

MAINE STATE LEGISLATURE

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



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

Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, April 12, 1939.

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

Prayer by the Rev. Dr. McWhorter of Augusta.

Journal of the previous session read and approved.

Conference Committee Report

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Permit Sunday Moving Pictures" (H. P. 1665) (L. D. 726) reporting that the House recede and concur with the Senate in the indefinite postponement of House Amendment "C" in concurrence.

(Signed)

Messrs. McNamara of Winthrop
Weatherbee of Lincoln
Buzzell of Belfast

—Committee on
part of House.

Burns of Aroostook
Chase of Washington
Friend of Somerset

—Committee on
part of Senate.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Hinckley.

Mr. HINCKLEY: Mr. Speaker, I want to say just a word on this matter and that is that many of the members of the House were led to pass the Sunday movies bill on the promise, on the ground that they were getting a revenue out of it and that they were going to impose a tax, and many of them would not have voted for it otherwise. I therefore move that the House adhere.

The SPEAKER: The question before the House is on the acceptance of the report of the Conference Committee.

Mr. HINCKLEY: Mr. Speaker, I move that the House accept the Conference Committee report.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves that the House accept the report of the Conference Committee. (Cries of no, no)

Mr. HINCKLEY: Mr. Speaker, I move that the House should not accept the report of the Conference Committee.

The SPEAKER: Does the Chair understand that the gentleman withdraws his motion?

Mr. HINCKLEY: Yes, Mr. Speaker.

The SPEAKER: The Chair will call to the attention of the gentleman that he can vote in the negative on the acceptance of the Conference Committee report.

Mr. BUZZELL of Belfast: Mr. Speaker and members of the House: I too want to say just a word and I hope that I know what I am talking about. (Laughter) I hope that this House will accept this Conference Report. No one in this House will be more in favor of getting some revenue from this bill to partially look after Old Age Assistance than I, but when we were confronted with certain conditions I felt that in behalf of a large majority of the people that wanted Sunday movies that I was willing to vote for Sunday movies.

Now in my little city there are many old people who enjoy Sunday movies. Many go to church in the forenoon and Sunday movies in the afternoon — old people, who are walking into the evening of life and life hangs heavily on them, and they get entertainment and get something to think of out of Sunday movies. So because of that and because of the objections on the part of the members of the Senate to the tax, I agree to this Conference Report and I do hope that this House will agree to the acceptance of this report.

Mr. SLEEPER of Rockland: Mr. Speaker, I do not know whether many of the members voted for Sunday movies in order to get the tax, but I voted against Sunday movies for many reasons. If we are field is there for taxes than Sunday movies. If any of you members think we are going back home without any additional taxes, you are greatly mistaken.

I will say this, and I am not betraying any confidence. The money available now in the general fund of this state will not pay pensions to 7,500 people so you will either have to pass new taxes or go home empty handed. This looks like an awfully good chance to get a few hundred thousand dollars. Like previous speakers, I am not going to rush to embrace old age pensions. I realize of course it is necessary but I am not going to penalize all the children in the State in order to provide it. If some of these rabid friends of old age—and I suppose my voice should quaver when I say

this—why not put the tax on movies to get these available funds. Do not think for a moment that the money is going to come from the sky to get money enough to have old age pensions, because it is going to come hard and you or the young folks are going to pay it. Now here is a chance to get it a little bit easier. If we must have Sunday movies, why not let them pay a tax?

Again I say, and I say it on good authority, there is not money enough in the general funds or in any revenue producing measure to pay more than 7,500 old age pensions. Just bear that in mind. If you turn down the revenue measures, just realize what you are doing. Either you are going to raise more money or you are coming back later. Here is a chance to raise a few hundred thousand dollars to help this situation out.

Mr. BROWN of Caribou: Mr. Speaker, I believe that the House should adhere to its former action and support this amendment. As has already been said before, it is very necessary that we raise some money for old age assistance, and it looks to me as if this and possibly the chain store tax would be the only tax measures that would pass this House. I see no objection to it. The people who want to go to the movies on Sunday should be willing to pay an extra nickel tax when it is going to be used for such a good purpose as this. I look at it in another way. We are granting to the motion picture operators a right which we do not give to anybody else, that is the right to operate a private business for profit seven days out of the week. For seven days they will be running and taking money out of the community which might otherwise go to the stores, and I believe for that privilege that they should be obliged to pay this tax.

Mr. PLUMMER of Lisbon Falls: Mr. Speaker, in my town of Lisbon Falls about a year ago the moving picture house started Sunday movies. They were bright enough to contribute ten per cent of the Sunday receipts to some charitable institution. In Lisbon Falls they expect to pay something for Sunday movies and I think we are making them a present when we do not insist on the tax.

Mr. WEATHERBEE of Lincoln: Mr. Speaker, as I was on the Com-

mittee of Conference I would like to say just a word and explain the position I took on this measure. I myself feel and did feel that the tax was a good way to raise some money very easily, but my vote on this matter in the Committee of Conference was determined by very practical considerations, which, due to the rules of the House, it is very difficult for me to explain to you at this time.

I will say that the House members on the Conference Committee were convinced that it would be impossible to get such a measure through this Legislature with a tax on it, and we were faced with the choice of either killing the bill or passing it without the tax. I myself feel strongly enough in favor of Sunday movies that I did not want to see the bill die out in the corridor half way between the two branches. For that reason I voted that the House recede and concur.

I feel that there is some justice in the position of the opponents of this tax, because I realize that this tax was put on without any public hearing, and I feel, as did the majority of the Committee on Legal Affairs, that a taxation measure of that sort should have been advertised publicly in order to give the opponents of the measure a chance to present their arguments. For that reason, I feel that there is justice in the feelings of those on the other side of the question.

I also realize that it is not impossible, even if this measure is disposed of by this House, if this Sunday movie is disposed of, it is not impossible for the Committee on Appropriations and Financial Affairs, if they should wish to do so, to bring in such a measure before the House for consideration again in the later days of the session.

For these purely practical reasons, I think that the House, rather than kill the entire measure, should recede and concur with the Senate.

The SPEAKER: The Chair will read to the House Joint Rule 13:

"Committees of conference shall consist of three members on the part of each house, representing its vote, and their report, if agreed to by a majority of each committee, shall be made to the branch asking the conference, and may be either accepted or rejected; but no other action shall be had, except through another committee of conference."

The question before the House is

on the acceptance of the report of the Conference Committee.

Mr. DeBECK of Holden: Mr. Speaker, when the vote is taken I would like to ask for a division of the House.

Mr. SLEEPER: Mr. Speaker, I would just like to add one more thing to one phase of the question in answer to the gentleman from Lincoln, Mr. Weatherbee. I cannot say Brother Weatherbee, but perhaps I can Neighbor Weatherbee. He said that the members of the House committee felt that they would endanger the entire bill by insisting on their stand. Does he not also realize that perhaps other individuals, if they had adhered to their stand, would have endangered the bill. If we insist on our stand and adhere to our original decision then these other individuals, if they stand fast, will endanger the bill, and it will not be our fault or the fault of the House if the bill should fail.

Mr. DOW of Norway: Mr. Speaker and members of the House: I do not want to prolong this discussion, but I was one of those who signed the majority "Ought to pass" report of the Committee on Legal Affairs. I voted for the bill in the House and I voted against the tax. Maybe that is not consistent but I make no claim of being consistent; I apparently am not constituted that way.

As far as this tax is concerned, I want to say this: To me I see no difference in going to the movies on Sunday than any other day. Apparently it is the idea to punish those who go to the movies on Sunday by making them pay an extra tax. If you want to put a tax on movies it might as well be on every day in the week as on Sunday. There is no more reason for putting a tax on Sunday movies than on Saturday. It does not seem to me that we should be taxed for the privilege of going to the movies on Sunday any more than the citizens of the State of Maine who go to the movies on the other days of the week. I cannot see why I should pay for the constitutional privilege of going to the movies on Sunday. If this tax measure had been on the bill when it was considered before the Legal Affairs committee, I am not quite certain that the same report would have been given. I am going to stick to the committee report, the majority report, in favor of Sunday movies. I took that stand

then and that is where I stand right now.

Mr. MARSHALL of Auburn: Mr. Speaker, the difficulty I have in voting on any tax on Sunday movies is this: Personally I have not seen any figures as to what the anticipated revenue would be from such a tax or what it might cost to administer or collect the tax. I am not able to vote on it intelligently any more than I would if we were to consider a tax on hellgrammites. I do not know what a tax on hellgrammites might bring in so far as such a measure is concerned. I stand ready to support any substantial tax measure to take care of any deficiency in our State finances and State obligations, but in so doing, when I vote on a tax measure I would like to have some information from some source that will inform me as to what and how much the amount and the circumstances will be so far as the State is concerned. I have not seen or heard them yet. I simply say that I am unable to vote on this particular measure intelligently.

Mr. HINCKLEY: Mr. Speaker, in answer to the gentleman from Auburn, Mr. Marshall, I will say that the proponents of this tax measure at the time they proposed it to the House stated to us that it would bring in approximately \$200,000. I have not seen any other figures and I have no reason to doubt that that amount will be received. Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves the previous question. In order for the Chair to entertain the motion for the previous question, it requires the affirmative consent 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 present have arisen, the motion for the previous question will be entertained. The question before the House now is, shall the main question be put now? Is this the pleasure of the House?

The motion prevailed, and the main question was ordered.

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

of the report of the Conference Committee. The gentleman from Holden, Mr. DeBeck, has asked for a division. All those in favor of accepting the report of the Conference Committee 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 60 in the negative, the motion prevailed.

The SPEAKER: Is it now the pleasure of the House that the House recede from its former action whereby it passed the bill to be engrossed as amended by House Amendment "C", and to further recede from the adoption of House Amendment "C", and concur with the Senate in the indefinite postponement of House Amendment "C", and further concur in the passage of the bill to be engrossed in concurrence.

Mr. HINCKLEY of South Portland: Mr. Speaker, I ask for a division.

The SPEAKER: Is the question clear to the members of the House? The question before the House is on the motion of the gentleman from Winthrop, Mr. McNamara, that the House recede from its former action whereby it passed the bill to be engrossed as amended by House Amendment "C", House Amendment "C" being the tax amendment, and to further recede from the adoption of House Amendment "C", and concur with the Senate in the indefinite postponement of House Amendment "C", and further concur with the Senate in the passage of the bill to be engrossed in concurrence. The gentleman from South Portland, Mr. Hinckley, has asked for a division. All those in favor of the motion to recede and concur 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-three having voted in the affirmative and 64 in the negative, the motion did not prevail.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves that the House insist, and asks for another Committee of Conference. Is this the pleasure of the House?

Mr. LARRABEE of West Bath: Mr. Speaker, I am like the gentleman from South Portland (Mr.

Hinckley), I voted against my better judgment in favor of this Sunday movie bill principally from the fact that we were going to put a five cent tax on it to raise revenue for the old people. I do not believe we need moving pictures on Sunday. They came here and asked for it in large numbers; I attended the hearing. Now it seems to me that if these people want to run their places of business on Sunday and take in revenue for it, that they can absorb a five cent tax. I do not know who is opposing the tax measure, whether it is the moving picture people or not. It rather looks as though they want both ends and the middle. Mr. Speaker, I move the indefinite postponement of the bill.

(Cries of "No, No")

The SPEAKER: The Chair will remind the gentleman that, under the Joint Rule which the Chair just read, the report may be either accepted or rejected, but no other action shall be had, except through another committee of conference.

Mr. SLEEPER: Mr. Speaker, I move that the House appoint another Committee of Conference.

The SPEAKER: Does the Chair understand that the gentleman from South Portland (Mr. Hinckley) withdraws his motion?

Mr. HINCKLEY: No, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from South Portland, Mr. Hinckley, that the House insist, and asks for another Committee of Conference. Is this the pleasure of the House?

(Cries of "No, No")

The SPEAKER: All those in favor of the motion of the gentleman from South Portland, Mr. Hinckley, that the House insist, will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

Mr. McGLAUFILIN of Portland: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McGLAUFILIN: To doubt the decision of the Chair on that last motion, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from South Portland, Mr. Hinckley, that the House insist and ask for another Committee of Conference. All those in favor of the motion 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. Ninety-nine having voted in the affirmative, and none in the negative, the motion prevailed.

The SPEAKER: The Chair will appoint the Committee of Conference later.

Paper from the Senate disposed of in concurrence.

From the Senate: Bill "An Act relating to the Administration of the Old Age Assistance" (S. P. 644) (L. D. 1148)

Comes from the Senate, received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a committee.

In the House:

The SPEAKER: In accordance with Joint Order this bill, to be received, requires unanimous consent. Is there objection? The Chair hears none and the bill is introduced.

This being a printed bill, on motion by Mr. Jewett of Ripley, under suspension of the rules, the bill had its two several readings and tomorrow assigned.

From the Senate: Bill "An Act relating to Jurisdiction Over Lands Ceded to the United States" (S. P. 659) (L. D. 1159)

Comes from the Senate, received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a committee.

In the House:

The SPEAKER: In accordance with Joint Order this bill, to be received, requires unanimous consent. Is there objection? The Chair hears none and the bill is introduced.

This being a printed bill, on motion by Mr. Otto of Dexter, under suspension of the rules, the bill had its three several readings and was passed to be engrossed in concurrence.

