

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Wednesday, April 19, 1939.

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

Prayer by the Rev. Mr. Staples of Gardiner.

Journal of the previous session read and approved.

**Conference 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 Regulating the Operation of Motor Vehicles" (H. P. 2058) (L. D. 1094) reporting that they are unable to agree.

(Signed)

Messrs. Beckett of Washington  
Thatcher of Penobscot  
Elliot of Knox

—Committee on  
part of Senate.

Grua of Livermore Falls

Stilphen of Dresden

Williams of Bethel

—Committee on  
part of House.

Comes from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Final Reports**

From the Senate:

Final Report of the Committee on Inland Fisheries and Game

Final Report of the Committee on Insane Hospitals

Final Report of the Committee on Public Health

Final Report of the Committee on Salaries and Fees

Final Report of the Committee on Towns

Come from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill "An Act to Repeal the Organization of the Plantation of Dallas" (H. P. 946) (L. D. 372) on which the House accepted the report of the Committee on Towns reporting "Ought not to pass."

Comes from the Senate with the bill substituted for the report and

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

In the House, on motion by Mr. Mills of Farmington, the House voted to recede from its former action whereby it accepted the "Ought not to pass" report of the Committee and concurred with the Senate in the substitution of the bill for the report, and the bill was given its two several readings.

Senate Amendment "A" was read by the Clerk and adopted in concurrence, and under suspension of the rules the bill was given its third reading and passed to be engrossed as amended by Senate Amendment "A" in concurrence.

From the Senate: Bill "An Act to Create a State Boxing Commission" (H. P. 2168) (L. D. 1145) which was passed to be engrossed in the House on April 13th.

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.

On motion by Mr. Weatherbee of Lincoln, the House voted to recede from its former action whereby it passed the bill to be engrossed.

Senate Amendment "A" was then adopted and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

From the Senate: Report of the Committee on Library reporting "Ought to pass" on Bill "An Act relating to the Return of Vital Statistics" (S. P. 327) (L. D. 589)

Comes from the Senate, report read and accepted and the bill indefinitely postponed.

In the House, on motion by Mr. Colby of Paris, the House voted to accept the report of the Committee on Library in concurrence and further voted to concur with the Senate in the indefinite postponement of the bill.

From the Senate: Memorial to the Honorable Franklin Delano Roosevelt, President of the United States, Requesting Federal Prosecution of Certain Persons (S. P. 442) on which the House accepted the minority report of the Committee on Judiciary reporting "Ought not to pass" on April 18th.

Comes from the Senate, that body voting to insist on its former action

whereby the majority report, reporting a new draft (S. P. 682) (L. D. 1193) was accepted and the Memorial adopted, and asking for a Committee of Conference and with the following Conferees appointed on its part:

Miss Laughlin of Cumberland, Messrs. Hill of Cumberland and Marden of Kennebec.

In the House:

Mr. McGLAUFILIN of Portland: Mr. Speaker, I move that the House insist and join with the Senate in a Committee of Conference.

The SPEAKER: The gentleman from Portland, Mr. McGlaulin, moves that the House insist and join with the Senate in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed and the Chair appointed the following Conferees on the part of the House:

Messrs. McGlaulin of Portland, Grua of Livermore Falls, and Stilphen of Dresden.

From the Senate: Bill "An Act relating to the Registration and Operation of Motor Vehicles by Non-residents" (S. P. 669) (L. D. 1175) which was indefinitely postponed in the House on April 18th, in non-concurrence.

Comes from the Senate, that body voting to insist on its former action whereby the bill was passed to be engrossed as amended by Senate Amendment "A", and with the following Conferees appointed on its part:

Messrs. Beckett of Washington, Osgood of Oxford, and Elliot of Knox.

In the House:

Mr. WILLIAMS of Bethel: Mr. Speaker, yesterday I did not make any remarks when the motion for indefinite postponement of this bill was made, for two reasons, the first being a lack of voice at that time, and the second reason being that I wanted to look into the matter of constitutionality further, as that was the only argument raised against the bill yesterday. I want to say that since that time I have conferred with a number of other attorneys in regard to the matter, and also I spent a half a day looking up law in regard to this matter. While it cannot positively be determined, any more than it can on a great many bills, whether or not it is constitutional, it appears that it is constitutional. The bill has a great deal of merit, and, in view of the

fact that it appears to me that it is constitutional, I would at this time move the reconsideration of the matter.

The SPEAKER: The gentleman from Bethel, Mr. Williams, moves that the House reconsider its action of yesterday whereby it voted to indefinitely postpone Bill "An Act relating to the Registration and Operation of Motor Vehicles by Non-residents" (S. P. 669) (L. D. 1175). Is this the pleasure of the House?

Cries of "No, No."

The SPEAKER: All those in favor of the motion of the gentleman from Bethel, Mr. Williams, that the House reconsider its action of yesterday whereby it indefinitely postponed this bill will say aye; those opposed no.

A viva voce vote being doubted.

A division of the House was had.

Thirty-five having voted in the affirmative and 49 in the negative, the motion for reconsideration did not prevail.

On further motion by Mr. Williams, the House voted to insist and join with the Senate in a Committee of Conference.

The SPEAKER: The Chair will appoint on that committee Messrs. Farwell of Unity, Otto of Dexter, and Farrington of Augusta.

