite postponement of House Amendment "A".

The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker. All of the Fish and Game Associations in Washington County were in favor of one month in November and did not want October. We went on record in the County Chamber of Commerce at Lubec. The question was brought up of the month of November and every man was in favor of the month of November.

Now someone is asking for you to impose upon us this ten days hunting in October, which I do not believe the people want. Now we have all our Representatives here and they are in accord with that, and I hope that the indefinite postponement of the amendment will not prevail.

Mr. MURCHIE of Calais: Mr. Speaker, the gentleman from East

Machias, Mr. Dennison, gave you the impression a few moments ago that one member from Washington County opposed this, and I guess it is true. A moment ago you had an indication of what particular member it was.

While I have every respect for my friend, the gentleman from Charlotte, Mr. Palmetter, I feel he is being influenced here by an individual from Washington County who is running about the halls and trying to put over matters here that are none of his business. I hope you will go along with the motion of the gentleman from East Machias, Mr. Dennison.

The SPEAKER pro tem: The gentleman from East Machias, Mr. Dennison, moves the adoption of House Amendment "A", and the gentleman from Charlotte, Mr. Palmetter, moves the indefinite postponement of the Amendment. The motion of the gentleman from Charlotte, Mr. Palmetter, to indefinitely postpone takes precedence. The question before the House is upon the motion of the gentleman from Charlotte, Mr. Palmetter, to indefinitely postpone House Amendment "A" on bill "An Act Relative to Closed Time on Deer" (H. P. 2099) (L. D. 1102). All those in favor of the indefinite postponement of House Amendment "A" will say aye, those opposed no.

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

The SPEAKER pro tem: The gentleman from East Machias, Mr. Dennison, now moves the adoption of House Amendment "A."

Thereupon, House Amendment "A" was adopted.

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

House Amendment "B" to H. P. 2099, L. D. 1102 Bill "An Act Relative to Closed Time on Deer."

Amend said Bill by inserting before the headnote in the 1st paragraph thereof the following: 'Sec. 1.'

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

'Sec. 2. Limiting clause. This act shall be effective for 2 years only.'

Mr. NOYES: Mr. Speaker, I think I should briefly explain to the members of the House the purpose of this amendment.

As I stated here yesterday, I am not in a position to know what the people in Hancock County would do with these ten days in October. I



feel that if the amendment is adopted, it will put the present bill which is before you into effect for two years—in other words, it will be a trial period for the new law. If, at the end of two years, they wish to adopt that law, all well and good, but if, at the end of two years, they still feel they would like to have fifteen days' hunting in December, it would make it just a little bit easier for them to retain that fifteen days in that if either of the two branches of this Legislature should vote to support a bill for fifteen days' hunting in December, that law would remain on the statute books.

If this amendment is adopted, it will make it that much easier for we in Hancock County to hold our fifteen-day deer season if we so desire at the end of two years. I hope the amendment is adopted.

Mr. PEAKES of Milo: Mr. Speaker and members of the House: I cannot see any reason why this amendment should be adopted. If the people of Hancock County and the people of the other counties of the State are not satisfied with this law at the end of two years, they can easily change it at the next session of the Legislature. I move the indefinite postponement of House Amendment "B."

The SPEAKER pro tem: The gentleman from Milo, Mr. Peakes, moves the indefinite postponement of House Amendment "B."

Mr. NOYES: Mr. Speaker, it is true that two years from now this deer law will be changed, or at least there will be bills in here to change the deer season. Everybody in this House knows how I feel about the present bill. I feel that we have made a mistake in adopting an earlier season in our county of Hancock. I feel that if a change is to be made with the idea of conserving our game, that we should have a later season and not an earlier season.

It was stated on the floor of the House, by a man who hunts, a great many deer are wounded and crawl away and die. The records of the Fish and Game Department (showing the number of deer killed) do not show how many deer are wounded and lost and do no one any good.

It has been my contention, although a great many people do not agree with me, that late hunting enables the hunter who wounds a

deer badly to track the deer down and bring the meat home.

Now it is my thought in introducing this amendment to enable those people who favor a later hunting season to hold that later hunting season two years from now by simply asking this House for a fifteen-day period in December. In other words, if this bill goes through without this amendment which I have here, and two years from now the delegation comes up here from Hancock and Washington Counties, if they want to retain the fifteen days in December, they will have to pass a bill through this House and through the Senate. Excuse me, Mr. Speaker, for referring to the Senate. If this amendment goes through, all they will have to do is pass a bill through just one, either the House or the Senate.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Milo, Mr. Peakes, for the indefinite postponement of House Amendment "B."

Mr. DENNISON: I will say Mr. Speaker, that we have a bill before us for the month of November for the whole of the State. It is conceded that the northern counties of Aroostook and Penobscot prefer to start the 10th of October and the bill was drawn up in accordance with the wishes of those people. Now two years from now we would have to go over the whole thing again the same as we did this year and we do not believe that we should have to do that. According to the reports of the Department of Inland Fisheries and Game the number of deer killed in Washington County was 3,066 in the first fifteen days, and I guess that probably fifty per cent more than that were killed. The people there know that they cannot stand it. I hope that this motion to indefinitely postpone will prevail.

Mr. WELCH of Chapman: Mr. Speaker, the committee put in a lot of work on this bill. One thing we did want to establish was a fixed closing date for the whole State. This we did, but we did take care of some of the northern counties, and the bill, as it was reported out in a new draft, allows the eight northern counties from October 20th to November 30th as an open season on deer, while the other counties would have the month of November only.

Now it seems to me that this law

is made to take the place of the former deer law, and I think I am right in saying that if this amendment goes through and this law is repealed, which we are now voting on, two years from now we will not have any deer laws at all unless we make new ones.

Mr. SHESONG of Portland: Mr. Speaker, I have no personal interest in this bill one way or the other, but I would like to call the attention of the House to the fact that the bill, Legislative Document 1102, is an amendment to a statute; it is not an act. Now this amendment proposes to put a limitation on this statute. I think we have no authority to do any such thing as that. I merely call that to your attention.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Milo, Mr. Peakes, for the indefinite postponement of House Amendment "B." Is the House ready for the question? All those in favor of the indefinite postponement of House Amendment "B" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "B" was indefinitely postponed.