Senate Divided Report

From the Senate: Majority Report of the Committee on Agriculture on Bill "An Act Discontinuing Blueberry Fly Control" (S. P. 559) (L. D. 1088) reporting same in a new draft A (S. P. 642) (L. D. 1157) under title of "Resolve Appropriat-

ing Money for Study and Control of the Fruit or Blueberry Fly in Maine" and that it "Ought to pass"

Report was signed by the following members:

Messrs. Osgood of Oxford

Findlen of Aroostook

—of the Senate.

Holman of Dixfield

Chandler of New Gloucester

Snow of Dover-Foxcroft

Larrabee of West Bath

Bacon of Sidney

—of the House.

Minority Report of same Committee on same Bill reporting same in a new draft B (S. P. 651) under title of "Resolve Appropriating Money for Study and Control of the Fruit or Blueberry Fly in Maine" and that it "Ought to pass"

Report was signed by the following members:

Messrs. Brown of Caribou

Colby of Paris

—of the House.

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

In the House:

Mr. LARRABEE of West Bath: Mr. Speaker, I move the acceptance of the majority report "Ought to pass new draft A."

The SPEAKER: The gentleman from West Bath, Mr. Larrabee, moves that the House accept the majority report of the Committee on Agriculture, reporting in new draft A under title of "Resolve Appropriating Money for Study and Control of the Fruit or Blueberry Fly in Maine."

Mr. BROWN of Caribou: Mr. Speaker and members of the House: In order that you may understand the two different reports, I will make a very brief explanation. I am not going to make any argument for the way this bill was originally reported and referred to the committee. It was one of the economy measures recommended by your Economy Committee. The original bill recommended doing away with the blueberry fly control which has cost the State of Maine six thousand dollars a year.

We had a hearing on this matter and we unanimously agreed not to cut it entirely away from them until it could be so regulated that they could find means of raising money, in order that it might not work a hardship on the blueberry growers of the State, and the committee

unanimously accepted a report or bill giving them \$4,000 the first year and \$2,000 the second year, with the recommendation that no further appropriation be made.

A day or two later the committee was again called together and a new draft was put up to them, together with the plea that \$4,000 and \$2,000 were not enough, and a new draft or new bill was made giving them \$5,000 the first year and \$3,000 the second year, making a total of \$8,000. With that report one other member and myself did not go along. We stuck to the original recommendation that you give them \$4,000 this year and \$2,000 the next year.

So the question before the House for you to decide is whether you want to go along with the original bill which gives them nothing, cuts it out entirely, whether you want to go along with the majority report that gives them \$5,000 this year and \$3,000 the next, or whether you want to go along with the original unanimous report of the committee, lately changed over so it is the minority report, giving them \$4,000 this year and \$2,000 the next. It is up to you what you want to do.

Mr. DENNISON of East Machias: Mr. Speaker, now that the gentleman from Caribou, Mr. Brown, has enlightened the members on this bill, who did not understand it in the first place, I will say that the majority report of \$5,000 for the first year and \$3,000 for the second year was brought out, and it is still, and they are still hesitating on that \$2,000. This goes along with the porcupine bill, which was originally \$6,000 each year or \$12,000, and now they have cut it down to \$8,000. I hope that the House will accept the majority report of \$5,000 and \$3,000.

Mr. MELANSON of Cherryfield: Mr. Speaker, I hope the House realizes just the condition that the blueberry growers are in. This matter means a great deal to them. If this appropriation is cut out, it will mean a \$7,000 loss to the State of Maine. The blueberry growers of the State appealed to us. They were very much disturbed over this appropriation being cut out. They feel that if this is done, that it would undo the work that the State Department and the Federal government has been doing for fourteen years. I therefore hope that the motion of the gentleman from

West Bath (Mr. Larrabee) will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from West Bath, Mr. Larrabee, that the House accept the majority report, reporting "Ought to pass in new draft, report A." All those in favor of the motion of 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.

Thereupon, the resolve had its first reading and tomorrow assigned.

Senate Bill in First Reading

Bill "An Act Amending the Law relating to the Installation of Pick Clocks in Textile Factories" (S. P. 151) (L. D. 124)

Senate Divided Report

From the Senate: Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to Establish an Unpaid Commission to Facilitate the Co-operation of this State with Other States" (S. P. 110) (L. D. 78)

Report was signed by the following members:

Miss Laughlin of Cumberland
Messrs. Hill of Cumberland

—of the Senate.

McGlauffin of Portland
Bird of Rockland
Varney of Berwick
Fellows of Augusta

—of the House.

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

Report was signed by the following members:

Messrs. Burns of Aroostook

—of the Senate.

Weatherbee of Lincoln
Thorne of Madison
Hinckley of So. Portland

—of the House.

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

In the House:

Mr. HINCKLEY of South Portland: Mr. Speaker, I think all the difficulties in connection with this bill have been ironed out satisfactorily. I therefore move the acceptance of the minority report "Ought to pass."

The **SPEAKER**: The gentleman from South Portland, Mr. Hinckley, moves that the House accept the minority report "Ought to pass," on this bill. Is this the pleasure of the House?

The motion prevailed, the minority report "Ought to pass" was accepted in concurrence.

Thereupon, the bill had its two several readings. Senate Amendment "A" was read by the Clerk and adopted in concurrence, and the bill was assigned for third reading tomorrow morning.

From the Senate: Bill "An Act relating to Operators' Licenses" (H. P. 1691) (L.D. 746) which was indefinitely postponed in the House on April 4th.

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

In the House, on motion by Mr. Stilphen of Dresden, the House voted to insist and ask for a Committee of Conference.

The **SPEAKER**: The Chair will announce the committee later.

From the Senate: Bill "An Act relating to Children" (H. P. 1933) (L. D. 1032) which was passed to be engrossed in the House on March 21st.

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

In the House: Senate Amendment "A" read by the Clerk.

The House then voted to recede from its former action whereby it passed this bill to be engrossed. Senate Amendment "A" was adopted in concurrence, and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

The **SPEAKER**: The Chair will at this time announce the appointment of two conference committees which were ordered yesterday.

On Bill "An Act Relative to Use of Buckshot in Hunting Deer (L. D. 1130) the gentleman from Charleston, Mr. Howes, the gentleman from Portland, Mr. Cowan and the gentleman from Franklin, Mr. Noyes.

On Joint Order Recalling to the House from the legislative files Legislative Document 544, "An Act Es-

tablishing a Low Rate Tax on Intangible Personal Property in Accordance with Constitutional Amendment Providing the Same" the gentleman from Auburn, Mr. Marshall, the gentleman from Portland, Mr. Maxim and the gentleman from Strong, Mr. Richardson.

The following petitions were received, and upon recommendation of the Committee on Reference of Bills, were received and ordered placed on file.

Petition of Nelson C. Tarr and 779 other Citizens of the State in favor of L. D. 933, relating to Licenses for Operation of Retail Stores (H. P. 2228) (Presented by Mr. Churchill of Brewer)

Petition of Anita Gosselin and 428 other Citizens of the State in favor of same (H. P. 2229) (Presented by Mr. Townsend of Bangor)

Were ordered placed on file and sent up for concurrence.

Mr. **GOOD** of Monticello: Mr. Speaker, I ask unanimous consent to address the House.

The **SPEAKER**: The gentleman from Monticello, Mr. Good, asks unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. **GOOD**: Mr. Speaker and members of the House: You remember a few days ago I was speaking on the matter of the State Land Agent, and I was asking for a Recess Committee. I now have a resolve which I would like to introduce, to have a Recess Committee created and, feeling that this is important and feeling that it is only fair, I ask unanimous consent to introduce a resolve at this time for the appointment of a Recess Committee.

The **SPEAKER**: The gentleman from Monticello, Mr. Good, asks unanimous consent to present a resolve at this time, notwithstanding the joint closing order. The Clerk will read the title of the resolve.

Resolve Creating a Recess Committee to Investigate State-owned or Reserved Lands.

The **SPEAKER**: Is there objection to the introduction of the resolve at this time?

The Chair hears objection and unanimous consent is refused.

Orders

On motion by Mrs. Latno of Old Town, it was

ORDERED, that the Clerk of the House be directed to send flowers to Representative Luro of Orono, and express to him the hope of the members for his very speedy recovery.

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

ORDERED, that no business shall be transacted by this House after the hour of 11 o'clock P. M. and before the hour of 9 o'clock A. M. on any day and that at 11 o'clock P. M., if the House shall then be in session, it shall stand adjourned.

The **SPEAKER**: This being in the nature of an amendment to the existing Rules and Orders of the House, in accordance with the House Rules, it will lie on the table one day. The Clerk will enter notice in the Journal.

Reports of Committees Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Relating to the Publication of Legal Notices, Legal Advertising and Other Matters Required by Law to be Published in a Newspaper" (H. P. 1423) (L. D. 558) reporting same in a new draft (H. P. 2226) (L. D. 1168) under same title and that it "Ought to pass"

Report was signed by the following members:

Miss Laughlin of Cumberland
Messrs. Burns of Aroostook
—of the Senate.
Bird of Rockland
Weatherbee of Lincoln
Hinckley of So. Portland
Fellows of Augusta
—of the House.

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

Report was signed by the following members:

Messrs. Hill of Cumberland
McGlaulin of Portland
Varney of Berwick
Thorne of Madison
—of the House.

Mr. McGLAULIN of Portland: Mr. Speaker, owing to the position of my seat in this House, it is very difficult for me to be heard unless

I can face the audience. I will therefore request that privilege.

The **SPEAKER**: The gentleman has permission.

Mr. McGLAULIN: Mr. Speaker, this matter may not be of tremendous importance, but it involves certain principles that to me are important, because I like to see fair play.

This measure, as it came before the Judiciary Committee, Legislative Document 558, provided that: "To be qualified as a medium for the publication of legal notices, legal advertising and other matter required by law to be published in any newspaper, a newspaper must be one of general circulation in the town, city, county or State wherein the information furnished by said legal notice, legal advertising***** shall be printed in the English language";

It has been the custom for some time of lawyers, in the city of Portland, at least, when they wish to give a legal notice such as foreclosure of a mortgage, to send it either to a Brunswick paper or the Bridgton News, so as to keep down the expense, the expense being, according to my experience, very much less than it would be to publish it in the Portland daily paper.

We pointed out at that hearing that if that bill went through as drafted, we could no longer use those small town papers for such a purpose, because the circulation of the Bridgton News or the Brunswick Record, if that is the name of the paper, is very small in the city of Portland. I think the entire committee was convinced that that was not a good bill. Then some of the members of the committee proceeded to amend it, and the object of the amendment now is the provision that the paper shall be published in the English language.

It appeared at that hearing that there are only two or three papers in the State published in French that have from time to time published such notices, and that in the French papers the notices are always published in English, not in French. Then some of the committee said, "Why, the French people cannot read English, so that does not amount to anything." But that is not so. I do not mean it is so that they cannot read English, but I mean that the conclusion itself is not so, because when a

Frenchman who cannot read English reads in a French paper a notice and finds that his name is there, he is going to come pretty near asking someone what it means.

Now, in the discussion of this matter further, it appeared that some of the members of the Judiciary Committee, at least, thought this was an attempt to compel these Frenchmen to learn English if they were going to be here, because they ought to be citizens. That may be a good idea, but it seems to me an exceedingly obnoxious way to bring it about. You understand that these notices are now published in English, but if this bill goes through, as I understand it, they cannot be published in English in a French newspaper, which shows a discrimination.

Some years ago we had running over the State of Maine a sort of a craze run by what is known as the Ku Klux Klan. The Ku Klux Klan was very much opposed to Catholics and foreigners, and so bitter did that fight become that I myself have been told by a member of the Klan that a Catholic would cut the throat of a woman if they had the opportunity. Think of the absurd conclusions that some of these people will arrive at when they are prejudiced!

Now all that this measure can do is to create unkindly feelings and do no good. I ask for the acceptance of the minority report.

Mr. WEATHERBEE of Lincoln: Mr. Speaker and ladies and gentlemen of the House: It may appear to you that this is purely a legal question, but it is not. It is a question that affects every member of this House.

As you no doubt know, the law provides that in some cases where it is impossible in the course of a legal action to give actual notice to the parties involved, the law allows a notice printed in a newspaper to be used, which shall be, if the law is properly followed, legal notice to all parties involved that a change is likely to take place in the piece of property or in the action in which they are interested.

I do not think it takes any legal training at all to see how important a matter this is to every man and woman in the State, not only to those who own property but to those who are likely to be involved,

as we all are, in any form of legal action. This legal notice may be the only notice you will have which your rights are likely to be jeopardized, and of course this notice should obviously be published in a paper which you yourself would be likely to read or one which comes as nearly as it is possible to come to being a notice which you will receive by reading it in the paper or by being informed of it by someone else who will themselves read it in the paper.

A legal notice is not a subsidy which the law grants to the newspapers. This law did not appear on the books simply to give all the newspapers or some of the newspapers a little chance to pick up easy money. It appeared on the books because the law realizes it is absolutely necessary to come as close as it is humanly possible to do to giving the person some actual notice that his rights may be interfered with. Now, obviously, it is not a legal notice unless it is such a notice that the person might reasonably be expected to see, or which might reasonably be expected to come to his attention. You, for example, would not be expected to see a notice in a paper which appeared spasmodically on a date of which you had no knowledge, or it would not be expected to be legal notice to you if it appeared in a paper which was not of general circulation, for example, in a paper published by and read exclusively by members of Labor Unions.