#### **Reports Of Committees Leave To Withdraw**

Mr. HINMAN from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Advisory Committee on Budget" (H. P. 1537) (L. D. 905) reporting leave to withdraw.

Report was read and accepted and sent up for concurrence.

#### **First Reading of a Printed Resolve**

Resolve Authorizing the Appointment of a Committee to Study the Advisability of a Contributory Retirement System for Maine (S. P. 672) (L. D. 1201)

(Rules suspended and the resolve given its two several readings and passed to be engrossed in concurrence.)

#### **Passed To Be Engrossed**

Bill "An Act Concerning Certain Trunk Line Highways" (S. P. 673) (L. D. 1185)

Bill "An Act relating to Lighting the Mount Desert Bridge" (S. P. 674) (L. D. 1186)

Bill "An Act relating to Fines Paid to Municipal Courts" (S. P. 676) (L. D. 1184)

Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years ending June 30, 1940 and June 30, 1941 (S. P. 679) (L. D. 1190)

Bill "An Act relating to Erection and Equipment of a State Police Barrack in Thomaston" (S. P. 681) (L. D. 1192)

Sent up for concurrence.

The SPEAKER: The Chair at this time will call to the attention of the members the fact that there are several emergency enactors, not only on the calendar this morning, but there will be additional emergency enactors brought in up to the final moments before adjournment, whatever time that may be, and therefore it is particularly important that every member remain in attendance on the sessions up until the closing hours.

The Chair will also call the attention of the members to the fact that as papers come from the Senate, it may be impossible for the Clerk to prepare an Advance Journal, and it is therefore important for members who desire to keep in contact with the papers that are to be acted upon to remain in constant attendance.

#### **Passed to be Enacted (Emergency Measure)**

An Act relating to the Interstate Bridge Authority for the Portsmouth - Kittery Bridge and Approaches Thereto (H. P. 1594) (L. D. 693)

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

One hundred and twenty-seven having voted in the affirmative and none in the negative, 127 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

#### **Passed to be Enacted (Emergency Measure)**

An Act Amending the Unemployment Compensation Law Relative to Railway Employment (H. P. 2221) (L. D. 1163)

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

One hundred and twenty-two having voted in the affirmative and none in the negative, 122 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

#### **Passed to be Enacted (Emergency Measure)**

An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare (H. P. 2222) (L. D. 1164)

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

One hundred and twenty having voted in the affirmative and none in the negative, 120 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

Mr. VARNEY of Berwick: Mr. Speaker, I would like to inquire if the Clerk has in his possession L. D. 1202, "An Act Providing for Joint Financial Participation between the State and its Municipalities."

The SPEAKER: The Clerk informs the Chair that the bill has been returned from the Engrossing Department and is in his hands now.

Mr. VARNEY: Mr. Speaker, I move that we pass this bill to be enacted at this time.

The SPEAKER: The gentleman from Berwick, Mr. Varney, out of order and under suspension of the rules, moves that Bill "An Act Pro-

viding for Joint Financial Participation between the State and its Municipalities" be passed to be enacted.

This is an emergency measure, and requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the Monitors will make and return the count.

A division of the House was had.

One hundred and twenty-one having voted in the affirmative and 4 in the negative, 121 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

### Passed to Be Enacted

An Act to Amend the Workmen's Compensation Act (S. P. 660) (L. D. 1160)

An Act to Provide Moral Instruction for Children in Connection with the Public Schools (H. P. 1312) (L. D. 535)

An Act relating to Giving False Alarm of Fire (H. P. 1328) (L. D. 528)

An Act relating to the Retirement of the 1936-1937 Deficit (H. P. 1535) (L. D. 682)

An Act relating to Voters in Civilian Conservation Corps Camps (H. P. 1623) (L. D. 716)

An Act relating to the Use of the State Seal (H. P. 2223) (L. D. 1165)

An Act relating to the Compensation of the National Guard (H. P. 2227) (L. D. 1169)

An Act relating to Prenatal Examination (H. P. 2230) (L. D. 1170)

An Act relating to the Expenditure of Highway Funds (H. P. 2234) (L. D. 1179)

Resolve Providing for a State Pension for Artell Cookson of Newcastle (H. P. 2225) (L. D. 1167)

Resolve in favor of the towns of Machiasport and East Machias (H. P. 2235) (L. D. 1178)

### Orders of the Day

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

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

Mr. HINMAN: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Skowhegan, Mr. Hinman, asks unanimous consent to address the

House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. HINMAN: Mr. Speaker and members of the House: Some of us who were here two years ago recall that there was a certain group who partly planned a legislative day at Lakewood during the middle of the summer, the idea being that it would give us a chance to a little more closely keep the very friendly acquaintances and associations which we had made during the session. The plans at that time miscarried.

It seemed to me this winter that I saw an opportunity to have better luck during the coming summer, and, for that reason, rather than the desire that you attend Bangor Fair, in order that we may enjoy a Field Day together, and hoping that the Senators from Penobscot and the Representatives from Bangor will help to provide for you, and suggesting that everybody who goes to that Field Day take with them a basket lunch and that they may just have a Field Day together and incidentally enjoy whatever there may be there that we care to see, I extend this invitation. (Applause)

The SPEAKER: The Chair will state that there are no further papers in the House for action at this time.