#### First Reading of Printed Bills and Resolves (Continued)

Bill "An Act relating to Malt Liquors" (H. P. 2167) (L. D. 1136)

Bill "An Act relating to the Discharge of Persons Committed to the Insane Hospitals" (H. P. 2169) (L. D. 1137)

Bill "An Act relating to Commitment of Juvenile Delinquents" (H. P. 2170) (L. D. 1138)

Resolve for Screening Outlet of Bog Lake in the Town of Northfield (H. P. 2391) (L. D. 1140)

Resolve Regulating Fishing in Scraggly Lake (H. P. 277) (L. D. 1141)

Resolve Permitting Examination of Alden Ulmer and Arthur Andrews by Embalming Board (H. P. 2155) (L. D. 1132)

Resolve Regulating Fishing in the Various Waters of the State (H. P. 2163) (L. D. 1133)

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

#### First Reading of Printed Bills With Committee Amendments

Bill "An Act to Incorporate the Lincoln Water District" (H. P. 1182) (L. D. 498)

Bill was read twice. Committee Amendment "A" was read by the Clerk, as follows:

Committee Amendment "A" to H. P. 1182, L. D. 498 Bill "An Act to Incorporate the Lincoln Water District."

Amend said Bill by striking out the words "section 11 and 12," in the last line of section 19 and inserting in place thereof the words, 'section 11, 12, and 17.'

Thereupon, Committee Amendment "A" was adopted and tomorrow assigned for third read of the bill.

Bill "An Act relating to Children of Women Committed to Reformatory for Women" (H. P. 1603) (L. D. 697)

Bill was read twice. Committee Amendment "A" was read by the Clerk, as follows:

Committee Amendment "A" to H. P. 1603, L. D. 697 Bill "An Act Relating to Children of Women Committed to Reformatory for Women."

Amend said Bill by inserting after the word "sections" in the last line of said Bill the figures '205.'

Thereupon, Committee Amendment "A" was adopted and tomorrow assigned for third reading of the bill.

At this point Mr. Payson was conducted by the Sergeant at Arms to his seat on the floor, amid the applause of the House, the members rising, and Speaker Philbrick resumed the Chair.

The SPEAKER: Is it the pleasure of the House to take up, out of order and under suspension of the rules, an additional paper from the Senate?

#### STATE OF MAINE EXECUTIVE DEPARTMENT

April 6, 1939.

To the President of the Senate and the Speaker of the House of Representatives:

It would seem that I would be derelict in my duty if I did not inform the members of the Senate and House of Representatives of a condition reported to me yesterday afternoon by the Unemployment Compensation Commission of this State.

Under the provisions of Title III, of the Federal Social Security Act,

the Federal Government made available the sum of \$49,000,000 to the various states for the present fiscal year to administer Unemployment Compensation. The same Act further provides that "the Secretary of the Treasury shall pay to each state such amounts as the Social Security Board determine to be necessary for the proper administration of such law during the fiscal year in which such payment is to be made."

The subject employers of this Nation have been taxed for and have paid in to the Federal Treasury since 1936 approximately \$147,000,000. While the Act does not specifically provide that this total amount was entirely for administrative cost, it was implied and has been so considered. The Congress, in turn, made available only \$49,000,000 of that amount to cover administrative demands. In other words, it means that approximately \$98,000,000 of the taxes that were deposited in the Federal Treasury intended for a specific purpose has been diverted by the Federal Government and presumably has been expended for other purposes.

The irony of the situation is revealed in a letter from the Director of the Bureau of Unemployment Compensation in Washington, dated March 31, 1939, which was delivered to me yesterday and which reads as follows:

"TO: ALL STATE UNEMPLOYMENT COMPENSATION AGENCIES

**"Grants for Administration of Unemployment Compensation Laws for the Third and Fourth Quarters**

"The passage of the first deficiency bill has made available \$9,000,000 for grants for administration of State unemployment compensation laws, including the employment service, for the third and fourth quarters. In a letter dated March 16 to the Acting Director of the Budget transmitting the proposed apportionment of this deficiency appropriation, the Chairman of the Board stated:

"\* \* \* it is now estimated that an additional amount of approximately \$11,700,000 will be necessary to meet the requirements for the remainder of the month of May and for the month of June."

"The Acting Director of the Budget, in his reply to the Chairman on March 28, after pointing out

the limitation with respect to funds contained in Title III, Section 301, of the Social Security Act, stated:

"As the total amount authorized has now been appropriated, no further supplemental estimates, such as that indicated in your letter, can be considered, unless Congress enacts legislation increasing the authorization as approved by the President and included among the proposed amendments to the Act of August 14, 1935, which were attached to his message on economic security, transmitted to Congress on January 16, 1939. However, there can be no assurance that Congress will enact enabling legislation, or even if it does, that any additional funds will be provided. Therefore, I feel that when the Board makes its final allotments of presently available funds, the States should be notified that no further Federal funds are available for assisting them in the administration of their respective unemployment compensation laws for the balance of the fiscal year 1939. **Such action will enable the States to make arrangements to obtain funds from other sources.**

"While Title III of the Act does not specify the time at which the Board shall certify the payments to the States during a fiscal year, it does provide that the Board shall not certify payments in any fiscal year in excess of the amount appropriated."

"The requirements of all States for the remainder of the fiscal year will be met to the extent that funds appear to be available by apportioning all remaining funds according to amounts determined to be necessary by a review of the budgets."

Very truly yours,  
(Signed) R. G. WAGNET

Director  
A report dated April 4, 1939, from the Fiscal Accountant of the Maine Commission, indicates that sufficient funds have been allotted to this State and are available to meet administrative payrolls for the compensation Division up to April 15, and for the Employment Service Division up to May 20. In the event that no further allotments are received, it is estimated that it would require approximately \$100,000 to meet administrative expenses for the entire department for the remainder of the fiscal year ending June 30. We understand that there may be the possibility of one more allot-

ment of \$30,000 being received, which would merely cover payroll requirements in the Compensation Division up to approximately May 15.

The report received yesterday from the Fiscal Accountant further reveals that bills and other obligations contracted by the Commission since January last total \$12,802.94. This amount is still outstanding. These payments have apparently been withheld by order of the Commission for the purpose of conserving as far as possible the funds necessary to meet payroll expenses.