I, not being a member of a Labor Union, would probably seldom, if ever, see a Labor Union newspaper. I, not being a member of the Townsend Club, would be very unlikely to see a legal notice which affected my interests which was published in a Townsend Club paper or some other paper, and I would not be expected to see a notice in a newspaper which was published in a foreign language, because I can speak and read no foreign language well enough so that I would ever be likely to read a newspaper published in any other language than the English language. I guess in that respect I am like most of the people of the State of Maine.

Now at this hearing which we held on this bill, some of my good friends appeared who thought that there was some reason to believe

that the French papers might be discriminated against in this matter or that this bill was intended to discriminate against them. I do not know whether they will feel that way or not, and I sincerely hope they do not feel that way, because it must be perfectly obvious to every member of this House that this bill has no intention of discriminating against any person; it is simply a matter of common sense and fairness and simply a straightening out of the law, as we believe.

Now I think that it is very unfortunate that some members of this House might be led to believe that this was an attempt to discriminate against them, and I think it is very unfortunate, in view of the obvious fairness of this bill, that anyone should attempt to lead them to think that they are being discriminated against or that this bill is in any way directed against those who speak another language. I myself resent very strongly any implication that I am being influenced or affected by any such organization as the Ku Klux Klan or that I am motivated by any spirit of intolerance or any spirit of unfairness to friends throughout the State who speak another language than the English language.

Such is not the case, and I think such is not the feeling of my colleagues on the Judiciary Committee. I want to make it clear, not only to you, but to anyone who might be in danger of being led to think that this was an attack upon them or their institutions, because it is certainly not. Isn't the matter perfectly clear? Isn't it perfectly clear that it is not proper notice to a person whose interest might be involved if a notice appears in a language which is other than the language of this country?

I cannot speak French, but, as it happens, I do at this time have an interest in some property located in Lewiston. I could not be expected to follow the French newspapers day by day through the years to see whether my interests might be jeopardized, because I can read hardly a word in those newspapers. I naturally would look at a newspaper printed in the language of the country, and there would be no notice to me at all if the notice appeared in a newspaper published in the French language in Lewiston.

Further than that, as my col-

league from Portland has pointed out, the notice is not only printed in French newspapers, but it is printed in the English language, so, as I see it, it is not only no notice to English people, but it is very poor notice at the best to the people who speak French. I cannot see how this notice should be printed in French newspapers in the English language. Furthermore, if you are, as I am, reluctant to do anything which will appear to be interference with the people who publish these newspapers in foreign language, I am told by one of the members of the Committee on Judiciary who spoke to the publisher of *Le Messenger*, a French newspaper in Lewiston, who said that he was told by the publisher of this newspaper that last year he only took in thirty-three dollars from the publication of legal notices anyway. So I think it is not only no notice to an English speaking person or a French speaking person, but it is of very little financial importance to the publisher of the French newspaper, while it might be of great financial importance to the person who owns some property in this community or in the county where the newspaper in a foreign language is printed. He might never have any way of discovering that his rights in this property were being cut off.

We are not doing anything which is in any way radical. It seems to me we are doing something which is perfectly logical. The matter of whether or not notice published in a foreign language is legal in the State of Maine has never been determined by the courts of the State of Maine, and I have no way of knowing just what the courts would say on the matter. I would like to point out to you that I have looked over some of the cases from other States. I have cases from Michigan, Wisconsin, Florida, one from the State of Illinois, and one from North Dakota, which I ran across, all of which, in clear and unmistakable language, say that it is not legal notice unless it is published in a paper in the language of the country. The North Dakota case says, "Where the law requires publication in a 'newspaper', a newspaper published in the English language is meant unless a contrary intention is shown."

The Illinois case says that a legal

notice is insufficient when published in English in a foreign language newspaper. The same is held by the decisions in courts of the other states.

My colleague from Portland has spoken of the practice of the lawyers of his county in advertising, to save expense to their clients, in smaller newspapers published in communities outside of the city of Portland, but, in the county of Cumberland, I would like to point out to this House that they still can continue to do so under this bill. There were some members of the Judiciary Committee who thought that the bill as drawn might possibly, in a practical way, prevent that. I understand that my colleague, the gentleman from Madison, Mr. Thorne, has introduced an amendment which he has printed under Filing No. 183, cutting out that section of the bill which provides that it must be one in general circulation in the town, city and State and so forth. That being cut out, there can be no question but what the members of the legal fraternity can go on publishing notices in the smaller papers for their clients. But it certainly seems to us, without any question, that such notices should be published in the newspaper which has a fixed date of publication, a weekly paper or a daily paper, one that appears on all six days of the week and one that has a general subscription list, and one that devotes at least twenty-five per cent of its space in publishing reading matter.

I want to say again that the question of the value of this to the newspapers is purely an academic question, and the foreign newspapers, of which I understand there are four in the State, most of them weekly papers, are not concerned in this discussion at all so far as I can see. It is purely a question of what is and what is not legal notice, and it seems to me that it is such an obvious question that I am very sorry to find the matter of racial prejudice or intolerance brought into this matter.

Mr. McGLAUFILIN: Mr. Speaker, just a word. The gentleman resents the insinuation that he is influenced by the Ku Klux Klan. The Ku Klux Klan has not been in existence for many years. Where could anybody possibly get the idea I suggested that he or anybody else was influenced by the Klan?

Mr. VARNEY of Berwick: Mr. Speaker, I did not intend to say anything on this bill, but I simply want to make a statement. I signed the minority report "Ought not to pass" for two primary reasons: First, I do not believe that there is any demand for this legislation at all. I do not think there is any trouble with the law as it is at present with reference to giving notices. Secondly, and most important, I want to say, as a practicing attorney, that I do not quite understand how we could tell what paper would be legal for us to publish a notice in if this bill became law. I have read the amendment of the gentleman from Madison, Mr. Thorne, and I will say that it removes one objection that I had to the bill, but there are also some more.

Let me state a specific example and bring to your attention what I mean. Supposing I wanted to foreclose a real estate mortgage on the property of the gentleman from Lincoln, Mr. Weatherbee, in Lewiston, that he speaks about. I have got to determine in what paper I can publish that notice, if I do it by publication. This bill would provide, if you adopt the amendment, it will strike out that part that the paper must have a general circulation in the country wherein the information furnished by the legal notice is intended to be disseminated. Now is the foreclose of that mortgage intended to be disseminated in Androscoggin County or Aroostook County or in Penobscot County where the gentleman from Lincoln, Mr. Weatherbee, lives. If I pick out a daily newspaper, I must pick out one which is published, as I read this bill, at least six days a week except those weekdays which include a legal holiday. I have got to find out if the paper is issued six days every week. Now suppose they skip a few days. Suppose they skip a day, perhaps they will skip Monday—we are going to celebrate holidays on Monday—but suppose the legal holiday comes on some other day, even though we celebrate on Monday.

The bill further states that the paper "shall have a subscription list of paying subscribers ordering the same at a fixed price for each copy on a daily, weekly, monthly or annual basis; shall have been in existence for at least 1 year continuously preceding the date of publication of such legal notice,"** I

might find out if it has been in existence for one year but how could I tell about the subscription list at a fixed price for each copy.

Continuing further, "shall be engaged to the extent of at least 25% of its space in publishing reading matter, news matter and news pictures of both local and general interest;"

Now my point is simply this: If I select a paper that does not conform with the provisions of this bill, and I do not see how I could very well tell whether it did conform to these requirements, I presume that my foreclosure would be void and I would have to begin over again.

I might suggest to the proponents of this bill that I suspect that the introduction of this bill was for the purpose of getting a little additional work for some of the larger papers and cutting out some of the smaller ones. I might suggest that if it worked the other way perhaps we would not dare to foreclose our mortgages by publication and we might have to go to the more cumbersome method of doing it through the Court.

Mr. LAMBERT of Lewiston: Mr. Speaker and members of the House: I happen to be one of the victims that speak and write both French and English. It so happens, the way it was brought out in the debate this morning, it appears to me that this is very discriminatory, and I do not believe that the gentleman from Lincoln, Mr. Weatherbee, really meant what he said when he said that it did not discriminate against anybody.

I attended that hearing and opposed this bill. At my side was a man from the paper *Le Messenger*, the French newspaper in Lewiston. At that time it was pointed out that *Le Messenger* printed legal notices but in English. The purpose of these legal notices as I understand it is to reach as many people as we can. I say to you that the French paper in Lewiston is being read by over five thousand in the city. They have a circulation of over five thousand in the city of Lewiston. Out of that five thousand, I dare say eighty per cent of the people who read the French paper in Lewiston can also read the English language, and therefore if these notices are printed in the English language in the French paper you will reach eighty per cent of the five thousand people.

Now they tell us that they should get an English paper and watch for these notices in the English paper. Well, I am going to tell you another argument for that and that is the fact that I believe that eighty per cent of those who can read the English language some of them prefer to get a French paper and read about their own nationality and the affairs of their own people. On the other hand, some of them are very poor and can afford to take only one paper. Therefore, they take the paper of their own language to find out what their people are doing. It is only natural for them to do so. On the other hand, you will find more than eighty per cent of them can read and write the English language as well as I can. I therefore hope that the minority report will be accepted.

Mr. THORNE of Madison: Mr. Speaker, at this time I want to thank the House for the overwhelming endorsement it gave me yesterday on my ideas. (Laughter) My position on this bill is rather a peculiar one—and it is probably apparent to you that my position on most everything is peculiar—but I signed the minority report "Ought not to pass".

The bill as first presented to our committee was not to my liking and we changed it, but still it was not satisfactory to me. It was suggested to me that in foreclosing a mortgage or in the search of a title, where an attorney has to furnish an abstract of title to his client, that it might not be possible for him to certify that this newspaper in which a certain mortgage or abstract of title was foreclosed had general circulation in the county in which it was published. I think that is a good point. I have here prepared an amendment to this bill covering that point, which I would like to present at the proper time. At this time, I am still with the minority report, but I feel that if the amendment is adopted I could abandon the minority and go with the majority report "Ought to pass." I do not know just the proper time to present this amendment.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaufflin, that the House accept the minority report "Ought not to pass." All those in favor of the motion of the gentleman from Port-

land, Mr. McGlaulin, that the House accept the minority report of the Committee on Judiciary on Bill "An Act relating to the Publication of Legal Notices, Legal Advertising and Other Matter Required by Law to be Published in a Newspaper" 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 Public Health reporting "Ought to pass" on Bill "An Act Repealing the Law relating to the Board of Barber Examiners" (H. P. 1198) (L. D. 474)

Report was signed by the following members:

Messrs. Elliot of Knox
Friend of Somerset
—of the Senate.
Palmer of Charlotte
Downs of Rome
Ramsdell of Dayton
Bowers of Sherman
—of the House.

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

Report was signed by the following members:

Messrs. Owen of Kennebec
—of the Senate.
Townsend of Bangor
Colby of Paris
Everett of Norridgewock
—of the House.

Mr. EVERETT of Norridgewock: Mr. Speaker, as I believe that this measure does away with a very important health measure, I move that the minority report of the committee "Ought not to pass" be accepted.

The SPEAKER: The gentleman from Norridgewock, Mr. Everett, moves that the House accept the minority report "Ought not to pass" on Bill "An Act Repealing the Law relating to the Board of Barber Examiners." The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, and members of the House: I introduced this bill by request, and I want to say that every barber with whom I have come in contact is for it. At the hearing—and the hearing was well attended—everyone spoke in favor of my bill, which really is

against this barber board. There were several representatives and several barbers, and the only opponents to this bill were members of the barber board themselves and one or two barbers from the larger towns. The smaller cities and towns certainly do not want this bill, and every barber with whom I have come in contact and a dozen or so of the members of this Legislature have told me the same thing, that they are against the barber board. They think it is most unwise and unfair and I think public sentiment in Maine is sick and tired of all these boards. I hope the motion of the gentleman from Norridgewock, Mr. Everett, will not prevail.

Mr. NOYES of Franklin: Mr. Speaker, I am glad to be able to agree once more with the gentleman from Rockland, Mr. Sleeper. This board was one of those things that we created here two years ago.

As one member of the House recently said on the floor, there is one member here who has hay fever every time he goes past a board-pile. I think perhaps I ought to defend my position.

We have seen introduced before this Legislature demands for boards for paperhangers, painters, watchmakers, architects, and I do not know what more, but it is simply the outgrowth of the boards we have already created.

Now the present board of barber examiners do not go into the small towns of less than one thousand people. That was an amendment which was passed two years ago. I heard indirectly from a certain inspector of one of our boards that it was the intention, as new faces appeared in the Legislature, to extend this barber board into all the towns in the state.

I feel that this is an unnecessary activity and may well be eliminated. I hope the motion of the gentleman from Norridgewock, Mr. Everett, does not prevail.

Mr. PAUL of Portland: Mr. Speaker, I move that this matter be tabled and specially assigned for Friday.