Mr. FARWELL of Unity: Mr. Speaker, I ask unanimous consent to address the House.

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

Mr. FARWELL: Mr. Speaker, and members of the House: In view of the invitations placed upon our desks at this time by the officials of the Bangor Fair, and through the courtesy of the gentleman from Skowhegan, Mr. Hinman, I move that the House extend our thanks to him for this invitation to Bangor Fair. (Applause)

The SPEAKER: The Chair will suggest that the motion be taken by rising vote. All those in favor of the motion of the gentleman from Unity, Mr. Farwell, will rise.

Thereupon, the entire membership of the House arose.

Mr. VARNEY of Berwick: Mr.

Speaker, in view of the announcement made by the Speaker, I move that the House recess until three o'clock this afternoon.

The motion prevailed and the House so recessed.

#### After Recess—3:00 P. M.

The Speaker in the Chair.

The SPEAKER: Is it now the pleasure of the House to take up, out of order and under suspension of the rules, additional papers from the Senate? The Clerk will first take up the papers that are on Supplement No. 2, A-1, A-2 and A-3.

From the Senate: Bill "An Act relating to Jury Commissioners" (H. P. 2201) (L. D. 1146) which was passed to be enacted in the House on April 18th and passed to be engrossed on April 11th.

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.

Thereupon, the House voted to recede from its former action whereby it passed this bill to be enacted and to further recede from its former action whereby it passed the bill to be engrossed.

Senate Amendment "A" was adopted and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

From the Senate: Report of the Committee on Library reporting "Ought not to pass" on Resolve for the Purchase of "Vital Statistics of Georgetown" (S. P. 286) (L. D. 436)

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Bill "An Act relating to Incurable Insanity as a Cause for which a Divorce may be Granted" (S. P. 666) (L. D. 1172) which was passed to be engrossed in the House on April 14th in non-concurrence.

Comes from the Senate with that body voting to insist on its former action whereby the bill was indefinitely postponed and asking for a Committee of Conference and with the following Conferees appointed on its part: Miss Laughlin of Cumberland, Messrs. Owen of Kennebec, and Burns of Aroostook.

In the House, on motion by Mr.

Varney of Berwick, the House voted to insist and join in the Committee of Conference.

The SPEAKER: The Chair will appoint on the Committee of Conference the gentleman from Berwick, Mr. Varney, the gentleman from Norway, Mr. Dow, and the gentleman from Rockland, Mr. Bird.

The SPEAKER: The House will now take up additional papers appearing on the supplement to the House Advance Journal.

The following papers from the Senate were taken up out of order and under suspension of the rules:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve relating to Reimbursement of Licensees Whose Licenses Become Inoperative Before the End of the License Period (H. P. 2127) (L. D. 1161) reporting that the Senate recede and concur with the House in accepting the Minority Report reporting "Ought not to pass"

(Signed)

Messrs. Littlefield of York  
Marden of Kennebec  
Hill of Cumberland

—Committee on part  
of Senate.

Good of Monticello  
Dow of Norway  
Ford of Saco

—Committee on part  
of House.

Comes from the Senate read and accepted.

In the House, the House voted to accept the report of the Conference Committee that the Senate recede and concur with the House in the acceptance of the "Ought not to pass report."

#### Senate Bills in First Reading

Bill "An Act relating to Registration of Veterans' Graves" (S. P. 686) (L. D. 1203)

Bill "An Act relating to Interest on Small Loans" (S. P. 164) (L. D. 187); in new draft (S. P. 685) (L. D. 1194) under same title.

Bill "An Act in Regard to New Trials on the Ground of Newly Discovered Evidence" (S. P. 285) (L. D. 439); in new draft (S. P. 650) (L. D. 1158) under same title.

(Rules suspended and the bills were given their third reading and passed to be engrossed in concurrence)

Papers from the Senate disposed of in concurrence.

### Final Reports

From the Senate:

Final Report of the Committee on Agriculture

Final Report of the Committee on Judiciary

Come from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Report A of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Labor Relations" (S. P. 417) (L. D. 993)

Report was signed by the following members:

Messrs. Chase of Washington

—of the Senate.

Preble of Millinocket

Marshall of Auburn

of the House.

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

Report was signed by the following members:

Messrs. Miller of Bath

Arzonico of Yarmouth

—of the House.

Report C of same Committee on same Bill reporting same in a new draft (S. P. 689) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. Hill of Cumberland

—of the Senate.

Howes of Charleston

Slosberg of Gardiner

Miss Clough of Bangor

—of the House.

Come from the Senate with Report B read and accepted.

In the House:

Mr. ARZONICO of Yarmouth: Mr. Speaker, I move that the House concur with the Senate in the acceptance of Report B, "Ought not to pass."

The SPEAKER: The gentleman from Yarmouth, Mr. Arzonico, moves that the House accept Report B, "Ought not to pass" of the Committee on Labor.

The Chair recognizes the gentleman from Auburn, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker and ladies and gentlemen of the House: Yesterday I was unable to talk, and I am reminded today of

the Latin maxim, "Hoc vox praetere nihil," which, literally translated means, "Without the voice there is nothing."

But I want to take about two minutes of your time to explain why I signed the report "Ought not to pass" on Legislative Document 993.