We are therefore confronted at this juncture with three possible solutions:

1. We may follow the suggestion contained in the letter from Washington dated March 31, 1939, and appropriate state funds approximating \$100,000 to balance the deficiency for the remainder of the fiscal year.
2. We may rely upon the possibility of Congress making a second deficiency appropriation sufficient to meet administrative payrolls for the balance of the fiscal year.
3. We may be forced to assume payless pay days for May and June for the employees of this Department.

I do not recommend that the State make any appropriation for this activity for the reason that the subject employers of this State have already paid to the Federal Government funds for this specific purpose.

Neither do I look with favor upon solution No. 3, as it seems to me unjust and it should not be necessary.

We may assume, naturally, that there is sufficient available money in Washington to pay covered employees all benefits that are due them, and in my judgment there should be no interruption in benefit payments to the unemployed claimants of this State.

A crisis is apparently near at hand and the time is fast approaching when the Federal Government cannot longer assume the policy of diverting funds to the extent of \$93,000,000 for general purposes and risk the possibility of the breakdown of the Unemployment Act. All of the states are similarly faced

with the same problem for the balance of the year. This State should not be expected to assume administrative expenses necessary to carry out this Act, inasmuch as the subject employers have been taxed once for this purpose.

The answer, I believe, remains for the Federal Government to replace the funds that have presumably been expended for other purposes and then to comply with the provisions of the present Social Security Act. This would prevent the threatened interruption of either benefit payments or administrative costs.

In view of the notification received yesterday, I have felt it necessary to advise you at the first possible opportunity. It is for you to determine the course we should be prepared to take.

Respectfully submitted,

(Signed) LEWIS O. BARROWS  
Governor.

Mr. VARNEY of Berwick: Mr. Speaker, I have expected and predicted that the time would come when the Federal government, after having collected from the employers and the employees of the State of Maine, in the form of a payroll tax, three per cent of their payrolls, upon at least the dangling promise that that money would be held by the Federal government and paid back to those employees in the State of Maine who became unemployed—I have expected and predicted that the day would come when the Federal government would have to say to the State of Maine: "We are sorry, but your money has been spent and you cannot have it back." And it appears to me, upon listening to the reading of that message, that that is the beginning of the statement which will have to come eventually from the Federal government to that effect.

Because I assume that all of you are perhaps not as familiar with the Unemployment Compensation Law as I happen to be. Having been on a committee which has studied it and amended it from time to time, I want to say, briefly, this:

In the first place, the Federal government passed a law which put a tax of three per cent on employers for unemployment compensation. They then said to the State of Maine, and to other States for that matter: "If you will set up your unemployment compensation law, we

will let you have 2.7 per cent of that 3 per cent tax." The other 3/10 of one per cent still goes to the Federal government, supposedly, at least, to be held by them and to be used by them to pay the expenses of the Maine Commission.

Now this proposition, as I hear it read here, is simply notifying us that the Federal government will no longer continue to pay the expenses of the Maine Unemployment Compensation Commission, because they have spent the money for other purposes, and at least they are leading us to believe that we must now arrange to get the money by taxation if we are going to continue the Maine Unemployment Compensation Commission.

I make these few brief remarks because to me this is a tremendously important document. I note that it has been suggested at least that it be referred to the joint Committees of Judiciary and Appropriations and Financial Affairs. I now move that 2000 copies of the communication be printed and that it lie on the table pending reference in concurrence.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that 2000 copies of the communication be printed and that the communication lie on the table pending reference to a committee. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair at this time will announce the appointments to the Conference Committee on Bill "An Act Relating to Sunday Movies": The gentleman from Winthrop, Mr. McNamara, the gentleman from Belfast, Mr. Buzzell, and the gentleman from Lincoln, Mr. Weatherbee.

#### Passed To Be Engrossed

Bill "An Act relating to the Taking of Land by the State Highway Commission, and the Taking or Discontinuing 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)

Bill "An Act Providing for the Publication of an Annual Statement of the Financial Condition of the State by the State Controller" (S. P. 618) (L. D. 1116)

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

Mr. PLUMMER of Lisbon: Mr. Speaker, if it is in order, I would like to offer House Amendment "A" to this bill.

The SPEAKER: The gentleman is in order.

Thereupon, Mr. Plummer offered House Amendment "A" and moved its adoption.

House Amendment "A" to S. P. 618, L. D. 1116, Bill "An Act Providing for the Publication of an Annual Statement of the Financial Condition of the State by the State Controller."

Amend said Bill by inserting after the word "newspapers" in the second line of Section 2 the following: 'and in all of the weekly newspapers.'

Mr. PLUMMER: Mr. Speaker, I move the adoption of this amendment.

I would say that in the last twenty-four hours there has been a great change in the sentiment at the other end of the House and at this end of the House and among State Officials and weekly newspapers and everybody else. I think that a large number who were not in favor of this matter yesterday are in favor of it today.

The SPEAKER: The question before the House is on the motion of the gentleman from Lisbon, Mr. Plummer, that House Amendment "A" be adopted.

Mr. MURCHIE of Calais: Mr. Speaker and ladies and gentlemen of the House: We did a good job yesterday—I think it was yesterday morning and Tuesday—to save the State of Maine a six thousand dollar item. I have very little to say on this. As I said yesterday, I am thoroughly in sympathy with the desires of the weekly newspapers, but you know as well as I that hardly anybody reads this statement and very few understand it, so why waste the time of this Legislature in attempting to go back on things like this? I am opposed to the amendment which is offered by the gentleman from Lisbon, Mr. Plummer.

Mr. CROCKETT of North Haven: Mr. Speaker and members of the House: My colleague, Mr. Bird, who is ill, seems to be interested in this bill. I am going to ask this House, in respect to him, to lay this amendment and the bill on the table pending his return.

The SPEAKER: The Chair understands the gentleman from North Haven, Mr. Crockett, to move that House Amendment "A" to Bill "An Act Providing for the Publication of an Annual Statement of the Financial Condition of the State by the State Controller," together with the bill, lie on the table pending the adoption of the amendment. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill and House Amendment "A" were tabled pending the adoption of the amendment.