(Cries of "No, No")

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that the two reports of the Committee on Public Health, and the accompanying bill, lie on the table pending the motion of the gentleman from Norridgewock, Mr. Everett, that the minority report "Ought not to pass"

be accepted, and be specially assigned for Friday. All those in favor of the motion will say aye; those opposed no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Norridgewock, Mr. Everett, that the House accept the minority report of the Committee on Public Health, reporting "Ought not to pass" on Bill "An Act Repealing the Law relating to the Board of Barber Examiners." Is this the pleasure of the House?

Mr. PRATT of Turner: Mr. Speaker, I feel that I have returned home.

Several years ago this bill was presented, I think, for the first time, back in 1929, and it was turned down. It was presented again in 1931 and it was also turned down. I think it was presented at every session of this House until the last session of the Legislature, when it was accepted and an amendment drawn that certain towns under 1,000 inhabitants should be exempt.

At that time, I think the majority of the barbers felt they wanted this bill passed, but since it has been passed, I think you will find when you talk with most of the barbers in the State of Maine, you will find they are opposed to it. It has not done them any particular good and has not done anyone any particular good, and I know it works certain hardships in some of the smaller towns where they did come under this bill.

I know of one barber in particular who was a poor fellow, and this was all the way he had to get his living. He used to cut hair and shave. At the present time his hand is kind of shaky and all he does is cut hair. In the barber bill it says that no one shall cut hair in any place where food is prepared. This particular barber, last summer, after he secured his license, moved into his front room, consequently he was allowed to cut hair. This winter—he was a very poor fellow, practically on the town but not quite, just barely getting by—he moved back into his kitchen and continued to cut hair.

I was told while I was home this week-end on very good authority that the inspectors had been there and told him he must cease. It will be a case of the town taking care of this fellow where before he has

been getting along without any assistance. I have his name in my pocket, and his name is on the old age assistance list, and if he passes the old age investigation he will be taken care of.

I contend that as long as anyone is willing to go in there and have their hair cut in his kitchen, if he is willing and he is willing, it is nobody's business in the State of Maine but his and theirs. (Applause)

Mr. RAMSDELL of Dayton: Mr. Speaker, I move that when the vote is taken it be taken by a division.

Mr. PAUL of Portland: Mr. Speaker, I did not have any desire to speak on this measure this morning, in fact I did not know it was on the calendar until I came into this House.

This is a measure to which I have devoted considerable time, and I knew considerable about it two years ago. The measure came into the House as a health measure, and it was thoroughly debated and passed by a substantial majority.

Now from our experience in the western part of the State, the larger centers, which cover perhaps more of the summer tourist business, has been that this bill has materially assisted the Maine barbers.

Up until the last two years, we have had dozens and dozens of barbers coming into Maine from Massachusetts, New York, Rhode Island, and, in fact, farther west than that, and opening up their summer shops and carrying on their business and taking that barbering business away from Maine people. This bill has worked out an equitable adjustment for our Maine citizens.

I have no particular desire either way on this measure, but, as I looked at it two years ago, it is a health measure. We have attempted to bring the barbers up to a certain standard. I believe from my experience with the barbers that I come in contact with that they want this law, and I should be very disappointed if it were killed.

Mr. SLEEPER of Rockland: Mr. Speaker and members of the House: I am very glad that the gentleman from Portland, Mr. Paul, has spoken, because I did not want to enter into this discussion. I will now admit that at that hearing everyone who was opposed to the repeal of the barber board came from Portland, and I do not really think that

the rest of this State should be afflicted with some law which should be a city ordinance of the city of Portland.

Do not get me wrong in that. I simply mean that because Portland is a large city and has a very efficient sanitary department there, I think if they had a city ordinance they would be well taken care of. I do not think the law should be imposed on the entire State just to take care of one city. I am speaking the absolute truth when I say that the only opposition to the repeal of the barber board came from the city of Portland. I come from a city, not a large one, but I find the barbers there do not favor this board. There were also representatives there from Biddeford and Sanford, and those are pretty good sized towns. These men were not in favor of it.

I also want to appeal to the members of the House who come from the smaller towns which opposed the creation of this barber board two years ago and as a last resort did get an amendment so that it would not apply to towns up to 2,000 population. The original bill applied to the entire State. So I would like, if possible, to have the members who represent towns of less than 2,000 help save us from this affliction which they tried to inflict upon them the last time when they were stepped on.

I hope that the motion of the gentleman from Norridgewock, Mr. Everett, will not prevail, and that we will rid the State of this so-called barber's board.

Mr. PAYSON of Portland: Mr. Speaker and members of the House: The Speaker has let the cat out of the bag—I am from Portland. I have not the slightest hesitancy of speaking on this measure despite the eminent gentlemen who have spoken in opposition to what I have to say. I find I have got to a point where I am opposed by eminent gentlemen quite frequently—without meaning any odious comparison to the members of the House.

Two years ago, when this bill came in here, you heard all sorts of opposition. We were told that it would result in increase in prices and all kinds of hardships if this measure went through. You see you are not getting that at this time. It is just sort of a general opposition to the bill.

I believe this bill has done a great

deal of good in the whole State of Maine in taking care of sanitary conditions in barber shops, and I believe that the State of Maine is entitled to the protection which the bill gives. I hope that the motion of the gentleman from Norridgewock (Mr. Everett) prevails.

Mr. COOK of Lewiston: Mr. Speaker, I happen to be one of those unfortunate ones who is mixed up in the profession. I do not see where it helps the sanitary condition of the shops. I know that the barber shops in my home town were in good shape. They pay a license fee and I do not know what good it did. As the gentleman from Rockland, Mr. Sleeper, said, the public is getting tired of all these commissions and boards. In Lewiston, they are not in favor of this board.

The SPEAKER: The question before the House is on the motion of the gentleman from Norridgewock, Mr. Everett, that the House accept the minority report "Ought not to pass" of the Committee on Public Health on Bill "An Act Repealing the Law relating to the Board of Barber Examiners." Is the House ready for the question? The gentleman from Dayton, Mr. Ramsdell, has asked for a division. All those in favor of the motion of the gentleman from Norridgewock, Mr. Everett, that the minority "Ought not to pass" report be accepted 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-three having voted in the affirmative, and 99 in the negative, the motion did not prevail.

The SPEAKER: The Chair understands that the gentleman from Turner, Mr. Pratt, moves that the House accept the majority "Ought to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair will state that it has been customary in past sessions of the Legislature, during the closing days of the Legislature, for the Chair to put automatically the question of suspension of the rules and give the bills their first and second readings. Of course this question is open to objection by a majority of the House. In accordance with that custom, the Chair will put the question at this time. Is it now the pleasure of the House that the rules be sus-

pended and that the bill be given its first and second reading?

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

House Committee Report

Mr. McGlaulin, from the House Committee on Leave of Absence, reports on the illnesses of the gentleman from Thomaston, Mr. Smith, and the gentleman from Augusta, Mr. Fellows, that each be excused from attending the sessions of the House during their present illnesses.

Leave to Withdraw

Mr. Bird from the Committee on Judiciary on Bill "An Act relating to the Conferring by Corporations of Voting and Other Rights upon Holders of its Obligations" (H. P. 1413) (L. D. 604) reported leave to withdraw.

Mr. Varney from same Committee reported same on Bill "An Act relating to Trust and Banking Companies Acting as Guardians" (H. P. 1635) (L. D. 919)

Mr. Burbank from the Committee on Pensions reported same on Resolve providing for a State Pension for Flora A. Mank of Waldoboro (H. P. 438)

Mr. Hawes from same Committee reported same on Resolve providing for a State pension for Emma Forrester of Litchfield (H. P. 660)

Reports were read and accepted and sent up for concurrence.

Ought not to Pass

Mr. Whitney from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Lincoln Home of Newcastle (H. P. 849) (L. D. 331)

Report was read and accepted and sent up for concurrence.

Mr. Palmeter from the Committee on Public Health reported "Ought not to pass" on Bill "An Act relating to Charges Made by Hospitals Receiving Public Funds for X-ray Pictures" (H. P. 1707) (L. D. 874) which was recommended.

Mr. GOSS of Poland: Mr. Speaker, and members of the House: If it were earlier in the session I should make a desperate fight for this bill. As the bill is now dying and is soon to be executed and buried, I feel that perhaps it is deserving of a few flowers. So members, as time

goes on, we have occasion to hesitate and look about and ascertain just where we are going.

When great inventions are made, the first few machines made are of great value and sell for an almost prohibitive price. As mass production takes place, the price drops until it is within the reach of common people.

I refer mainly to the automobile and the radio. I well remember the first radio I heard. I remember that a neighbor of mine who was pretty well off financially had one of the first radios that was made and it cost approximately \$470. As a small child, I accompanied my father one evening over there to hear a device which consisted of approximately two tables, with an upper and lower deck, with wires running between them and a loud speaker on the piano in another part of the room. To be sure, there was a terrific amount of noise but we did hear something. I have since purchased a little set for \$8.75 which was far superior to that one which cost \$470.

The same thing applies to the automobile. The first car I rode in cost about \$1,000. Poles and trees flew by and the thrill of a lifetime was mine as we rolled along at twenty miles per hour. I have since ridden much faster and easier in a car that cost about half as much and with much more comfort. Now I ask you in all fairness to all concerned: Why should not X-Ray pictures follow along in line and come within the reach of the common people. Even the hospital lobbyist admitted that the actual expense of taking the pictures is practically nothing, and, as near as I can find out, the cost of the film and plate is about fifty cents, many of the machines being donated.

For example, I cite the instance of my wife who misstepped and severely sprained her ankle. We took her at once to our local physician who, after careful examination, stated that he feared a fracture might exist and advised that X-Ray pictures be taken. We immediately asked where we could take her and he said there were two places, one near home where the price would be five dollars, or we might taken her to the hospital in an adjoining town and the price would be ten dollars. We asked him if there was any difference in

the pictures and he said there was absolutely no difference, that the lowered priced pictures would be equally as good as the more expensive ones. We took her there and for five dollars we had three different pictures, which I personally saw myself, and those three pictures cost five dollars.

Realizing that this bill cannot go through with such an overwhelming "Ought not to pass" report of the committee, I merely make these remarks that those who control and monopolize the X-Ray picture machines may realize that there is objection to such excessive prices as are being charged. They seem to lose sight of the fact that it cannot go on forever. There is already a wave of sentiment in this country for socialized medicine coming nearer and nearer, whereby the Government will take control of all medical activity and every human being will have the opportunity to receive treatment and the cost will be levied on all by taxation and there will be no excessive charges for anything. I am not advocating the plan, but it is surely coming and organized medicine is opposing it. The man of ordinary financial circumstances today whose family unfortunately has serious sickness can very easily be financially wrecked.

I mention at this point the instance of a certain member of this House who told me of the happening. His little boy, through some accident, broke his leg. He was immediately taken to the hospital and X-Ray pictures were taken, and the total cost of the X-Ray pictures was \$35. The doctor, not being quite sure in his own mind as to whether the set had been made, advised that the pictures be sent to a bone specialist in Boston. The pictures were sent to the bone specialist and were never returned, but the charge of the bone specialist for looking at the pictures was \$25. When the boy was first taken to the hospital, a doctor happened along, one whom the other doctor knew, and he asked him if he would look at the picture. He did this and I understood the member to say that he did it without even taking off his coat, but the man received a bill for five dollars for examination of the pictures.

Now the members of the committee with whom I have talked know that I have a real issue and some-

thing should be done about it. I wish at this time to extend my appreciation for the courtesy they have shown me in allowing this bill to be recommitted.

In this State, laws have been passed and upheld that regulate prices in other lines. I will not enumerate them but will hurry along. The most important issue that I have in mind is that I still maintain that those who are sick and suffering, over which they have little control, should be furnished with every possible means to restore health at the lowest possible cost.

The SPEAKER: The Chair will inquire of the gentleman if he made a motion.

Mr. GOSS: I did not make a motion, Mr. Speaker, but I will now move that the "Ought not to pass" report be accepted.

Mr. EVERETT of Norridgewock: Mr. Speaker, as a member of the Public Health Committee, I wish to say that we gave every consideration to the gentleman from Poland, Mr. Goss, and his bill. I will not make a motion, but the only thing that bothered us on this bill was not on the cost of the film or apparatus but the ability of the operator. I believe the charge is based on the ability of the operator to read the pictures.

The SPEAKER: The question before the House is on the motion of the gentleman from Poland, Mr. Goss, that the House accept the "Ought not to pass" report of the Committee on Public Health on Bill "An Act relating to Charges Made by Hospitals Receiving Public Funds for X-ray Pictures." Is this the pleasure of the House?

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

Mr. Bird from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Automobile Junk Yards" (H. P. 243) (L. D. 59)

Mr. CLEAVES of Presque Isle: Mr. Speaker, I move that this matter be laid on the table and specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Presque Isle, Mr. Cleaves, moves that the "Ought not to pass" report of the Committee on Judiciary on Bill "An Act relating to Automobile Junk Yards" and accompanying bill, lie on the table pend-

ing the acceptance of the committee report and be specially assigned for tomorrow morning. Is this the pleasure of the House?

Cries of "No, No."

The SPEAKER: All those in favor of the motion that the report and bill lie on the table and be specially assigned for tomorrow morning will say aye; those opposed no.

A viva voce vote being doubted,

A division was had.

Fifty-two having voted in the affirmative and 53 in the negative, the motion to table did not prevail.