In the Republican platform in 1938 there was a plank which called for a Labor Relations Board. In the Governor's Inaugural Address at the opening of our session here this year, there was a further request made for a Labor Relations Board in the State of Maine.

The purpose, as I understand it, of a Labor Relations Board would be to help in the discussion and analysis and settlement of labor disputes rather than to encourage them.

As you ladies and gentlemen know, the fallacy with the administration of any law is the way in which it is administered by those who are charged with its administration. And that has been one of the great criticisms of the administration of our National Labor Relations Act, because of the way in which certain individuals have administered that law and its provisions.

Now this Legislative Document 993 was the result of a recess committee set up by the previous Legislature, I believe the Eighty-eighth Legislature. That committee was made up of former Senator Martin of Bangor, Mr. Cleaves, representing the Associated Industries of Maine, the President of the State Federation of Labor, as I understand it. They brought in this bill. It is rather a voluminous bill, but it did provide for a Labor Relations Board. There were a number of attempts on the part of the members of the committee to bring in a new draft, but it was a new field of endeavor, and it was in the minds of these people very uncertain as to how and what the effect would be on the provisions of the new draft; and at the time Mr. Chase, Mr. Preble and myself signed this report there was no other new draft completely formulated and before us. And that is why we signed the report on this particular bill.

In view of these two things in our platform and in the Governor's Inaugural Address, and sincerely in the belief that this kind of administration of labor affairs would solve some of the problems rather



than create more, we signed this report.

Ladies and gentlemen, without taking any more time, I, as one of the members, will necessarily stick by my position and simply say to you I hope that the motion of the gentleman from Yarmouth, Mr. Arzonico, will not prevail.

Mr. MILLER of Bath: Mr. Speaker, I will not take but a few minutes of your time to explain my position in this matter.

First, I would like to say I do not hold any animosity against labor. As a matter of fact, I am probably one of the few members of this House who has ever been a member of a labor organization. I served my apprenticeship in the Bricklayers and Plasterers International Union of America, which is affiliated with the American Federation of Labor, and was a journeyman in that organization for several years.

We heard before the Labor Commission three bills relating to labor relations. The first was Legislative Document 26, the second Legislative Document 829, and the third Legislative Document 993.

Legislative Document 829 was the one that was recommended by the American Federation of Labor and the one that they would have liked to have seen passed, but the committee, after a very careful study of the three documents, decided that L. D. 26 and L. D. 829 ought not to pass, and then we came to L. D. 993. It was the one, as the gentleman from Auburn, Mr. Marshall, said that the Recess Committee provided. It was not the one that labor wanted, and the two factions of labor that were here at the hearing could not agree on what they really did want. And in view of the fact that they could not agree, I personally consider that labor conditions in Maine have always been very healthful, more so than in most States, let me say, at the present time, and I do not feel conditions warrant setting up a Labor Relations Board at this time. I therefore hope that the motion of the gentleman from Yarmouth, Mr. Arzonico, will not prevail.

Mr. HOWES of Charleston: Mr. Speaker, this afternoon I am not prepared to talk on this matter. However, I wish to say that in the Legislative Committee we had several bills before us. The thing is

stirred up so in Washington we felt some of the bills would not pass. I want everybody to know we were sincere in what we tried to do to re-draft some kind of a simple bill that would go along with the party platform and the Governor's message and give labor something to start with.

I felt at the time of the strike in Lewiston last year—we had no court that the strikers could come before, only an arbitration board—and I felt as though we should have some kind of a Labor Relations Board in Maine. I do not think anyone here would question my statement when I say that if we had had such a board at the time of the strike in Lewiston last year that it would have saved a good many thousand dollars for the city and many millions that labor lost while that strike was being handled. They had many matters to handle in Washington, and it was weeks and months before they came to the Maine controversy. If we had had a Board here at that time, with the amount of work they had before them they would have left it with the Maine Board to settle, and that strike in Lewiston would have been settled long before it was, and, in my opinion, saved the laborers of Lewiston more than a million dollars.

This re-draft, as I have said, is very simple, but it does give labor something, and if in the future they want to establish a board it gives them that privilege. As for myself, you can go back to the country town where I come from, and anyone will tell you that I stood back of the laboring men who have voted for me. I still stand behind labor. I am not saying this for any political reason. Whether I get elected again or not, it doesn't make any difference to me. I have plenty to do at home. But I still believe that when your Republican Party comes out and promises these people something, that if you turn this measure down you are turning down the last thing you have got for them. I hope you do not turn it down. If you want to study this measure further, lay it on the table. I say it is very simple. It gives them little, but it gives them something, and we promised to do it for them.

Mr. ARZONICO of Yarmouth: Mr. Speaker, I would like to make just a few brief remarks along that same

line. It is very true that the platform did have a mandate or a plank in it whereby the party somewhat pledged itself to pass some sort of legislation with reference to labor relations.

If any of the members of this House will recall the public hearing on these three bills they cannot help but remember that at that hearing which was very well represented, labor was very much divided on this issue. I do not believe there is any denying that fact. After these bills went to the committee, we found that the committee was equally divided. We found more than that in the committee. We found, as a committee, that we did not approve of any of these three bills. Therefore a sub-committee was appointed with the thought in mind to re-write one of these bills, which was Document 993. The sub-committee did re-write the bill and submitted it back to the committee. The committee then could not agree on the re-written draft. Therefore the committee found itself in the position it was in when we first started to consider these three bills.