### Passed to Be Engrossed (Continued)

Bill "An Act relative to Trapping of Muskrats" (S. P. 619) (L. D. 1117)  
Sent up for concurrence.

Bill "An Act relating to Holidays" (H. P. 1430) (L. D. 631)

Mr. Stilphen of Dresden offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1430, L. D. 631, Bill "An Act Relating to Holidays."

Amend said Bill by striking out from Sec. 2, thereof, the phrase delete "July 4 first Monday in July" and inserting in place thereof the phrase 'July 4'.

Further amend said Bill by striking out from the 8th and 9th lines of Sec. 3 the phrase delete "the fourth day of July the first Monday of July" and inserting in place thereof the words 'the fourth day of July'.

Further amend said Bill by striking out from the 10th and 11th lines of Sec. 4 the phrase delete "4th day of July first Monday in July and inserting in place thereof the words '4th day of July'.

Further amend said Bill by striking out from the 8th line of Sec. 5 the phrase delete "fourth day of July first Monday of July" and inserting in place thereof the words 'fourth day of July'.

The SPEAKER: The question before the House is on the motion of the gentleman from Dresden, Mr. Stilphen, that House Amendment "A" be adopted. Is the House ready for the question? All those in favor of the motion of the gentleman from Dresden, Mr. Stilphen, that House Amendment "A" be adopted will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and House Amendment "A" was adopted.

Mr. SLEEPER of Rockland: Mr. Speaker, for personal reasons, I hesitate to rise, but I saw on my desk the other day an amendment which referred to Armistice Day. If that amendment is going to be put forward, I would move that the entire bill be indefinitely postponed.

I do not want to celebrate the Fourth of July on the second, or the thirtieth of May on the twentieth, or Armistice Day on the ninth, I do not think any of the States do so.

Although I have a great deal of personal admiration for the sponsor of this bill, I and my constituents, so far as I can see, do not want to go along with it. So, inasmuch as amendments will probably be offered to exclude Armistice Day and everything except Labor Day, I would move that the entire bill be indefinitely postponed.

Mr. DOW of Kennebunkport: Mr. Speaker and members of the House: This morning I feel like Robinson Crusoe. I started out on this legislative voyage with a boatload of bills which I introduced myself, and, one by one, they have all died. I suspect some of them may have died of scurvy. (Laughter)

And now I am left alone on a desert island, like Robinson Crusoe with this poor little bill, my "Man Friday", that we have holidays fall on Monday.

Mr. Speaker, I am opposed to indefinitely postponing this bill, and I think I have a right to take a moment or two of the time of the House to explain my reasons.

I permitted the amendment of July Fourth as a compromise, and I am willing to compromise, but I do feel the bill has advantages and merits, and I ask the House to support me in not permitting the indefinite postponement.

There are two purposes of the bill: First, it would give the workers of Maine five long week-ends during the year.

Every legislative session we have an armful of bills pertaining to labor. Most of them are very controversial.

The SPEAKER: The Chair gives the gentleman permission to address the House with his back to the Chair.

Mr. DOW: The gentleman from

Kennebunkport wishes to apologize to the Speaker.

The SPEAKER: The gentleman may proceed.

Mr. DOW (Continuing): Now here is a bill that will please, as far as I know, every laborer in Maine, and, so far as I know, it will please every employer in Maine, and I would like to point out to the House that it will not cost the State of Maine a cent.

We have a custom here in Maine and in the United States—and even in South Hope—that if a holiday falls on Sunday it will be celebrated on Monday. Now this bill simply provides that no matter when in the week the holiday falls, it will be celebrated on Monday.

I would also like to point out to the House that the bill does not change the holiday, it merely changes the celebration day. In other words, the calendar would remain exactly as it is today, no matter whether this bill passes or not. It merely changes the celebration day to a time when people can enjoy it, to a time when they can pay tribute in a fitting manner to the events and people the holidays represent.

You will probably want to know what the bill includes. It includes these five holidays: Washington's Birthday, Memorial Day, Patriot's Day, Columbus Day, and Armistice Day. As I say, I permitted the amendment in regard to Independence Day, July 4th, because so many of the members felt they preferred it that way.

I do not feel that this is a radical bill. As I say, I feel it would please most of the people in the State of Maine.

I am very glad, Mr. Speaker, that I am not defending our present system of holiday planning. The difference between the present system and this proposed system is so great that I feel there is no comparison. Our present system of holiday planning is not only expensive, but it is inconvenient.

Let us take an example. A hotel in Portland, one of the largest hotels in the State, wrote the committee, at the time this bill was before the committee, that it favored the bill, because every time a holiday falls in the middle of the week the hotels lose not only all the money they might make but they also lose in the expenses of operating the hotel. That same hotel in Portland

pointed out to the committee that on Washington's Birthday, for example, they lost \$2,500, because no salesmen will come to Maine when a holiday falls in the middle of the week.

Let us take another example of how much it costs under our present system. Here is Augusta, not long ago, on the birthday of the father of our nation, on the birthday of the founder of this country, you might say, on the birthday of the first President of the United States, on the birthday of the one to whom we refer first in speaking of American history, on George Washington's birthday, the Maine Legislature did not even take time out to observe it. We did not do it out of disrespect to George Washington; we simply did it because we could not afford to spend the time and could not afford to spend the money to celebrate that holiday.

This bill would provide that it be celebrated on Monday, when we could pay fitting tribute to George Washington.

Now that is all I am going to say in regard to the bill. I hope that the motion of the gentleman from Rockland, Mr. Sleeper, to indefinitely postpone, will not prevail.

I will simply say this in closing: We spend, here in Maine, a fortune to develop the State as a recreation land for other people in other states and for people in Canada, and, if we spend a fortune to advertise the State for other people, let us give the people of Maine five week-ends when they too can enjoy the finest State in the forty-eight. (Applause)

The SPEAKER: The first gentleman to address the Chair is the gentleman from Portland, Mr. Payson. The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, we in South Hope do have our customs to which we adhere. There is a custom around this State House in this Legislature, during this session, to make use of a horrid word that should not be mentioned around here, and I would request as a point of personal privilege that the Speaker withdraw the horrid word "scurvy" and substitute therefor 'toothache.'

Mr. BROWN of Caribou: Mr. Speaker, I wish to speak for a moment in favor of the motion to indefinitely postpone this bill.