Mr. FARRINGTON of Augusta: Mr. Speaker, I think there is some sort of a sentiment in the House in favor of regulation of junk yards, as expressed by the vote which has just been taken. I hope the House will give me the opportunity of presenting an amendment to this bill, which I hope will meet the objections of the Judiciary Committee. For that reason, I move that the bill be substituted for the report, in order that I may present that amendment.

The SPEAKER: The gentleman from Augusta, Mr. Farrington, moves that "Bill An Act relating to Automobile Junk Yards" be substituted for the "Ought not to pass" report of the Committee on Judiciary. The Chair recognizes the gentleman from Rockland, Mr. Bird.

Mr. BIRD: Mr. Speaker, I rise to object to the motion of the gentleman from Augusta, Mr. Farrington. We had a full hearing on this matter in the Judiciary Committee, and we must bring this Legislature to a conclusion after a time. The Committee gave the bill a full hearing, and I think the matter should be dead now. I object to the motion of the gentleman from Augusta, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, if I am not out of order, I would like to explain what I propose in the way of an amendment.

This is Legislative Document 59. On page 2 of it, my plan is to strike out, starting with the second sentence, "or which is not entirely screened at all times from public view of either natural objects, a live hedge or evergreen trees or by a suitable fence well constructed, painted and properly maintained."

The amendment would also change the inspection fee of fifteen dollars to five dollars, and also strike out the last part of the last sentence in Section 1, striking out the words "and describe all fences or planting that is to be used to screen said dump from public view," leaving in that sentence only the words: "All applications shall clearly describe the location applied for."

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Farrington, that "Bill an Act relating to Automobile Junk Yards" be substituted for the "Ought not to pass" report of the Committee.

Mr. VARNEY of Berwick: Mr. Speaker, I think I am correct when I state that, as I heard the proposed amendment, that was all considered by the Judiciary Committee and turned down.

The SPEAKER: All those in favor of the motion of the gentleman from Augusta, Mr. Farrington, that the bill be substituted for the "Ought not to pass" report of the committee will say aye; those opposed no.

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

Thereupon, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

Mr. Bird from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Taxation" (H. P. 1612) (L. D. 914)

Mr. McGlaulin from same Committee reported same on Bill "An Act relating to Soldiers, Sailors and Marines and their Dependents" (H. P. 1627) (L. D. 719)

Same gentleman from same Committee reported same on Bill "An Act relating to Liens" (H. P. 1613) (L. D. 915)

Mr. Thorne from same Committee reported same on Bill "An Act relating to Boards of Registration in Towns of More than Three Thousand Inhabitants" (H. P. 1626) (L. D. 718)

Mr. Varney from same Committee reported same on Bill "An Act relating to Liability of Relatives for Support of Kindred" (H. P. 1585) (L. D. 638)

Reports were read and accepted and sent up for concurrence.

Refer to 90th Legislature

Mr. Miller from the Committee on Labor on Bill "An Act Limiting Hours of Labor to Forty-eight in any Week" (H. P. 1642) (L. D. 754) reported that same be referred to the 90th Legislature.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Hinman from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order, reported a Bill under title of "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare" (H. P. 2222) (L. D. 1164) and that it "Ought to pass"

Mr. Bird from the Committee on Judiciary on Bill "An Act Amending the Unemployment Compensation Law relative to Railway Employment" (H. P. 1322) (L. D. 548) reported same in a new draft (H. P. 2221) (L. D. 1163) under same title and that it "Ought to pass"

Mr. Thorne from same Committee on Bill "An Act relating to the Use of the State Seal" (H. P. 386) (L. D. 104) reported same in a new draft (H. P. 2223) (L. D. 1165) under same title and that it "Ought to pass"

Mr. Weatherbee from same Committee on Bill "An Act relating to Penalty for Operating Motor Vehicle While under the Influence of Intoxicating Liquor or Drug" (H. P. 1638) (L. D. 920) reported same in a new draft (H. P. 2224) (L. D. 1166) under same title and that it "Ought to pass"

Mr. Burbank from the Committee on Pensions on Resolve providing for a State Pension for Artell Cookson of Newcastle (H. P. 440) reported same in a new draft (H. P. 2225) (L. D. 1167) under same title and that it "Ought to pass"

Mr. Plummer from the Committee on Counties on Bill "An Act relating to the Compensation of the National Guard" (H. P. 1408) (L. D. 551) reported same in a new draft (H. P. 2227) (L. D. 1169) under same title and that it "Ought to pass"

Mr. Bowers from the Committee on Public Health on Bill "An Act relating to Premarital Examination" (H. P. 1195) (L. D. 471) reported same in a new draft (H. P. 2230) (L. D. 1170) under title of "An Act relating to Prenatal Examination" and that it "Ought to pass"

Reports were read and accepted, and the bills, having already been printed, were read twice under sus-

pension of the rules and tomorrow assigned.

Ought To Pass

Mr. Murchie from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to the Retirement of the 1936-1937 Deficit" (H. P. 1535) (L. D. 682)

Mr. Hinckley from the Committee on Judiciary reported same on Bill "An Act relating to Voters in Civilian Conservation Corps Camps" (H. P. 1623) (L. D. 716)

Same gentleman from same Committee reported same on Bill "An Act relating to Giving False Alarm of Fire" (H. P. 1328) (L. D. 528)

Mr. Varney from same Committee reported same on Bill "An Act relating to the Interstate Bridge Authority for the Portsmouth-Kittery Bridge and Approaches thereto" (H. P. 1594) (L. D. 693)

Reports were read and accepted, and the bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned.

The SPEAKER: The Chair at this time will announce the appointment of the Committee on Conference on Bill "An Act Relating to Operators' Licenses" (L. D. 746): The gentleman from Dresden, Mr. Stilphen, the gentleman from Lime-stone, Mr. Burgess and the gentleman from Richmond, Mr. Dorrance.

Mr. BIRD of Rockland: Mr. Speaker, I would like to ask unanimous consent to address the House.

The SPEAKER: The gentleman from Rockland, Mr. Bird, asks unanimous consent to address the House. Is there objection? The Chair hears none, and the gentleman may proceed.

Mr. BIRD: Mr. Speaker, this session this morning was a little longer than I expected, and I find that I have to be in Rockland, Maine, at two o'clock on a very important matter that involves death, and I am wondering if the House would consent to take up out of order the ninth unassigned matter on the calendar or continue it to be heard tomorrow morning. Either one or the other would meet with my approval. I move, Mr. Speaker, out of order, to take up the ninth unassigned matter.

The **SPEAKER**: The gentleman from Rockland, Mr. Bird, moves that out of order and under suspension of the rules the House now take from the table the ninth tabled and unassigned matter, 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), tabled on April 6 by Mr. Crockett of North Haven, pending adoption of House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The **SPEAKER**: The question now before the House is on the adoption of House Amendment A.

Mr. **PLUMMER** of Lisbon: Mr. Speaker, I move the indefinite postponement of House Amendment A., for the purpose of offering another amendment that further clarifies the bill.

The **SPEAKER**: The gentleman from Lisbon, Mr. Plummer, moves that House Amendment A. be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Mr. Plummer, of Lisbon, thereupon offered House Amendment B. and moved its adoption.

House Amendment "B" 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 striking out all of Section 2 and inserting in place thereof the following:

'Sec. 2. Publication. The controller shall publish such report in all newspapers published in the state which are entered as second-class matter with the United States Post Office Department and which are published regularly at least 52 times a year.'

Mr. **HINCKLEY** of South Portland: Mr. Speaker, I have no objection to the consideration of the adoption of this amendment by the House, if it will please the weekly newspapers to have it added to this bill, but if the House does adopt it, then I hope that a motion will be made to indefinitely postpone both the bill and the amendment,

Mr. **BIRD** of Rockland: Mr. Speaker, in following the precedent of the State of Maine two years ago in publishing the financial condition of the State in the newspapers I think the present bill where it pro-

vides for it to be published in the dailies would not be sufficient, and I am arguing for the weekly newspapers.

Many persons who live in the cities may see the daily newspapers, but I think the bulk of the people in the State of Maine live in the rural sections, and I think that this amendment should go through because the rural communities are the communities that read the papers. I hope that the amendment will be adopted, and, later on, I hope that the motion of the gentleman from South Portland (Mr. Hinckley) will not prevail.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Lisbon, Mr. Plummer, that House Amendment "B" be adopted. Is the House ready for the question? All those in favor of the adoption of House Amendment "B" will say aye, those opposed no.

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

Mr. **HINCKLEY**: Mr. Speaker, I move that the bill and the amendment be indefinitely postponed.

We have heard a great deal in this Legislature about economy. I think the Appropriations Committee would like to have some help along that line.

I heard a statement in the House the other day that it would cost \$10,000 to print these reports in the paper. My Brother here beside me has just said \$20,000 would be the amount, and I think it is an amount that is well worth saving.

As I saw the report in the paper that came out about two years ago,—and probably every one here in the House saw it also—I will say I doubt if half a dozen members in this House read that report at all. I glanced over it, but I did not know what it was all about, and I do not believe the members here knew what it was all about unless they happened to be public accountants.

I think the people of the State of Maine are entitled to have this money saved. We talk about old age assistance and we are wondering where we are going to get the money. I believe this is a step in the right direction, if we try to save that amount.

Now I am not interested in the newspapers, either for or against them. I do not think they will

either live or die depending on whether or not we pass this measure, but I believe that the people of the State of Maine are entitled to some protection, and I think the bill should be indefinitely postponed.

Mr. BURGESS of Limestone: Mr. Speaker, I want to go on record this morning in the interests of economy, as I know every member of this House is in accord with the economy idea.

I do want to state to the members of the House that in my humble opinion this measure has some merit and that it should be possible for the people of our State to have such financial statements prepared and made available. I do not, however, agree with the measure as now amended, that it should be printed at the expense of \$10,000 to the State; neither do I favor the indefinite postponement of it. In the event that the motion for indefinite postponement does not prevail, I will offer another amendment, which, upon good authority, will cost approximately \$200 and will place the information asked for before the citizens of Maine.

Mr. MARSHALL of Auburn: Mr. Speaker, if we are going to print the financial condition of the State at the end of our fiscal year in any paper, I would simply support the motion of the gentleman from Lisbon (Mr. Plummer) that we print it in all the daily and weekly papers in the State. But I do agree with the gentleman from South Portland, Mr. Hinckley, that it is an unnecessary expense.

I believe, Mr. Speaker and members of the House, that at the close of our fiscal year on June 30th. that a simple statement to the effect that we have lived within our income and paid our bills, given to any newspaper reporter, would be very gratefully received under the heading of news.

Mr. GYGER of Cumberland: Mr. Speaker and members of the House: It seems to me there is still a little bit of misunderstanding in regard to this bill.

As I understand it, Section 2 is repealed, and there is an amendment here to be substituted in place of Section 2, which would make it so that notice will be printed in all the papers that financial notice is available by writing to the State Controller, which will very materially reduce the expense over the previous method.

Mr. BURGESS of Limestone: If I may, Mr. Speaker, enlighten the gentleman from Cumberland, Mr. Gyger: That amendment has not yet been offered. It will be offered in the event the motion to indefinitely postpone does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from South Portland, Mr. Hinckley, that the bill as amended be indefinitely postponed. All those in favor of the motion for indefinite postponement of the bill as amended will say aye, those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill as amended was indefinitely postponed.

Mr. PAUL of Portland: Mr. Speaker, out of order and under suspension of the rules, I move that we reconsider our action whereby H. P. 2131, L. D. 1118 was passed to be engrossed. I will say this: I wish to offer an amendment which will be a clarifying amendment.

The SPEAKER: Will the gentleman give the Chair the item number? Is the item on today's calendar?

Mr. PAUL: I think it was on Monday's calendar.

The SPEAKER: Did the gentleman give the Clerk notice to hold the document in the Clerk's office?

Mr. PAUL: I gave the Clerk notice yesterday.

The SPEAKER: Will the gentleman read the title of the bill?

Mr. PAUL: I beg your pardon, Mr. Speaker, it is the second unassigned matter.

The SPEAKER: Will the gentleman withhold his motion until the matter is reached in the regular order?

First Reading of Printed Bills

Bill "An Act relating to Compensation of the Register of Probate of York County" (H. P. 941) (L. D. 369)

Bill "An Act relating to a Bounty on Seals" (H. P. 2219) (L. D. 1162)

Bills were read twice and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to Elections in the city of Biddeford" (H. P. 1162) (L. D. 481)

Bill "An Act to Amend the Law

relative to Commitment of the Insane" (H. P. 1325) (L. D. 546)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Senate Amendment Rejected

Resolve relative to the Purchase of Land Adjoining Land of the State Military Department at Augusta, known as Camp Keyes (S. P. 539) (L. D. 1105)

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

Amended Bills

Bill "An Act relative to Hunting and Fishing Licenses" (S. P. 629) (L. D. 1143)

Mr. PEAKES of Milo: Mr. Speaker, I move the indefinite postponement of Bill "An Act relative to Hunting and Fishing Licenses" (S. P. 629) (L. D. 1143), and in support of that motion I will say that this bill merely puts it back to the status it is now,—a person must be eighteen years or over in order to obtain a hunting and fishing license in the State. The bill as set up now would probably cost the Fish and Game Department about eight thousand a year in revenue, and under a proposed set-up here residents of the State over seventy years of age would not have to have a license.