After due consideration, we came out with the report as you see it now.

Now with reference to the Auburn strike, I would say this: That had we at that time had a State Labor Relations Board, in my opinion, I do not think that the difficulty at Auburn would have been settled any sooner or any better than it was settled the way it was settled. If we had had a State Labor Relations Board at that time and that difficulty had been presented to the State Board, there is no doubt in my mind that the decision of the State Board would not have been accepted and the result would have been that it would have been presented to the Federal Board, which as has been stated, took time — weeks and probably months — to come to some conclusion.

I do not believe that the State of Maine at this time needs a State Labor Relations Board. A State Labor Relations Board will have to do only with intrastate commerce. The Auburn shoe business or any other shoe business in the State of Maine is now governed by the Federal Labor Relations Act. We all know that in the short space of time which this act has had it has proven very unsatisfactory not only to labor but industry as well. As a

result today there are now pending before Congress certain amendments to that act with the hope that this session of Congress will do something with the Federal act that will be more satisfactory. I do not think that the plank in the platform was timely at the time it was put in. It is my firm conviction that it was very ill timed. I also think that the presentation of these three Labor Relations bills were ill timed at this session of the Legislature. I think also that a State Labor Relations Board would not correct any of our labor evils, if we have such today. A State Board would merely deal with intrastate commerce and, after all, we know, and must admit, that we have no labor difficulties with those industries that deal with intrastate commerce. I therefore hope that the "Ought not to pass" report will be accepted.

Mr. HOWES: Mr. Speaker, the gentleman from Yarmouth (Mr. Arzonico) says that he considers the bill ill timed to put in the platform. Nevertheless it is in there. I think anybody here will say that I have tried to live up to the platform. I have done things that I did not fully approve of, but I am still living up to the platform. You have got this in the platform and if you want the Democrats to swing this thing next time, go ahead and leave it out. I say, give it to them. This is very simple. It does give a Labor Relations Board and a few other things. I am not satisfied to have this Legislature adjourn with all the promises they have made and do nothing. I hope this bill that Senator Hill brought out in the committee draft will pass. I am sure they will be satisfied. We all know Senator Hill and have high regard for him. He is the one who drafted the bill. I hope you give this bill which has been redrafted as S. P. 689, I hope you give it a passage.

Mr. MARSHALL: Mr. Speaker, not that I want to unduly attempt to influence anybody, but I agree with the suggestion of the gentleman from Charleston, Mr. Howes, that we let this matter rest with us overnight and consider it in the morning. I make that suggestion only because I feel that it is something that ought to be considered. Not that you may change your minds, those who have already crystallized their opinion—but I do feel that it is of such moment and of such importance that we should not act too hastily upon that. In view

of that, I am going to ask the members of this House to leave these several reports on the table until tomorrow morning for further consideration.

The **SPEAKER**: The gentleman from Auburn, Mr. Marshall, moves that the three reports of the Committee on Labor and the bill and new draft lie on the table, pending the motion of the gentleman from Yarmouth, Mr. Arzonico, that Report B be accepted, 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 three reports lie on the table will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Sixty-three having voted in the affirmative, and 48 in the negative, the motion prevailed, the three reports and bill were tabled, specially assigned for tomorrow morning, and 500 copies of the new draft ordered printed.

From the Senate: Joint Order relative to Investigation by Attorney General of the Records of State-owned or Reserved Lands of the State (H. P. 2245) which was passed in the House on April 18th.

Comes from the Senate, indefinitely postponed in non-concurrence.

In the House:

Mr. **GOOD** of Monticello: Mr. Speaker, once more I rise to tell you once more that I take a licking. I want to thank the members of this House for the fine support that they gave me the other day when I introduced this order and it went to the other branch of this Legislature. I feel that this House did me a fine job and I will never forget it. They say memory never dies, and the courtesy that you members of this House have shown me any time I needed help I certainly appreciate.

Now I do not want to convey to this Legislature the idea that the head of the Forestry Department is responsible for this, as I understand some seem to think. This was done way back seventy-five or eighty years ago. I had a long talk with Mr. Seavey today and he explained to me very clearly that this 161 acres which I have been speaking of, which means 161,000 acres of State owned land, that we had owned the land but we did not own the timber on it, as I understood it.

That was sold years ago for two or three cents an acre and the land-owners own it, and they are paying a tax on the timber that is on the land as their stock in trade. That is all we get out of it as I understand it, with the exception of what we get for leases of that land which is leased to camp owners. So I have got nothing more to say. That was done years ago and if a man buys a thing for two cents or three cents or ten cents he owns it. As I understand it, the timber owners own that timber and until some other action is taken they still own it and will own it, and they will cut it as long as we own the land, because they paid for it years ago at the rate of two or three cents an acre. Therefore gentlemen and members of this House, I want to thank you for the courtesy you have shown me any time I have asked any support. (Applause)

On motion by Mr. Hinman of Skowhegan, the House voted to recede from its former action whereby the order received passage, and concur with the Senate in the indefinite postponement of the order.