It seems to me there is something more than holidays, strictly speaking, involved here. It is to a certain extent, a question of commemorating, and that is the great purpose of these holidays, to commemorate the great events in American history.

The gentleman who spoke in favor of this bill said it was inconvenient to have the Fourth of July come during the week. Perhaps he means it is inconvenient to have the Fourth of July.

I was brought up to believe that the Fourth of July was one of the most important events of American history, the signing of the Declaration of Independence. I believe that every one of these holidays has a peculiar significance to us, or should have, which would be lost sight of if you simply had another Monday holiday. I would be in favor of abolishing them all and just say we are having another holiday for labor and put it on Monday of the week. I think we should stick to the original idea for which these holidays stand.

I have quite a feeling of sympathy for the gentleman from Kennebunkport (Mr. Dow) in that he has lost all of his bills and that he feels he stands alone with his Man Friday, or perhaps I should say his Man Monday, but I won't say that he is alone. The gentleman from Belfast (Mr. Buzzell) over there has spoken on six bills in the last two days and lost them all. (Laughter)

Mr. BUZZELL of Belfast: Mr. Speaker, it was not my purpose to take part in this controversy, but, owing to the activity of my friend from Royal Aroostook, I most certainly shall have to reply to him.

In the first place, I wish to make an observation and suggest an amendment to the suggested amendment, and that is that we cut out the word "scurvy," and permit me to say I would be in favor of suggesting the substitution of the word "headache", because that is what some of them are going to have before they get through.

I hardly know how to vote on this question until I find out what effect this is going to have on the great county that borrows a million and some odd hundred thousand dollars and that has this "nudist colony" up there. (Laughter) If this holiday season is going to af-

fect that nudist colony that I hope to go to some day, I do not know but what I should be in favor of it.

Now out of my very, very high regard for the sponsor of this bill, I have been one of the many in this House who have permitted the life of this bill to last as long as practical. It is because of our respect for him, I believe, that we are only too glad to clap our hands at the idea on the one hand. But you know I could not really feel that I should want to vote for this bill, and it does not matter to me whether one votes with me or votes against me; I still entertain my own ideas, and when I satisfy myself I know that I have satisfied one person at least, I would not vote for this bill.

You know that I have spoken before about making fish of one proposition and fowl of another. Now they would celebrate not only the eleventh of November, Armistice Day, but the Fourth of July on Monday. Christmas Day, the birthday of Christ, was left out of this proposal.

Now if they will go all the way and make all of these holidays come on Monday, if the House wants to do that, I will go all the way with them. If they do not, I would not vote for any of them to fall on Monday, because I do not believe that we would be expressing a very high regard for the personages to whom these holidays were dedicated, notwithstanding the attitude of my friend from the "Headache County". (Laughter)

Mr. MURCHIE of Calais: Mr. Speaker, I am going to vote against the indefinite postponement of this measure, and it is not because I am in sympathy with the young man from Kennebunkport (Mr. Dow). I am going to say very little.

I do not believe that the Declaration of Independence was fully signed on the 4th of July, although perhaps some of the signers may have appended their names on that date. While I have very little more to say, I believe that though the young man will probably lose out on his measure, I think, and I agree with the gentleman from Belfast, that I would like to let him down as easily as possible, but I predict that some day we will come to the very idea which he has outlined here.

Mr. WEED of Manchester: Mr. Speaker and members of the House:



Being one of the younger members of the Legislature in point of service, if not in years, I have hesitated, from time to time, to have much to say in this Legislature. I prefer to keep my tongue on my cheek and my mouth shut. However, there are times when patience ceases long to become a virtue.

I came here with the idea of kind of keeping out from under foot.

Now there have been a lot of bills introduced in this House since we have been here. I attended a town meeting one time at which one of the townsmen sat throughout the whole morning session, never making a motion or presenting a resolve or commenting in any way upon any article in the warrant. Each time the Moderator would announce "It is a vote unless doubted," the man would pipe up and say "I doubt it."

Now we have a number of resolves and bills here, and a certain group in this House whom I cannot see have introduced any constructive measures, a group of doubting Thomases, continue to say "I doubt it."

Now, members of this House, there was a card game going on in a Prat House, and one of the players was a little suspicious, and he got up on his hind legs and made an announcement: "Now I am not going to call any names, but that fellow who has got only one leg and who has an arm off, I am going to chew his ear off." (Laughter)

I am not going to call any names either, but it seems to me there is a group of doubting Thomases who come from a part of our State—I might designate it as the northeast corner, where they raise a lot of potatoes—whom I feel consistently doubt a lot of good measures.

Now some time ago there appeared in the newspapers an idea put forth by someone whereby certain portions of this State should be ceded to Canada. That was discussed pro and con. I think we people in this part of the State conceded that that part of the State was an asset to the State, and we opposed it. Now since this scurvy scandal has started, and since Canada has found that this portion of the State is not an asset to the State as a whole, I understand they have reneged and will go no further in this annexation. However,

things are not always as bad as they look.

I think I have a solution for this matter. I introduced here a lottery bill, and I am going to make this proposal—it may not be legal, but I am going to make the proposal just the same, that the State of Maine start a lottery and that we offer tickets for sale to foreign countries at say fifty cents apiece and that the winner of this draw take this section, lock, stock and barrel, and then perhaps the rest of us can get to work here and do some constructive work. That is just a suggestion for you to act upon, and perhaps there will come a time when it can be acted on.

Furthermore, I am going to suggest,—you remember the story of Robinson Crusoe, the rescue body came and took Friday and Robinson Crusoe from the island. I am going to suggest that we also have a rescue party from this body and rescue our man Crusoe and his Man Friday from the island on which they have been isolated.

Mr. FARWELL of Unity: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Unity, Mr. Farwell, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the affirmative vote of one-third of the members present. All those in favor of the Chair entertaining the previous question will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question is ordered. The question before the House now 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.

Mr. MCGILLICUDDY of Houlton: Mr. Speaker, I ask for a division.

The SPEAKER: The question now before the House is on the motion of the gentleman from Rockland, Mr. Sleeper, that Bill "An Act Relating to Holidays" be indefinitely postponed. All those in favor of the motion for indefinite postponement of this bill will rise and stand in their places until counted and the

Monitors will make and return the count.