The SPEAKER: The gentleman from Milo, Mr. Peakes, moves that Bill "An Act relative to Hunting and Fishing Licenses" be indefinitely postponed. Is the House ready for the question? All those in favor of the indefinite postponement of the bill will say aye; those opposed no.

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

Passed to be Engrossed (Continued)

Amended Resolve

Resolve Appropriating Money for Drilling Artesian Wells in the town of Perry (S. P. 426) (L. D. 970)

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

Passed to be Enacted

An Act relative to Nonresident Fishing Licenses (H. P. 1569) (L. D. 632)

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

An Act relating to Guaranty of Titles of Motor Vehicles and to the Facilitation of the Recovery of Stolen Motor Vehicles (H. P. 2135) (L. D. 1123)

Mr. PAUL of Portland: Mr. Speaker, I move that An Act relating to Guaranty of Titles of Motor Vehicles and to the Facilitation of the Recovery of Stolen Motor Vehicles (H. P. 2135) (L. D. 1123) be tabled until tomorrow morning.

The SPEAKER: The gentleman from Portland, Mr. Paul, moves that An Act relating to Guaranty of Titles of Motor Vehicles and to the Facilitation of the Recovery of Stolen Motor Vehicles lie on the table and be specially assigned for tomorrow morning. Is this the pleasure of the House?

(Cries of No", No")

The SPEAKER: All those in favor of the motion that the bill lie on the table and be specially assigned for tomorrow morning will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was so tabled.

On motion by Mr. Varney of Berwick, the House recessed until two o'clock this afternoon.

After Recess—2:00 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An Act Regulating Automobile Finance Business" (H. P. 2124) (L. D. 1112) tabled on April 10th by Mr. Marshall of Auburn, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. MARSHALL: Mr. Speaker and members of the House: If I may take just a few moments of your time to explain this House Amendment "A" which I will now offer, and then further explain my motion that I will make after it has been offered, to indefinitely postpone Amendment "A" and then, for your consideration, I will offer House Amendment "B". I do this for the reason that House Amend-

ment "A" was not broad enough to exempt all of the financial institutions under the jurisdiction of the Banking Department of the State, and I believe it is the consensus of opinion of every member of the Banks and Banking Committee that House Amendment "B" was the one, in its broader sense, that should be adopted, and not House Amendment "A". With that procedure in mind, I now offer House Amendment "A".

The SPEAKER: The gentleman from Auburn, Mr. Marshall, moves that the House reconsider its action whereby Bill "An Act Regulating Automobile Finance Business" was passed to be engrossed on April 3rd. Is this the pleasure of the House.

The motion prevailed.

Mr. Marshall then offered House Amendment "A" and moved its indefinite postponement, which motion prevailed.

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

House Amendment "B" to H. P. 2124, L. D. 1112, Bill, "An Act Regulating Automobile Finance Business."

Amend said Bill by inserting after the word "corporation" in the first line a comma, followed by these words 'except a savings bank, trust company, national bank or any other bank which is under the supervision of the Bank Commissioner, the principal place of business and home office of which is in this state'.

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

The Chair lays before the House the second tabled and today assigned matter, Bill "An Act Relative to Exemption from Registration Fees of Certain Vehicles Owned by Non-residents" (H. P. 2131) (L. D. 1118) tabled on April 10th by Mr. Paul of Portland, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Paul, out of order and under suspension of the rules, the House voted to reconsider its action whereby it passed the bill to be engrossed on April 4th.

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

House Amendment "A" to H. P. 2131, L. D. 1118 Bill "An Act Relative to Exemption from Registration Fees of Certain Vehicles Owned by Non-Residents."

Amend said Bill by striking out the following sentence: "Provided, however that the state under which such vehicle is registered grants like privileges to like vehicles registered in this state, and to operators thereof."

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

The Chair lays before the House the first tabled and unassigned matter, Bill "An Act Relating to Beauty Culture" (S. P. 144) (L. D. 129) tabled on April 4th by Mr. Butler of Waterville, pending third reading; and the Chair recognizes that gentleman.

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

House Amendment "A" to S. P. 144, L. D. 129, Bill, "An Act Relating to Beauty Culture."

Amend said Bill, in that part designated (c) of "Sec. 4." thereof, by changing the figures **1000 to 1500**; and by striking out the words "6 months" and inserting in place thereof the following: **'1 year.'**

Further amend said Bill in "Sec. 5." thereof, by changing the figures **1000 to 1500**; and by striking out the words "6 months" and inserting in place thereof the following: **'1 year.'**

Further amend said Bill so that the last part of "Sec. 5." thereof shall read as follows: **'instructor has had a certificate to practice hair-dressing and beauty culture under the provisions of this act, for a period of not less than 5 consecutive years, excepting physicians as specified above.'**

Every school in order to qualify under this act shall file a copy of its curriculum with said board. No school shall be permitted to advertise that they guarantee a license to their students and no school shall be allowed to make any promises written or otherwise promising to procure a state of Maine hairdresser's license for their students and it shall hereafter be considered a fraud to do so, and punishable by a 5 year revocation of their license to con-

duct a beauty culture school in this state.

No school of hairdressing and beauty culture within the jurisdiction of said board as provided by this act shall charge or receive any fee, or stipend, or consideration of any kind, for services rendered, or supplies furnished to any person used as a subject in student instruction or training. No such school shall directly or indirectly permit students to practice on members of the public, but this shall not prohibit such students from practicing on each other, or on city, town, county, or state paupers or on students of any 4th, 5th or 6th grades of any school in this state.

The secretary of the board shall provide on request to any applicant who qualifies to the above, with a card permitting the applicant to serve as a model in a beauty school and the secretary of the board shall register and file all the names of these applicants in such a manner as to be available for the public inspection of same.

Mr. EVERETT of Norridgewock: Mr. Speaker, I move the indefinite postponement of House Amendment "A".

The SPEAKER: The gentleman from Norridgewock, Mr. Everett, moves that House Amendment "A" be indefinitely postponed. Is the House ready for the question? All those in favor of the motion of the gentleman from Norridgewock, Mr. Everett, that House Amendment "A" be indefinitely postponed will say aye; those opposed no.

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

On motion by Mr. Everett, the bill was given its third reading and passed to be engrossed in concurrence.

The Chair lays before the House the second tabled and unassigned matter, Bill "An Act Regulating the Operation of Motor Vehicles" (H. P. 2058) (L. D. 1094) tabled on April 4th by Mr. Farrington of Augusta, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. FARRINGTON: Mr. Speaker, I move that the House reconsider its action whereby this bill was passed to be engrossed. I make this motion in order that I may present an amendment.

The SPEAKER: The gentleman from Augusta, Mr. Farrington, moves that the rules be suspended and that the House reconsider its action whereby it passed this bill to be engrossed on March 29th.

Thereupon, under suspension of the rules, the House voted to reconsider its action whereby this bill was passed to be engrossed.

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

House Amendment "A" to H. P. 2058, L. D. 1094, Bill, "An Act Regulating the Operation of Motor Vehicles."

Amend said Bill by striking out the word "highway" in the ninth and eleventh lines of Section 1 and inserting in place thereof the word 'way.'

Further amend said Bill by striking out the second paragraph thereof, which reads as follows:

"Operators of motor vehicles approaching each other from opposite directions on the highway shall keep said motor vehicle to the right of the center line of the highway."

Further amend said Bill by striking out the fourth paragraph and inserting in place thereof the following:

'No person shall walk along a public way where there is a sidewalk or path provided for the use of pedestrians, and along public ways where there are no sidewalks or paths, or those provided are obstructed or otherwise unsuitable for travel, pedestrians shall walk only on the extreme left side of said way facing approaching traffic.'

Further amend said Bill by striking out the words "a light or reflector visible in both directions" from the fourth and fifth lines of Section 5.

Thereupon, House Amendment "A" was adopted.

Mr. GRUA of Livermore Falls: Mr. Speaker, I would like to move at this time for the indefinite postponement of this bill. I think this is legislation, members of the House, that we ought not to be passing. It seems to me this is giving altogether too many requirements for our consideration in operating our motor vehicles. The bill, even as amended, has some very undesirable features. It says that all motor vehicles shall pass on the right-hand side of the highway at all times except when there is an obstruction.

Now, gentlemen, if that bill had

been in force this morning, I should have violated that law on the way to Augusta. With all the chuck-holes and all the ice and snow that gathers in the road, you know and I know that we swing back and forth on the highway wherever the highway is not in proper condition.

Under our present statutes a man is required to operate his automobile in a reasonably careful and prudent manner, and it seems to me that is all we ought to be required to do. I do not believe that we ought to make these finicky rules and regulations so that a policeman can tap us on the shoulder and say, "I have got you now; you have done something." He may not arrest you, may not have you in before the court, but he has got your name on his little book, and the next time you come up he may remind you of the fact he can also make complaint for this prior violation.

Now this bill provides for very heavy penalties for violations, and the regulations are such that nobody, if you were to follow the strict wording of this bill, could walk across the road. It says pedestrians must walk on the left-hand side. If you should happen to stop on the right-hand side of the road and wanted to cross over and talk to somebody on the other side, under the strict interpretation as I read it in this bill, you would have no right to cross that highway; you would have to walk on the left-hand side only.

Now you know and I know that many of us for years have been taught to walk on the right-hand side and to keep on the right-hand side, and we are going to have a great many of our older people at least who are going to continue to do that. They may do it thoughtlessly or indifferently. This bill will make them criminals, although they will only be doing what they have been doing all their lives. Gentlemen, I do not like this sort of legislation. I think this sort of thing should be done by proper education, and the police can help a great deal by encouraging people to observe these reasonable precautions. You and I naturally, if we are reasonably prudent people, keep on the right-hand side of the road. But if there is nobody on the highway, there is no reason why we should not use the other side if thereby we can avoid a chuckhole or a

puddle of water or an icy place. In the winter time, when the roads are plowed out, there is just one path down the center, and when you get out into the country there is very often only a narrow track and there are not two sides of the road. What are you going to do then?

Now there is another provision in that bill that I dislike, and that is that nobody can step on the running-board of a car and even proceed a block. It frequently happens that someone drives up past you as you are walking to your office or place of business, and he wants to see you down there and you step up on his running board, and you are carried down there, or at least you have that privilege. I have heard of no accidents of any consequence as a result of that, and yet, by virtue of this bill, you would become a criminal if you did that. If your dog happens to be walking with you, he can step up on the running board and ride down to the store, but you are not allowed to. Now, gentlemen, you and I have less rights than my dog. (Laughter and applause)

Now there is another feature to this bill, and that is that truckmen must keep 300 feet from another truck. I wonder, gentlemen, on crowded days like the first Monday in September, when so many people are going back, just how the truckmen would get along on the highways down by Old Orchard or along that section, if they had to keep 300 feet away or run the risk of being arrested for not doing so.

Why put in all these little technical things that the officers can use against us? Why not leave it that every man must operate his automobile in a reasonably careful and prudent manner and let them prove in court that we have been unreasonable, rather than leave the law so that they have a dead open and shut case against us as they have now in a great many of these stop-sign violations. You know and I know that the great majority of people, when they come to a stop sign, if there is no traffic either way, they shift into second and move along onto the highway without even coming to a complete stop. But they have violated the law, and if there is a cop around, he makes a notation of it. In some of our places, the Constable makes a nice little bit of money on the side by being behind a rock out there to see just who

does not come to a complete stop and who does, and then hailing them before the nearest Trial Justice who is in sympathy with that sort of thing.

Now it has come to my attention, and I think it has come to the attention of most lawyers, that while most of our officers are fine fellows and are trying merely to encourage people to drive carefully, there are others who are more interested in securing convictions than they are, apparently, in preserving good order on the road. I had a case where I represented a fellow in court who was arrested for reckless driving, and I thought that he had a very good chance to prove that he was not guilty. I suggested that he take it to the jury, because I did not think that he could be convicted. But the officer in charge said, "I have on my books where this man has passed a stop sign two different times without coming to a complete stop." I also have on my books where he was guilty of speeding, exceeding the speed limit in the residential section. If you do not plead guilty, I will make complaints on these other three charges."

Do we want the officers to have that sort of a hold over our people by making records of these technical violations? Let us leave it so that we will make just as few laws as we can and still be able to govern ourselves properly. I hope very much that my motion for indefinite postponement may prevail.

Mr. HINCKLEY of South Portland: Mr. Speaker, I do not want to talk on the merits of this bill as such, but I do want to refer to the amendment which this House has just adopted, and I wish that the members would look this amendment over and see if they understand it. I confess that I have read it over two or three times, and I cannot understand it. It says, "No person shall walk along a public way where there is a sidewalk or path provided for the use of pedestrians, and along public ways where there are no sidewalks or paths, or those provided are obstructed or otherwise unsuitable for travel."

Now, as far as that, I can understand it, but they put a comma there, and then they say "pedestrians shall walk only on the extreme left side of said way facing approaching traffic."

Now I confess that I do not un-

derstand how that can hook up with the first part I have read, and I wish that it might be explained.

Mr. FARRINGTON of Augusta: Mr. Speaker, possibly I cannot explain that to the gentleman from South Portland, Mr. Hinckley. It was clear enough to me when I drew it up, but I do not know how to explain it.