### Conference 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 relating to the Salary of the Recorder of the Northern Cumberland Municipal Court" (H. P. 687) (L. D. 260) reporting that the Senate recede from its former action whereby the bill was recommended to the Committee on Salaries and Fees; that the House recede from its former action whereby the report of the Committee "Ought not to pass" was accepted; and that both branches concur in the substitution of the Bill for the Report.

(Signed)

Messrs. Spear of Cumberland  
Sanborn of Cumberland  
Miss Laughlin of Cumberland.

—Committee on part of Senate.

Messrs. Pike of Bridgton  
Cowan of Portland  
Gyger of Cumberland

—Committee on part of House.

Comes from the Senate with the report read and accepted and the bill substituted for the "Ought not to pass" report and passed to be engrossed.

In the House, on motion by Mr. Pike of Bridgton, the House voted to recede from its former action whereby it accepted the "Ought not to pass" report of the Committee on Salaries and Fees.

The House then concurred with the Senate in the substitution of the bill for the report, and under suspension of the rules the bill had its three several readings and was passed to be engrossed in concurrence.

From the Senate: Bill "An Act relating to Holidays" (H. P. 1430) (L. D. 631) which was passed to be engrossed as amended by House Amendment "A" in the House on April 6th.

Comes from the Senate, with the bill indefinitely postponed in non-concurrence.

In the House:

Mr. DOW of Kennebunkport: Mr. Speaker, I now move that the House recede and concur with the Senate, and I ask at this time permission to face the House.

The SPEAKER: The gentleman has permission.

Mr. DOW (continuing): Mr. Speaker, in receding and concurring on this bill I will say that I do it because I feel like the man who knew his boss was going to fire him. I am not fired—I quit. (Laughter) But I still feel that the bill is a good bill—I still feel that the majority of the Maine people would approve of the privilege of having six long week-ends, and I also feel that if the bill had passed, that most of the people in Maine would have enjoyed these long week-ends.

I feel now that our present system is most inconsistent and that we do not pay proper respect to our patriots and the people and events which the holidays represent.

Do not look now, but today is Patriots Day, April 19th, and, unless you looked at your calendar, you would not even know it was Patriots Day.

In gratitude to the House for their kindness and interest, and for their support of the bill, I would like here and now to invite them to my next birthday party. I will say this: They are privileged to come, but no matter when my birthday falls during the week, the party will be held on Monday. (Laughter and applause).

The SPEAKER: The question be-

fore the House is on the motion of the gentleman from Kennebunkport, Mr. Dow, that the House recede from its former action whereby it passed the bill to be engrossed and concur with the Senate in the indefinite postponement of Bill "An Act relating to Holidays." Is this the pleasure of the House?

The motion prevailed and the bill was indefinitely postponed in concurrence.

From the Senate: Bill "An Act Amending the Law relating to the Installation of Pick Clocks in Textile Factories" (S. P. 151) (L. D. 124) which was passed to be enacted in the House on April 18th, and passed to be engrossed on April 13th.

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.

Thereupon, the House voted to recede from its former action whereby it passed this bill to be enacted and to further recede from its former action whereby it passed the bill to be engrossed.

Senate Amendment "A" was then adopted and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

### Reports of Committees

(Out of order and under suspension of the rules)

#### Ought not to Pass

Mr. Haskell from the Committee on Education reported "Ought not to pass" on Resolve in favor of Berwick Academy (H. P. 1313)

Mr. Pratt from same Committee reported same on Resolve in favor of Robert W. Traip Academy (H. P. 1410)

Mr. Robie from same Committee reported same on Resolve in favor of the West Lebanon Academy (H. P. 1148)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass

Mr. Haskell from the Committee on Education on the following Resolves:

H. P. 1145, Resolve in favor of Corinna Union Academy

H. P. 1149, Resolve in favor of Somerset Academy

H. P. 1146, Resolve in favor of Hartland Academy

H. P. 867, Resolve in favor of Parsonsfield Academy

H. P. 271, Resolve in favor of Cherryfield Academy

H. P. 866, Resolve in favor of Limington Academy

H. P. 865, Resolve in favor of Freedom Academy of Freedom

S. P. 87, Resolve in favor of Ricker Classical Institute reported a Consolidated Resolve (H. P. 2247) (L. D. 1204) under title of "Resolve in favor of Several Academies, Institutes and Seminaries" and that it "Ought to pass"

A viva voce vote being taken, the report of the Committee on Education was accepted, and this being a printed resolve, the rules were suspended and the resolve was given its two several readings, passed to be engrossed and sent up for concurrence.

#### Ought to Pass in New Draft

Mr. Stilphen from the Committee on Ways and Bridges on Bill "An Act to Provide for the Reconstruction or Enlargement of the International Bridge at Calais, in the county of Washington, known as the Ferry Point Bridge (H. P. 727) (L. D. 303) reported same in a new draft (H. P. 2242) (L. D. 1205) under same title and that it "Ought to pass."

Report of the committee was read and accepted, and this being a printed bill, the rules were suspended and the bill had its three several readings, was passed to be engrossed and sent up for concurrence.