A division of the House was had. Forty-three having voted in the affirmative and 68 in the negative, the motion did not prevail.

Thereupon, the bill had its third reading, was passed to be engrossed and sent up for concurrence.

#### **Passed to Be Engrossed (Continued)**

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

Bill "An Act relating to the Registration and Licensing of Dogs and to the Duties of the Sheep Specialist" (H. P. 2054) (L. D. 1090)

Bill "An Act relating to Town Reports" (H. P. 2057) (L. D. 1093)

Sent up for concurrence.

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

An Act relating to Part-time Malt Liquor Licenses (H. P. 2118) (L. D. 1110)

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. All those in favor of the passage of the bill to be enacted 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.

One hundred and fourteen having voted in the affirmative and none in the negative, 114 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

#### **Passed To Be Enacted**

An Act relative to Damage by Deer to Growing Crops and Orchards (S. P. 179) (L. D. 230)

An Act relating to Collection of Poll Taxes (H. P. 484) (L. D. 179)

An Act relating to Acceptance of Donations by Cemetery Corporations (H. P. 2117) (L. D. 1109)

Resolve authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Edith D. McKenney of Lincoln (H. P. 1760) (L. D. 1063)

#### **Orders Of The Day**

Mr. VARNEY of Berwick: Mr. Speaker, I move that the House reconsider its action of yesterday

whereby it accepted the minority report "Ought not to pass" on Bill "An Act relating to Salaries in Certain Counties" (H. P. 2073) (L. D. 1100).

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House reconsider its action of yesterday whereby it accepted the minority report "Ought not to pass" of the Committee on Salaries and Fees on the five several bills included in that report.

Mr. VARNEY: Mr. Speaker, I would like to say that I am prompted to make this motion to reconsider largely because of the fact that I believe that when any measure goes through this House on as close a vote as this particular measure went through here yesterday, or the motion for the acceptance of the "Ought not to pass" report, I believe there is some reason for giving the other members of this House who did not speak yesterday the opportunity to express their views. It is true that many times we do not speak because we think that the vote is going our way and we will not take the time of the House. I, for one, believe, that we at least ought to listen to the arguments of the people who are on the other side. The least we can do is to listen to their arguments.

I also believe that it is very bad policy to enter into personalities in the arguments. I would suggest — and I know this House will go along with me when I suggest it — that you confine your arguments as far as possible to the merits of the bill and not get into arguments as to personalities.

Mr. BURGESS of Limestone: Mr. Speaker, I rise to support the motion just made for reconsideration of this bill, and I would ask the indulgence of this House for just a few minutes in order that I may explain certain statements that were made which I feel perhaps may have influenced the vote of yesterday.

First, members of the House, allow me to state that I agree very much with our floor-leader's suggestion that personalities be left out of it, and I assure you that has always been my plan and it always will. If the case which I present to you has not enough merit in it so that I need to resort to that sort of thing, I hope you will vote against it.

Yesterday, in the arguments re-

garding this bill, there were inferences made which I only ask permission to correct. The first one that I will call to your attention is the statement that was made relative to the amount of money expended in Aroostook County,—more than was turned in to the State. Members, I have here a photostatic copy of these expenditures. The balance paid to the county is the correct figure as was given yesterday, but the statement does not include expenditures paid from highway funds, and those incomes to offset it are not in the statement, amounting to several hundred thousand dollars. Therefore, as a true picture of it, I say to the members here that those expenditures coming from the highway funds do not properly fit into a statement of that kind, as the revenue from which they are paid is not included in the statement.

Now I want to take the time of the House, if you will allow me a brief moment, to try to explain a situation which has been kicked around this House until I feel very badly about it, and I know you will feel badly about it if I can explain to you the situation which exists in our county and which has caused the necessity for this million dollars to be expended there.

Perhaps the rest of the State has always been fortunate, perhaps you have had no disasters, no hurricanes or bridges wiped out, or many things that would cause suffering or expense.

Members, I admit to you that in our county there has been a disaster which has left that section paralyzed, which has left families destitute for food and clothing, and at least some of them are now sleeping on the floor.

I have always taken it for granted that when a condition like that exists that it is a matter for the State. I presume that every county in the State has in the past contributed to activities confined to some one county. I regret that we need it, but the situation does exist, members, and I know that if you understand it you will stop kicking it around as a football and will save the pride of these people who have been brought to the point almost of starvation.

In regard to the ability of the County Commissioners of any

county to determine what is best for that county, I still maintain that every county has good County Commissioners who know the financial condition of their county.

Aroostook County as a county government is sound. There are those towns and those people in the rest of the county which are contributing with their tax money to maintain that sound county government.

I will say to you as a gesture now, that at the proper time, when the matter of passing the County Attorneys' salaries back to the counties comes up, that Aroostook County will accept that, because their government is sound.

Therefore, members of the House, I feel in regard to these salary measures that you have a good committee on Salaries and Fees which has given these measures proper consideration, and you have good and reliable delegations from each of these counties who know the conditions and who know the financial condition of their respective counties. They are also familiar with the facts as to whether there are certain county officials underpaid and who are rendering good service and should be considered. And in Aroostook County, I say to you gentlemen and ladies, that there are officials who are underpaid for the services which they are rendering.

Aroostook County can pay the bill as a government, it will pay the bill, and the Aroostook County delegation asks you members of the House to go along with us and allow those whom we feel are underpaid, and for whom your Salaries and Fees Committee has recommended an increase, to receive that increase.

Members of the House, I am making this appeal to you after having explained to you as best I can a certain condition. I hope for two things: I hope that you will quit making a nasty football of this situation which no one can help and which we all feel badly about; and I ask that you bear with us and reconsider this vote and allow those officials in our county who are underpaid to be properly paid by our Aroostook County government.

Mr. BROWN of Caribou: Mr. Speaker, I also wish to speak very briefly on this side, because I resent somewhat the implication which was made upon the floor of the House yesterday that because Aroos-

took County had received certain moneys from the State to take care of a situation that existed there that we have nothing to say about the management of our county affairs and have no right to make any recommendation as to how our county money shall be spent. I wonder that the gentleman who said that did not carry it a little farther and say that because we had received State money up there to take care of that situation that we should not be allowed to vote. I am surprised that he should allow us to have representatives down here to represent the people of Aroostook County. I am surprised that he did not want to class us with the Indians and others who may come in here and possibly talk but may not be allowed to vote.