Speaking for the Committee on Motor Vehicles on this bill, I will say that we reported it out favorably largely because the Highway Safety Division felt that it would be of great assistance to them in their safety program. If the members of this body do not agree with that, they are perfectly at liberty to so express their feelings in their vote on the matter, and there will be no feeling on the part of the committee.

I would like to say before I sit down, that while I agree with the gentleman from Livermore Falls, Mr. Grua, that he should have as much right as his dog, I would also say that I think all of the members of this House have more regard for his life than we have for that of a dog.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that Bill "An Act Regulating the Operation of Motor Vehicles" as amended, be indefinitely postponed. All those in favor of the motion for indefinite postponement will say aye; those opposed no.

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

The Chair lays before the House the third tabled and unassigned matter, Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" (H. P. 1312) (L. D. 535) tabled on April 4th by Mr. Noyes of Franklin, pending adoption of Committee Amendment "A"; and the Chair recognizes that gentleman.

Mr. NOYES: Mr. Speaker, I did not know that I tabled the bill. I have no motion to make.

The SPEAKER: The pending question is on the adoption of Committee Amendment "A". Is the House ready for the question? Is it the pleasure of the House that Committee Amendment "A" be adopted.

Thereupon, Committee Amendment "A" was adopted.

The Chair lays before the House the fourth tabled and unassigned matter, 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 and tabled on April 5th by Mr. Cowan of Portland, pending the motion of Mr. Pratt of Turner, that the House recede and concur with the Senate in the indefinite postponement of the bill. The Chair recognizes the gentleman from Portland, Mr. Cowan.

Mr. COWAN: Mr. Speaker, do I understand that motion is divisible?

The SPEAKER: The motion is divisible and will be divided on the request of any ten members of the House.

Mr. COWAN: Mr. Speaker, I would ask that the motion be divided, and I will then ask that the House adopt the motion to recede, because I want to offer an amendment.

The SPEAKER: The gentleman requests that the motion be divided. In accordance with the rules, any divisible motion will be divided on the request of ten members. All those in favor of the division of the motion 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 ten having arisen, the motion will be divided.

The question now before the House is on the motion of the gentleman from Turner, Mr. Pratt, that the House recede from its former action whereby this bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

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

House Amendment "A" to H. P. 6, L. D. 13, Bill, "An Act Authorizing Peabody Law School to Confer Degrees."

Amend said Bill by striking out all after the enacting clause and substituting therefor the following:

'Peabody Law school, a corpora-

tion located in Portland in the County of Cumberland, shall have power and authority to confer the degree of Bachelor of Laws upon all persons who shall, having had not less than two years of college training, have completed satisfactorily at least a three years' course in law in said school.'

Mr. MCGLAUFLIN of Portland: Mr. Speaker, I wish to call the attention of the House to a fact that I did not know when I opposed this measure a few days ago, and that is that this school is not approved by the American Bar Association, and stands listed among the unapproved schools.

I am one, Mr. Speaker, of about fifteen members of this House who holds two college degrees. I hold the degree of Bachelor of Philosophy from Brown University and the degree of Bachelor of Law from Harvard University, and I know something about the Peabody Law School. I have no desire to hurt that school or to hurt any member of that school, but I want to say to you that I would not swap my diploma from Ricker Classical Institute at Houlton for a L. L. D. from Peabody Law School. I move that the amendment be indefinitely postponed.

Mr. COWAN: Mr. Speaker and members of the House: If I had had the slightest notion that this bill after passing through the Committee on Education would meet with a word of criticism or one word of opposition from a single member of this House, I would never have presented the bill in the first place, but to me after the thing had been explained and after the purpose of the bill had been shown me, after I found out what they wanted, it seemed such a simple thing, such a reasonable proposition, that I just simply went ahead as a matter of course, stuck my neck out and got my head banged. However I am on my feet for the fourth time to speak in favor of a bill that in my opinion should not have called for any oratory whatsoever because the House and Senate should have passed it without any question.

Now because I have had to rise again, I have got to defend the bill, although I hate terribly to take up time on this bill when we have other matters before us that are much more important to many of us. I will not take any more time than necessary. Forgive me for the

time and understand that it is not my bill but one which is thrust upon me.

Now this matter of education, which is the thing involved in the question that we are discussing here,—the attitude of the Legislature of the State of Maine over a period of more than one hundred years has been to encourage men and women when they are willing to do something for education. When they are willing to give their time and their efforts and their money, in order to assist in the education of our boys and girls, the Legislature has said: "God bless you, go to it and if there is anything that we can do to help you that does not cost anything, we will give it to you."

Now this question of degree asked for here is degree privilege. That is not anything you need in the State of Maine. Gentleman, on several occasions schools have come before the Legislature of the State of Maine and have asked for the privilege of granting degrees to its boys and girls who have satisfactorily passed a satisfactory course of study, and except for one case, as far as I know—I do not know all the history of the State of Maine—I used to be a high school teacher and held two terms as superintendent in the State of Maine, so I know something about education in the State of Maine—and except in one case, I personally do not know of any request which has been turned down.

Two years ago, when one institution in Maine asked for the privilege, there was such great jealousy on the part of another institution, that the request was not granted.

Now you know that there are schools of high school grade in the State of Maine that have the privilege of granting degrees, and no one has yet suggested that the Board of Trustees of those schools would misuse their power. The school at Kents Hill, a very fine school, one of the finest we ever had, has that right. They do not go out and give degrees to everybody who has passed the course of study laid down for high schools by our State Educational Department, but they have the right to grant degrees under certain circumstances, and no one ever suggested that they would abuse it.

The school at Portland, formerly

Westbrook Seminary, — it passed through various forms and now we have Westbrook Junior College, I think it is,—has for many years had the right to grant degrees and no one ever suggested that the right should be taken away, and they have never misused it. It was given to them and given to Kents Hill, and perhaps other schools, I do not know, for the purpose of encouraging the Trustees in their desire to assist in the education of the boys and girls of Maine.

This very session of the Legislature has granted the school from which the gentleman from Portland, Mr. McGlaulin, graduated—Ricker Classical Institute—one of the finest of our schools by the way—they have granted to them exceptional rights and powers, and very properly too. Now I did not oppose that because I thought it was a fine thing, a wise provision, and the gentleman from Portland, Mr. McGlaulin, did not oppose it; he appeared before the Committee on Education and very actively favored it.

Now what are we asking here? We have a school that is established. The arguments against the school are that it has no prestige. That is one of the arguments. There are other arguments. Of course it has not much prestige. What we are asking is that you assist us in turning out and maintaining a first class school to which we can safely send our boys and girls so that they will get the education they want. Now it is true you have to trust that to somebody. You have to trust the right of giving degrees to somebody. You have a Board of Trustees there and I challenge anyone here to look over the list of eminent gentlemen who are on the Board of Trustees of that school and say whether in his opinion any one of that Board would be willing that the degree power would be used improperly. I really do not like to take up more time. Pardon me just a moment for taking up something that the gentleman from Portland, Mr. McGlaulin, just spoke of.

Now I have no fear of tearing off the covers of the American Bar Association at all. For the benefit of any laymen here, there is in the State of Maine an association of professional men. In the legal fraternity we have the County Bar Association. In the medical fratern-

ity the County Medical Association. Now those Bar Associations in the county and those Medical Associations in the county are very important organizations and do a lot to see that you people are not imposed on by shysters and that things are run the way they should be.

We have in the State of Maine a State Bar Association and we have a State Medical Association. No one ever yet figured out what they were for except for social purposes. Then we have in this country a National Bar Association and a National Medical Association, and no one has yet figured out what they were for except to pay secretaries' salaries and have good times, but they do some good. They carry on investigations and things like that. But when the name of the American Bar Association is read here and it is stated that this school is not on the approved list of the American Bar Association, I want to tell you one or two things and I am through. By way of comparison—so you will more easily understand it—I am going to speak of the American Medical Association.

The American Medical Association has been having quite a war with various hospital units and with doctors who have worked in various hospitals, and certain doctors have been ostracised because they have been willing to give their time in assisting their fellowmen in hospitals not approved by the American Medical Association.

In the State of Maine—and again I am speaking somewhat in ignorance—we have a lot of hospitals. We have one in Brunswick, several in Portland, one here, some in Lewiston, and all over the State, where good work is done, and nobody can say that because they are not approved by the American Medical Association that they are not worthy of our consideration. As far as I know, there is only one hospital in the State of Maine that has an A rating with the American Medical Association.

Now on this matter of Bar Associations and this matter of small schools, it so happens that the American Bar Association has a certain standard under which it approves Class A schools. Its standards call for certain requirements that bar out a great number of the best law schools in the country.

There are two theories of education—two theories of education along the line of law. There is the

very fine Harvard Law School, with an enormous amount of money, able to pay its instructors \$15,000 a year, full time men, and there is in Massachusetts Boston University Law School, an equally fine one, and I think that those in this body who graduated from Boston University are just as proud of their degrees and like to write L.L.D. Boston University just as much as Judge McGlaflin likes to write L.L.D. Harvard. Harvard is a very fine school, but only a few years ago could not have been approved under the present standards of the American Bar Association because it believed in the theory of part-time instructors.

There are others who believe in the theory of taking active lawyers, men who are trying cases every day of their lives and inducing those men to come in to instruct the boys and girls in that school how to practice law and the principles involved. Anybody who will say that the theory of education in one of those schools is better than the theory in the other is a wiser man than I am. I say that both are good.

What have we got at Peabody? If we had the wealth, the funds of an institution like Harvard with three hundred years of growth, gifts of land producing millions, donations from all sources, if we had something like that, we would say very well. Perhaps it would be wise to adopt the Harvard form of public instruction with full time instructors and pay them twelve or fifteen thousand dollars a year. But we have not that money. We do have the Boston University system of instruction, and we draw from our local attorneys, the finest men we can get to give instruction in that school. We have four or five young men who are teachers there and I defy you to find better men among the teaching ranks of any law school in the country. That is the story.

Now there is a motion here to indefinitely postpone this amendment to this act. The amendment I am told meets the objection of a large number of those who felt dubious about granting them this right. I didn't put it in earlier because I thought it was a reflection on the Trustees of the school. I now find that they are not so thin-skinned and are willing to have it put in, so I hope the motion to indefinitely postpone will not prevail and that you will pass

the amendment and send it back for enactment.

Mr. THOMPSON of Castle Hill: Mr. Speaker and members of the House: As a member of the Committee on Education, and in part responsible for the report coming out as it did, I would like to say one or two words.

The situation has been pretty well covered. The objection as I heard it in the corridors was due to these things. First, the school had no prestige. It would probably if it had a little stability. Now a degree does not amount to so much anyway. I am going to admit the school has no prestige, because prestige depends upon the extent of its plant, its age, upon its alumni that back it, and only in one way can a small school like this have prestige and that is in the consecrated devotion to purpose of its teachers and the unswerving loyalty of its students. I am going to say that so far as I can learn, this school does possess that.

I went into Aroostook County and I got into the first unfinished house I had ever seen. It looked strange to me, but I found afterwards that just as fine families live in houses where the studding and the floor beams are sticking out as they could in that which I had thought of all along as constituting a home. As Edgar Guest says: "It takes a heap of living in a house to make it home."—and the same is true of a school.

A short time ago I listened to a broadcast portraying the beginning of the University of Maine where two students dropped off at the station and the instructor came down to meet them with a horse and buggy and took them up to a set of farm buildings which has since grown into the largest university in the state, or the only university.

Tuskagee, the finest negro institution in the world, started in a hen-coop. When Booker T. Washington, who was so long its head, invited a couple of negro students to clean out the hen-coop, they said to him: "Wha' fo' boss, you all goin' to clean out dat chicken-coop in de daytime!"

I feel that institution to be the largest single factor in the solution of our race troubles in our country.

What is Mahatma Ghandi! He is only a 97 pound man, and yet he fought the whole British line.

Now in regard to the degree. One

of the opponents of this bill asked a member of the Committee on Education if his clients ever asked him anything about having a degree. He says, "Yes, they do sometimes, and I confess to you gentlemen way down deep in my heart there is some consolation in feeling I can tell them I am a graduate of a reputable law school and have a degree."

I have heard on the floor of this House only two objections, and one of them was this: If you vote to give this school the right to give degrees you will be sorry. That came from a gentleman who made a stirring plea for another school on a parallel basis that it should have the right to grant degrees, which are not granted to a very great extent in this country at the present time. And the second is that it is not approved by the American Bar Association.

Now I know very little about the school except what I heard in the committee and as I have talked with some of the people, but I did hear this: That at the Bar examinations, where, I am told, they expect about one-third of them to fail in the first attempt, the graduates of this school have secured six first places in the short time the school has been in existence, and have also secured four second places.

Now this is the only school that has ever come before the Committee on Education that did not want some money. All this school asks is that we will give it the right to recognize the efforts and attainments of its students as other schools do have at the present time. I know it is small. I know that its growth is slow. I remember an old professor who said to us one time: "Boys, God can make a squash in four months, but it takes one hundred years to make an oak." I want to point out to you that the oak starts from something that is no larger than an acorn, so I leave it to you to decide whether this little school against whose teachers, against whose courses of instruction, against whose graduates, nothing has been said on the floor of this House or in the corridors, should have the right to do that which other schools have at the present time.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaflin, that House Amend-

ment "A" be indefinitely postponed. 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: The question now before the House is on the motion of the gentleman from Portland, Mr. Cowan, that House Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed, and House Amendment "A" was adopted.