#### Passed to Be Enacted

An Act relating to the Port of Northeast Harbor Authority (S. P. 261) (L. D. 445)

An Act relating to the Making of Certain Reports by State Officers (S. P. 376) (L. D. 794)

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

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

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

#### Finally Passed

Resolve Providing Pensions for Certain Soldiers and Sailors and Dependents (S. P. 670) (L. D. 1176)

#### Passed to Be Enacted

An Act relating to the State Police (S. P. 625) (L. D. 1177)

An Act relating to the Commitment of the Insane; Penalty for False Testimony (S. P. 667) (L. D. 1173)

An Act relating to Alimony (S. P. 668) (L. D. 1174)

An Act Authorizing Peabody Law School to Confer Degrees (H. P. 6) (L. D. 13)

An Act relating to Salaries in Certain Counties (H. P. 2073) (L. D. 1100)

An Act relating to Penalty for Operating Motor Vehicle While under the Influence of Intoxicating Liquor or Drug (H. P. 2224) (L. D. 1166)

#### Finally Passed

Resolve in favor of the Maine Division of the Women's Field Army of the American Society for Control of Cancer (S. P. 665) (L. D. 1171)

Resolve Providing for a State Pension for Grace E. Dunn of Portland (H. P. 1095) (L. D. 1183)

#### Orders Of The Day

The SPEAKER: The Chair lays before the House "An Act Amending the Old Age Assistance Law Relating to Funeral Expenses" (H. P. 1449) (L. D. 626) which was recalled to the House by Joint Order. The Chair recognizes the gentleman from Ripley, Mr. Jewett.

Mr. JEWETT: Mr. Speaker, I move to reconsider our former action whereby "An Act Amending the Old Age Assistance Law Relating to Funeral Expenses" was passed to be enacted.

The SPEAKER: The gentleman from Ripley, Mr. Jewett, moves that the rules be suspended and that the House reconsider its former action whereby it passed this bill to be enacted. Is this the pleasure of the House?

The motion prevailed.

Mr. JEWETT: Mr. Speaker, I move that this bill be indefinitely postponed. I will say that this bill was introduced by me by request. It now seems wise that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Ripley, Mr. Jewett, moves that "An Act Amending the Old Age Assistance Law Relating to Funeral Expenses" (L. D. 626) be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, the bill was

indefinitely postponed, and sent up for concurrence.

Mr. VARNEY of Berwick: Mr. Speaker, out of order, I present a House Resolution and move its adoption.

The SPEAKER: The gentleman from Berwick, Mr. Varney, out of order presents a House Resolution and moves its adoption. The Clerk will read the Resolution.

#### House Resolution

WHEREAS, it has been learned with profound sorrow of the passing of Honorable Cecil Clay, veteran Court and Legislative Reporter, who has served faithfully as Reporter of the Maine House of Representatives from 1917 to 1937, both inclusive.

NOW THEREFORE BE IT RESOLVED that, in the passing of Mr. Clay, Maine has lost a citizen of outstanding ability, and

BE IT FURTHER RESOLVED that the sympathy of the members of this House be extended to his family, and that a copy of these Resolutions be sent to them.

The SPEAKER: Is it the pleasure of the House that this Resolution have passage?

The motion prevailed.

The SPEAKER: The Chair will state that additional papers are being received from the Senate. The House may be at ease to assemble at the sound of the gong.

#### House at Ease

4:45 P. M.

The SPEAKER: The House is proceeding on papers listed under Supplement No. 3 of the Advance Journal, this Supplement having been distributed.

#### Papers From The Senate

(Out of order and under suspension of the rules)

From the Senate: Memorial to Congress relating to Tariff Preferences and Canadian Subsidies Adversely Affecting the Port of Portland and Other Atlantic Seaports (S. P. 690)

Comes from the Senate, read and adopted.

In the House:

The SPEAKER: The Memorial will lie on the table for reproduction if there is no objection.

Papers from the Senate disposed of in concurrence.

#### Conference 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 Repealing the Law relating to the Board of Barber Examiners" (H. P. 1198) (L. D. 474) reporting that the Committee is unable to agree.

(Signed)

Messrs. Owen of Kennebec  
Spear of Cumberland  
Marden of Kennebec

Committee on part of Senate.

Pratt of Turner  
Ramsdell of Dayton  
Sleeper of Rockland

Committee on part of House.

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Bill "An Act relating to the County Commissioners of Androscoggin County" (H. P. 2061) (L. D. 1097) which was passed to be engrossed in the House on April 11th as amended by House Amendment "A".

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

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

On motion by Mr. Goss of Poland, the House voted to insist on its former action and ask for a Committee of Conference.

The SPEAKER: The Chair will appoint to the Conference Committee the gentleman from Poland, Mr. Goss, the gentleman from Turner, Mr. Pratt, and the gentleman from Auburn, Mr. Winslow.

From the Senate: Bill "An Act relating to Election of Commissioners of Police in Sanford" (H. P. 1981) (L. D. 1051) which was passed to be engrossed in the House on April 12th as amended by House Amendment "A" in non-concurrence.

Comes from the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Pelletier of Sanford, the House voted to recede from its former action whereby it passed this bill to

be engrossed and concurred with the Senate in the indefinite postponement of the bill.

From the Senate: Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 2217) (L. D. 1156) which was passed to be engrossed in the House on April 14th as amended by House Amendment "A" in non-concurrence.

Comes from the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Churchill of Brewer, the House voted to adhere to its former action whereby it passed this bill to be engrossed as amended.