I want to say for this bill that the Aroostook County government as a government is solid. Last year there were uncollected taxes in Aroostook County of \$198,000, and these taxes have been reduced to \$139,000—in other words, we have collected \$60,000. I think we have collected as many back taxes as many other counties in the State.

I want to say that in spite of all the aspersions cast on Aroostook County, Aroostook County is still the great agricultural county of the State of Maine, and wherever the State of Maine is known Aroostook County is known. We are the only county in the State which ever brought into the State fifty million dollars for one crop. I want to state that this year we are bringing in over sixteen or seventeen million of dollars.

I want to say that the city of Portland in years past has profited by the prosperity of the northern part of State, and the people of Aroostook County for many years have built up the stores of Portland. I can remember when practically all our wholesale merchandise was purchased in the city of Portland. In other words, we have developed a great empire in the north which people say is the Garden of the East.

I say we have the right through our County Commissioners to advocate some increase in salaries and not have it thrown up at us that we have not the right to do that because the State has given us some money to take care of old age assistance.

I might say, in regard to these

salary increases, that these have been endorsed by the delegation who know the situation, they have been endorsed by our County Commissioners and they have been endorsed by the unanimous vote of the committee, with the exception of the gentleman who took up so much of our time yesterday in arguing against the bill, and certainly those members of the Salaries and Fees Committee took the matter into consideration and weighed each one of them and they recommended this increase.

I am going to speak for a moment for the benefit of the city of Presque Isle, the best town in Aroostook County except one, and that is Caribou—and the reason why it is the best town is because it is right close to Caribou. I want to say that the Judge of the court in Presque Isle is underpaid and that they collect enough fines in that court to more than take care of this increase. The Judge and Recorder of the Caribou Municipal Court receive \$2,000, the two of them together—the Judge \$1,500 and the Recorder \$500. They collected in fines last year \$2,767, an excess of fees over expenditures of \$767.

The Houlton Judge receives \$1,500 and the Recorder \$500, a total of \$2,000, and they collected \$2,200 in fines and fees, an excess of \$200.

The Presque Isle Judge receives \$1,300 and the Recorder \$400, a total of \$1,700, and they collected \$3,219, an excess of about \$1,500. I do not know whether they are more wicked down there and have more cases or whether the Judge is more efficient, but at any rate they collected more than \$1,500 more than the salaries of the Recorder and Judge. I say it is only just and fair that the salary of that Judge should be raised, in comparison with the others and in comparison with the amount of fees he received.

I know there is a lot of striving for these offices, and if the Judge's office should become vacant, we would have a rush of applicants to fill it. In fact, I never saw a lawyer just out of law school but who wanted a job and wanted to become a Judge, but that has nothing to do with his fitness for the office.

I believe it is very unfair, and I think it is because the House did not understand the matter fully that it took the action it did yesterday. I believe we should at this

time, reconsider the vote and consider our duty to the County Commissioners and the Aroostook delegation and the Committee on Salaries and Fees.

The SPEAKER: The question before the House is on the motion of the gentleman from Berwick, Mr. Varney, that the House reconsider its action of yesterday whereby it accepted the minority report "Ought not to pass" on the five several salary bills.

Mr. LaFLEUR of Portland: Mr. Speaker, I said some time ago that I would apparently arrive at the end of being cordially disliked. I wish that I had the affection of this House and the affection of the gentleman from Aroostook County. I may not arrive at that end, but I think I am fair in stating that I will have the respect of this House and the respect of the gentleman from Aroostook, because I am stating my convictions.

If I could be persuaded by the gentlemen from Aroostook, Lincoln and Hancock that the solution of our present economic problem was the raising of the salaries of the Judges and Recorders and County Commissioners, I would go along with them. But it does seem peculiar that every time a lawyer asks the House or Senate for an increase in salary or some other favor, they generally grant it to them.

As an attorney, I am opposed to these increases, as I stated yesterday, for these men, when they assume office, knew the compensation attached thereto. Until we can put the taxpayers of the State upon a self-supporting basis, no lawyer, no County Treasurer or County Commissioner should get any increase in pay during the term of his office.

I have all the sympathy in the world for Aroostook. I came from a very humble parentage as a very poor boy, and through the efforts of my father and mother and through the generosity of this State, I have been permitted to sit in this House and to express to you my convictions.

Ever since I first discussed these salary raises, I have been contacted nearly every day by people throughout the State who are interested in these increases, asking me to permit them to go along. I might amplify that statement — "for me to permit them to go along." It is not for me to say, members;

it is for the House to say; and if this House arrives at the conclusion that it wants these salary increases, I did not serve two years in the World War without knowing what it was to take a licking, and if you decide to pass these increases in salary, the next moment I will sit down here and try to work out some of the problems of the State. I think when we finally conclude, that you will respect me for my convictions as I respect every lady and gentleman in this House for theirs.

Now in answer to my good friend from Limestone (Mr. Burgess) as to the figures, I will say that I hold in my hand the Controller's figures for 1935 and 1936, and I find that Aroostook County received over and above what it paid into the State \$456,000. As a matter of fairness to the other counties of the State, I would say that there were only three counties in the State which paid more into the State than what the State paid back into the counties. Those counties are Androscoggin, Cumberland and York.

Go to 1937, and what do you find? I find only two counties which paid into the State treasury more than what they received. And those were the counties of Androscoggin and Cumberland. It was my understanding last evening that some of the members of this House would check upon the figures for Cumberland County.

In 1935 and 1936 the county of Cumberland paid into the State over and above any expenditures by the State in the county \$218,000.

In 1937 we paid into the State over and above the money we received back \$394,000; and in 1938 we paid into the State over \$201,000. The county of Aroostook received in excess of \$358,000 over what they paid into the State.

I wish I could be persuaded that this is the solution of the problem in Aroostook County. I am willing to abide by the vote of this House, and if this House says increase the salaries, you will not hear any more from me; I will take my licking, and I hope you will be charitable with me, at least when I said yesterday that I differentiated between Judges' and Recorders' salaries and clerk hire. I knew quite a few of the men in this House anticipated that I would vote against increasing the clerk hire, but I recognize the difference. I think I did gain some

of the respect of the members. All I ask is that you use your own good judgment, and, when you have cast your vote, there will be no complaint from the gentleman from Portland.