The SPEAKER: The question now before the House is on the motion of the gentleman from Turner, Mr. Pratt, that the House concur with the Senate in the indefinite postponement of the bill. The Chair recognizes the gentleman from Portland, Mr. Cowan.

Mr. COWAN: Mr. Speaker, I respectfully urge upon you that you do not vote to concur with the Senate.

Mr. McGLAUFILIN: Mr. Speaker, I merely want to say that in granting Peabody Law School the right to confer degrees you are not helping the Peabody Law School but you are belittling the judgment of this Legislature all over the United States.

The SPEAKER: The question before the House is on the motion of the gentleman from Turner, Mr. Pratt, that the House concur with the Senate in the indefinite postponement of Bill "An Act Authorizing Peabody Law School to Confer Degrees" as amended by House Amendment "A." All those in favor of the motion to indefinitely postpone the bill will say aye; those opposed no.

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

Mr. COWAN: Mr. Speaker, I move that the bill be passed to be engrossed.

The SPEAKER: The gentleman from Portland, Mr. Cowan, moves that the bill be passed to be engrossed as amended by House Amendment "A" in non-concurrence. Is this the pleasure of the House?

The motion prevailed, and the bill as amended was passed to be engrossed in non-concurrence, and sent up for concurrence.

The Chair lays before the House the fifth tabled and unassigned matter, Joint Order Relative to Forbidding Sessions of the House and Senate after 8 P. M., tabled

on April 5th by Mr. Varney of Berwick, pending passage. The Chair recognizes the gentleman from West Bath, Mr. Larrabee.

Mr. LARRABEE: Mr. Speaker, inasmuch as the order presented this morning takes care of this matter, I move the indefinite postponement of the order.

The SPEAKER: The gentleman from West Bath, Mr. Larrabee, moves that Joint Order Relative to Forbidding Sessions of the House and Senate after 8 P. M. be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the order was indefinitely postponed.

The Chair lays before the House the sixth tabled and unassigned matter, Majority Report "Ought to pass in new draft" and Minority Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Create a State Boxing Commission" (H. P. 1668) (L. D. 749) new draft (H. P. 2168) (L. D. 1145); both reports tabled April 5th by Mr. Richardson of Strong, pending motion of Mr. Buzzell of Belfast that the majority report be accepted. The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, at the time I moved that these two reports be tabled, there was pending a motion by the gentleman from Belfast, that the majority report be accepted. In view of the fact that the majority report involved the passage of the measure in a new draft and that draft was not available, I made the motion in order that we might hold up on the matter until the new draft was available. That was my only reason for tabling it. I think that the gentleman from Lincoln, Mr. Weatherbee, can take care of the matter.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Buzzell, that the majority report of the Committee on Legal Affairs, "Ought to pass in new draft" be accepted. The Chair recognizes the gentleman from Norway, Mr. Dow.

Mr. DOW: Mr. Speaker and members of the House: I do not wish to prolong this discussion, but, as some time has elapsed since this was tabled, I would like to state, in just a few words, why the minority of the committee signed the ought not to pass report. First, it is because it establishes a new Commis-

sion. Second, Chapter 51 of the Public Laws of 1937, which was an amendment of the existing statutes, seemed to the minority of this committee to cover the situation very well. In the third place, while this is supposed to be a self-sustaining board, it would seem that it will draw its income from the patrons of boxing. And, while, we are talking about new taxes, it is possible this may be a new taxation on those attending boxing exhibitions.

Mr. WEATHERBEE of Lincoln: Mr. Speaker, inasmuch as the previous speaker has pointed out that some time has elapsed since this matter was discussed, I want to take just about two minutes of your time to report the reasons why I introduced this bill and why I favor its passage.

As the gentleman who has just spoken said, the existing statutes do make some mild provision for the regulation of boxing, yet it seems to be almost impossible to get a proper enforcement of these statutes without some body such as this Boxing Commission to supervise and initiate in our attempt to clean up the sport in the State of Maine, and because, further, the statutes do not go far enough; they only prescribe weights and one or two other provisions like that, and do nothing at all to protect the public from being hoodwinked into paying their money to see brutal matches or come to see one man fight and find that another one is going to appear.

I think that the public needs the protection which this bill would give. As the gentleman from Norway, Mr. Dow, has said, the public will pay a very small amount, a three per cent tax, in order to get this regulation. I think that the protection that the public will get, outside of the invaluable protection to the boys of Maine who are engaged in this sport, will more than offset the three per cent tax they will have to pay.

I have talked with a great many promoters in small towns who take in say \$100 or \$200 on their boxing shows. This would mean they would pay from three dollars to six dollars a show, and they all tell me without exception in the small town that the three dollars or six dollars which they will have to pay would be more than made up to them by the fact that they would be able to offer the public a better and more trustworthy brand of entertainment,

and that they believe that the few dollars which they spend will be more than made up in this respect.

I urge again that the House support the motion of the gentleman from Belfast, Mr. Buzzell, because, as I say, this is a sport involving serious danger for those who participate in it unless it is regulated. It is a sport which the people in the State of Maine paid nearly \$100,000 last year to see, and I believe that those people who paid this \$100,000 a year to see boxing are entitled to some measure of regulation and protection in the quality of that entertainment they are paying for.

I believe this bill should be passed, because the law at the present time, while it is doing some good, is a skeleton law, and it is almost impossible to enforce it. From my own personal experience, I know that for the most part, except in two places in the State of Maine that I know of, the law is not enforced at all. And, reluctant as I am to create any new commission, yet I believe this Boxing Commission would more than justify itself in initiating enforcement of the law and cleaning up the boxing game.

The measure, in the new draft, is self-supporting, because it provides for a very small expense, possibly \$3000 a year, and there seems to be no question but what the sport would raise sufficient money to easily support such a Boxing Commission and probably more than support it.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Buzzell, that the House accept the majority report, ought to pass in new draft. Is this the pleasure of the House?

All those in favor of the motion of the gentleman from Belfast, Mr. Buzzell, that the House accept the majority report, "Ought to pass in new draft," on Bill "An Act to Create a State Boxing Commission" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the majority report was accepted. This being a printed bill, under suspension of the rules, the bill was given its two several readings and tomorrow assigned for third reading.

The Chair lays before the House the seventh unassigned matter, 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, and tabled on April 6th by Mr. Pelletier of Sanford, pending further consideration; and the Chair recognizes that gentleman.

Mr. PELLETIER: Mr. Speaker, and members of the House: In view of the fact that over the week-end the objections which impelled the attaching of Senate Amendment "A" to the bill have been overcome, I would move you that Senate Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Sanford, Mr. Pelletier, moves that the rules be suspended and that the House reconsider its action whereby this bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Senate Amendment "A" was read by the Clerk.

The SPEAKER: The gentleman from Sanford, now moves that Senate Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and Senate Amendment "A" was indefinitely postponed in non-concurrence.

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

House Amendment "A" to H. P. 1981, L. D. 1051 Bill "An Act Relating to Election of Commissioners of Police in Sanford."

Amend said Bill by striking out the word "meeting" wherever it appears in Section 1 and inserting in place thereof the word "election."

Further amend said Bill by striking out the last sentence of Section 1 as follows: "The members of the board shall be elected from the 2 political parties receiving the largest number of votes in the town in the last preceding state election."

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

The Chair lays before the House the eighth tabled and unassigned matter, Communication from the Governor (S. P. 643) which came

from the Senate, read and referred to the Committees on Appropriations and Financial Affairs and Judiciary jointly, tabled on April 6th by Mr. Varney of Berwick, pending reference in concurrence; and the Chair recognizes that gentleman.

Mr. VARNEY: Mr. Speaker, apparently because the State of Maine did not jump when they received a notice from the Federal government to the effect that they were not going to pay for the support of the Maine Unemployment Compensation Commission, the Federal government has now apparently started to make some provision to see that they are paid. Because of the fact that it now appears that it would not be necessary for Maine to take any action, I now move that this communication be placed on file in non-concurrence.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the communication be placed on file in non-concurrence. Is this the pleasure of the House?

The motion prevailed and the communication was ordered placed on file in non-concurrence and sent up for concurrence.

The Chair lays before the House the tenth tabled and unassigned matter, House Amendment "C" to Bill "An Act Relative to Closed Time on Deer" (H. P. 2099) (L. D. 1102) tabled on April 7th by Mr. Varney of Berwick, pending adoption; and the Chair recognizes that gentleman.

Mr. VARNEY: Mr. Speaker, I will simply say that I tabled this matter because of the time it came up before the House. I thought we should have a full attendance of the House when the matter was acted upon.

House Amendment "C" was read by the Assistant Clerk, as follows:

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

Amend said Bill by inserting "Hancock" after the word "Cumberland" in the fifth line thereof.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Southwest Harbor, Mr. Norwood, that House Amendment "C" be adopted. Is this the pleasure of the House?

Mr. NOYES of Franklin: Mr. Speaker, I stated before this House

a few days ago that I did not know what to do about this deer bill. Apparently I cannot do much about it. While I was home over the weekend, I talked with several hunters, some of whom I know to be reliable citizens. They told me this: You can make the season one month or ten days, but remember this—there are still twelve months in the year. You can take that to mean most anything. Those fellows do not like it. They do not like to lose that December hunting.

Simply for the record, I move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that House Amendment "C" be indefinitely postponed.

Mr. NORWOOD of Southwest Harbor: Mr. Speaker, the reason for presenting this amendment was that I noticed that several of the counties had placed themselves in the one month open season, the month of November, and Washington and Hancock had on open season from the twentieth of October to the first of December. A few days ago we adopted an amendment in this House taking away the ten days in October in Washington County and leaving them with just the month of November. I talked over the telephone with the head of a Fish and Game Association in Hancock County, and he felt that he could talk for both associations. He said that he would back me up in placing this amendment. Personally, I have no personal feeling, because I am not a hunter. I merely presented the amendment for the benefit of those who do hunt and whom I believe would be interested in this amendment. I hope the motion of the gentleman from Franklin (Mr. Noyes) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Franklin, Mr. Noyes, that House Amendment "C" be indefinitely postponed. All those in favor of the indefinite postponement of House Amendment "C" will say aye; those opposed no.

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

The SPEAKER: The question now before the House is on the motion of the gentleman from Southwest Harbor, Mr. Norwood, that House Amendment "C" be adopted. Is this the pleasure of the House?

The motion prevailed, and House Amendment "C" was adopted.

The SPEAKER: The Chair understands that the gentleman from Franklin, Mr. Noyes, now moves the indefinite postponement of Bill "An Act Relative to Closed Time on Deer." All those in favor of the motion of the gentleman from Franklin that the bill be indefinitely postponed will say aye; those opposed no.

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

Thereupon, the bill was passed to be engrossed and sent up for concurrence.

The Chair lays before the House the eleventh tabled and unassigned matter, Bill "An Act Relating to Commitment of Juvenile Delinquents" (H. P. 2170) (L. D. 1138) tabled on April 10th by Mr. Cowan of Portland, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. COWAN: Mr. Speaker and members of the House: I find in this bill, Legislative Document 1138, whoever drafted it overlooked the fact that under the present law boys who are deaf, dumb, non compos or insane, cannot be committed to the State School, and also they cut down the age from eleven to nine. I am presenting an amendment to take care of those two things.

Mr. Cowan thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 2170, L. D. 1138, Bill "An Act Relating to Commitment of Juvenile Delinquents."

Amend said Bill by inserting after the words "health and welfare" in the 14th line of said Bill the words "Provided, however, that no boy may be committed to the state school for boys who is under the age of 11 years, or who is deaf, dumb, non compos, or insane."

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

The Chair lays before the House the twelfth tabled and unassigned matter, Bill "An Act Increasing the License and Permit Fees for Outdoor Advertising" (H. P. 1995) (L. D. 1062) tabled on April 10th by Mr. Sleeper of Rockland, pending passage to be enacted. The Chair recognizes the gentleman from South Portland, Mr. Hinckley.

Mr. HINCKLEY: Mr. Speaker,

the gentleman from Rockland, Mr. Sleeper, informed me that he might not be able to be here when this matter was reached, and he therefore asked me to state to the House that he had no further interest in the matter. I therefore move that the bill be passed to be enacted.

The SPEAKER: The gentleman from South Portland, Mr. Hinckley, moves that Bill "An Act Increasing the License and Permit Fees for Outdoor Advertising" be passed to be enacted. Is this the pleasure of the House?

The motion prevailed, and the bill was passed to be enacted.

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

Mr. VARNEY of Berwick: Mr. Speaker, I ask permission to address the House.

The SPEAKER: The gentleman from Berwick, Mr. Varney, asks unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. VARNEY: Mr. Speaker, for the information of the House, I would like to call your attention to the fact that at the present time the House has but two matters on the table. I have just made a hasty check of the matters that are pending before the committees and I am surprised to find that there are exceedingly few. I did notice that there are one or two committees that apparently have relatively unimportant bills that have not been reported in as yet. I wish to suggest that those committees—and I do not want to call the names of the committees—I wish to suggest that you make an effort to have a meeting and report those bills in so that we can dispose of them one way or the other. I now move that the House adjourn.

The SPEAKER: The Clerk will read the notices.

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

The motion prevailed and the House so adjourned.