From the Senate: Bill "An Act relating to State Owned Automobiles" (H. P. 1656) (L. D. 712) which was referred to the Committee on Legal Affairs in the House on February 14th.

Comes from the Senate, leave to withdraw granted, in non-concurrence.

In the House, that body voted to recede from its former action whereby this bill was referred to the Committee on Legal Affairs and concurred with the Senate in granting leave to withdraw.

#### House at Ease

6.00 P. M.

The House was called to order by the Speaker.

#### Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Operators' Licenses" (H. P. 1691) (L. D. 746) reporting that they are unable to agree.

(Signed)

Messrs. Stilphen of Dresden  
Burgess of Limestone  
Dorrance of Richmond  
—Committee on part of House.  
Beckett of Washington  
Thatcher of Penobscot  
Elliot of Knox  
—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

#### Papers from the Senate

(Out of order and under suspension of the rules)

From the Senate: Bill "An Act relating to Prenatal Examination" (H. P. 2230) (L. D. 1170) which was passed to be enacted in the House earlier in the day and was passed to be engrossed on April 13th as amended by House Amendment "A".

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

In the House, on motion by Mr. Everett of Norridgewock, the House voted to recede from its former action whereby the bill was passed to be enacted and to further recede from its former action whereby the bill was passed to be engrossed.

Senate Amendment "A" read by the Clerk.

The House then adopted Senate Amendment "A" and the bill was passed to be engrossed as amended in concurrence.

From the Senate: 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) which was indefinitely postponed in the House on April 12th.

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

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

Mr. VARNEY of Berwick: Mr. Speaker, I move that the House recede from its former action whereby it indefinitely postponed this bill and concur with the Senate in the adoption of Senate Amendment "A" and in the passage of the bill to be engrossed as amended by Senate Amendment "A".

Mr. HINCKLEY of South Portland: Mr. Speaker, I do not intend to make any speech on this matter whatever, because I said what I had to say the other day. Regardless of any action of any committee in this House, I still am opposed to the adoption of this amendment, because I think it is a useless waste of public money. I hope that the amendment will not be adopted.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the House recede from its former action whereby the bill was indefinitely postponed and concur with the Senate in the adoption of Senate Amendment "A" and further

concur with the Senate in the passage of the bill to be engrossed as amended by Senate Amendment "A".

Mr. VARNEY: Mr. Speaker, I was not aware of the fact that there was any opposition to this bill in its amended form, because, as I understand the amendment, it provides for a very limited publication of the financial condition of the State. If I understand it correctly, this bill calls for a publication which would cost something less than five thousand dollars to publish in the papers.

If any of the members of the House feel that they would like to have this matter lie on the table until tomorrow morning and until we can study just what this amendment does, I am perfectly willing that someone should make the motion to do so. However, it is not anything that I am particularly anxious about.

Mr. HOWES of Charleston: Mr. Speaker, there seems to be some misunderstanding about this matter. I move that it lie on the table and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Charleston, Mr. Howes, moves that the bill lie on the table pending the motion of the gentleman from Berwick, Mr. Varney, that the House recede and concur with the Senate. Is this the pleasure of the House?

Cries of "No, No".

The SPEAKER: The motion to table is not debatable. All those in favor of the motion of the gentleman from Charleston, Mr. Howes, that the bill lie on the table pending the motion of the gentleman from Berwick (Mr. Varney) will say aye; those opposed no.

A viva voce vote being taken, the motion to table prevailed.

From the Senate: Resolve Creating a Recess Committee on Wage and Hour Legislation (S. P. 684)

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

In the House:

The SPEAKER: This resolve requires for its introduction at this time the unanimous consent of the

House. Is there objection? The Chair hears none, and the resolve is received.

Thereupon, the resolve was given its first reading in full, under suspension of the rules.

Senate Amendment "A" read by the Clerk.

Mr. COWAN of Portland: Mr. Speaker, I would ask what effect that amendment will have on the resolve.

The SPEAKER: The Chair understands the effect of the amendment is to reduce from three to two the number of citizens of the State representing industry, and the citizens of the State representing labor will be appointed by the Governor.

Thereupon, Senate Amendment "A" was adopted in concurrence and the resolve was assigned for second reading tomorrow morning.

On motion by Mr. Grua of Livermore Falls, the House voted to reconsider its action taken earlier in today's session on Item 3 on Page 3 of the House Advance Journal, whereby it passed to be engrossed Bill "An Act relating to Fines Paid to Municipal Courts" (S. P. 673) (L. D. 1184)

Mr. Grua offered House Amendment "A" and moved its adoption.

House Amendment "A" to S. P. 676, L. D. 1184, Bill "An Act Relating to Fines Paid to Municipal Courts."

Amend said Bill by crossing out the word "an" in the 2nd line of the paragraph designated "Sec. 7." thereof, and substituting in place thereof the words "a detailed."

Further amend said Bill by striking out the underlined words in said paragraph designated "Sec. 7." thereof as follows: "with a detailed account of each case determined the prior month."

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 SPEAKER: Is there any further business to come before the House under Orders of the Day? If not, the Clerk will read the notices.

On motion by Mr. Belanger of Biddeford,

Adjourned until ten o'clock tomorrow morning.