Mr. McGLAUFLIN of Portland: Mr. Speaker, I want to say just a word on this subject, because, as many of you know, I came from Aroostook County.

I want to say that I have great respect for the gentleman from Portland, Mr. LaFleur. When you come to know him, he is a very lovable man. But I believe the words of the Scripture that say, "The laborer is worthy of his hire," and I have advocated since this Legislature opened that if a man deserves more salary, he should be paid according to his merits.

When you say that there are hundreds or scores of persons who want these jobs, that is perfectly true, but it does not mean that there are scores or hundreds who are capable of performing the duties.

Now the Salaries and Fees Committee has investigated the merits of this case. I do not know anything about it, but I do say that if they deserve to be increased, I am in favor of having them increased.

The SPEAKER: The question before the House is on the motion of the gentleman from Berwick, Mr. Varney, that the House recede from its action of yesterday whereby it accepted the minority report of the Committee on Salaries and Fees, reporting "Ought not to pass" on these five several salary bills.

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

The SPEAKER: The gentleman from Berwick, Mr. Varney, asks for a division. All those in favor of the motion for reconsideration 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.

Seventy-six having voted in the affirmative and 19 in the negative, the motion to reconsider prevailed.

The SPEAKER: The question now before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the minority report "Ought not to pass" be accepted. The Chair recognizes the gentleman from Portland, Mr. LaFleur.

Mr. LaFLEUR: Mr. Speaker, I move, when the vote is taken, that

it be taken by the yeas and nays. That will be my last gesture, and I will stop right there.

The SPEAKER: The question before the House is on the motion which the gentleman from Portland, Mr. LaFleur, made yesterday that the minority report of the Committee on Salaries and Fees, reporting "Ought not to pass" on these five several salary bills, be accepted. The gentleman from land, Mr. LaFleur, made yesterday, vote be taken by the yeas and nays. In accordance with the Constitution, the yeas and nays will be ordered at the request of one-fifth of the members present. All those 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 a return the count.

A division of the House was had.

The SPEAKER: More than one-fifth of the members having arisen, the yeas and nays are ordered. The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the minority report of the Committee on Salaries and Fees, "Ought not to pass," on these five several salary bills be accepted. All those in favor of the acceptance of the minority report "Ought not to pass" will answer yea when their names are called and those opposed will answer no. The Clerk will call the roll.

YEA—Arzonico, Ayotte, Bragdon, Butler, Colby, Cook, Cushing, Dean, DeBeck, Dorrance, Douglass; Dow, Norway; Downs, Erswell, Goss, Hall, Hamel, Haskell, Hinkley, Holden, Holman, Jordan, LaFleur, Lambert, Leveque, Lord, Luro, Pelletier; Poulin, Waterville; Pratt, Richardson, Robbins, Robie; Robinson, South Portland; Snow, Dover-Foxcroft; Snow, Hermon; Starrett, Wallace, Weed, Williams, Winter, Worth.

NAY—Babin, Bacon, Barter, Batchelder, Bates, Belanger, Bowers; Brown, Caribou; Brown, Corinna; Brown, Eagle Lake; Bubbar, Burbank; Burgess, Rumford; Burgess, Limestone; Buzzell; Churchill, Cleaves, Clough, Cowan, Crockett, Dennison, Donahue, Dorsey; Dow, Kennebunkport; Dwinall, Eddy, Ellis, Emery, Farrington, Farwell, Fellows, Fernald, Fogg, Ford, Fowles, Good, Grua, Hanold, Hinman, Hodgkins, Jewett, Keene, Labbee, Larabee, Latno, MacNichol, Mahon, Marshall, Maxim, McGillicuddy, McGlauflin, Melanson, Merrifield, Meserve, Miller, Mills, Murchie, Norwood, Noyes, Otto, Palmeter, Paul, Payson, Peakes; Pike, Bridgton; Pike, Lubec; Plummer; Poulin, Rumford;

Race, Ramsdell, Shesong, Sleeper; Smith, Thomaston; Stacy, Stevens, Stilphen, Tardif, Thompson, Thorne, Townsend, Varney, Violette, Walker, Weatherbee, Welch, Winslow; Young, Acton; Young, Old Orchard Beach.

ABSENT—Bird, Bolduc, Chandler, Davis; Dow, Eliot; Everett, Gyger, Hawes, Howes, Hussey, McNamara, Porell, Preble; Robinson, Bingham; Robinson, Peru; Slosberg; Smith, Westbrook; Sylvia, Whitney.

Yes—42.

No—88.

Absent—19.

The SPEAKER: Forty-two having voted in the affirmative and 88 in the negative, 19 being absent, the motion does not prevail.

Mr. LaFLEUR: Mr. Speaker, I now move the acceptance of the majority report "Ought to pass." (Applause)

The SPEAKER: The gentleman from Portland, Mr. LaFleur, now moves that the House accept the majority "Ought to pass" report of the Committee on Salaries and Fees, reporting a consolidated resolve. Is this the pleasure of the House?

The motion prevailed and the majority report was accepted.

On motion by Mr. Noyes of Franklin, the House voted to reconsider its action of yesterday whereby Bill "An Act relating to Dealers in Motor Vehicles" (S. P. 385) (L. D. 786) was passed to be engrossed.

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

House Amendment "A" to S. P. 385, L. D. 786, Bill, "An Act Relating to Dealers in Motor Vehicles."

Amend said Bill by re-inserting the word 'or' where it has been stricken out in the first lines of sections designated "Sec. 60." and "Sec. 60." and "Sec. 62.", respectively.

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

Mr. PIKE of Bridgton: Mr. Speaker, I would move that the House reconsider its action taken on L. D. 260, Bill "An Act relating to the Salary of the Recorder of the Northern Cumberland Municipal Court," whereby it voted yesterday to adhere.

The SPEAKER: The Chair will inform the gentleman that the papers were sent to the Senate after the action of yesterday, no notice having been given to the Clerk.

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

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House adjourn. The Clerk will read the notices.

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