

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Thursday, April 3, 1941.

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

Prayer by the Rev. Mr. Dunn of Gardiner.

Journal of the previous session read and approved.

Under suspension of the rules, the gentleman from Dexter, Mr. Otto, was granted permission to take up out of order the first Emergency Enactor on today's calendar.

**Passed to Be Enacted
Emergency Measure**

An Act to Assure Proper Branding of Potatoes (H. P. 1250) (L. D. 533)

The SPEAKER: This bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that this bill be passed to be enacted?

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those 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-six having voted in the affirmative and none in the negative, 126 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted and signed by the Speaker.

On further motion by Mr. Otto, the bill was sent forthwith to the Senate.

**Bill from the Senate Requiring
Unanimous Consent for its In-
troduction**

From the Senate:

Bill "An Act to Incorporate the Patten School District" (S. P. 525)

Came from the Senate, received by unanimous consent, given its several readings under suspension of the rules and passed to be en-

grossed without reference to a Committee.

In the House:

Mr. Estabrook of Stacyville, was granted unanimous consent to address the House.

Mr. ESTABROOK: Mr. Speaker, a few weeks ago Patten lost their town hall, and some of the grades had their classes in that building. They used to have their athletic events in that building, and it was a great loss to the town when they lost this building.

Under suspension of the rules, I would like to ask to introduce this bill to incorporate the Patten School District.

The SPEAKER: By virtue of the Joint Rules, this bill requires for its reception the unanimous consent of this House. Failing unanimous consent, the bill would be referred to the next Legislature. Is there objection to the reception of this bill? The Chair hears no objection, and the bill is received by unanimous consent.

On motion by the gentleman from Portland, Mr. Payson, under suspension of the rules, the bill was given its two several readings without reference to the Committee on Reference of Bills and was assigned for third reading tomorrow morning.

On further motion by Mr. Payson, 650 copies ordered printed.

Senate Reports

Ought not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve for Fish Hatchery in Washington County (S. P. 236) (L. D. 399)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Set-off Between the State and Cities and Towns" (S. P. 340) (L. D. 629)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft

From the Senate:

Report of the Committee on Motor Vehicles on Bill "An Act relating to Indication on Motor Vehicles of Their Weight" (S. P. 446) (L. D. 897) reporting same in a new draft (S. P. 522) (L. D. 1075) under same title and that it "Ought to pass"

Came from the Senate the Report read and accepted and the Bill passed to be Engrossed.

In the House, Report was read and accepted in concurrence, and the Bill read twice and tomorrow assigned.

Ought to Pass With Senate Amendment "A"

From the Senate:

Report of the Committee on Public Utilities on Bill "An Act Creating the Caribou Utilities District" (S. P. 165) (L. D. 227) reporting same in a new draft (S. P. 510) (L. D. 1037) under same title and that it "Ought to pass"

Came from the Senate the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, report was read and accepted in concurrence, and the Bill read twice. Senate Amendment "A" as read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

ORDERS

On motion my Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Phair of Caswell Pl., be excused after today for the remainder of the week because of Town Meeting.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I would ask the unanimous consent to address this House.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, asks the unanimous consent to address the House. Is there objection?

The Chair hears no objection, and the gentleman may proceed.

Mr. ROLLINS: Mr. Speaker and Members of the House: The reason that I am addressing this House is from the reverberations in the corridors from the bill that passed this House yesterday.

To state my position clearly, that you might not call me a Communist, I would like to say that two of my ancestors fought with pitch forks in the first naval battle of Machias. My uncle was in the Civil War. I have a brother who was in the

Spanish American War. My sister and I served in the World War—she as a Red Cross nurse; myself as a private in the First Division, going to France as a buck private. I was discharged honorably as a commissioned officer.

I make this record only that when you hear in the corridors from some of these lobbyists that I am probably a Communist, I want you to think well.

I also refer you to my record. I have always called a spade a spade. As you gentlemen will recall, the first night when this House, with the Honorable Senate, was in convention, I took my stand as a new member of the Legislature in that mock caucus which we all attend.

I want to speak of this now, to bring it out. I want to bring up the matter of the Attorney General's Department. At that time there were five candidates for the position, if my memory serves me right. Now, I see before us here in the House two bills to raise the salary.

I believe in a fair fight. I believe in honest legislation. I believe in all fairness, from some of the remarks made yesterday, that perhaps some of the members of this House feel that I was not for fair legislation.

I have always sponsored the under-dog, and, ladies and gentlemen of this House, there are under-dogs in the State of Maine. As one laboring man in my community just recently said, the only difference between Hitler and the woodsmen was, that Hitler did put a guard around them and they could not go out and freeze to death.

I speak as an Overseer of the Poor of a big town, and one who represents and contacts that entire region north, both Somerset and Piscataquis Counties. They come to me at all hours of the night, asking for lodging, because they have not a pittance to put themselves up.

Ladies and gentlemen, there are conditions in the State of Maine that are intolerable. We have laborers working in my town, skilled labor, getting thirty cents per hour. Since they got after them about the new Wage Hour Law, instead of giving them extra time, they have put four men on and are giving them thirty cents an hour. In other words, men are working for \$1.80 a day.

We have the same condition in the town of Sangerville. They have put the same situation up. All I am telling you, ladies and gentlemen, is the truth.

We are beginning to hear a lot lately about Mr. Marquand's new book, "H. M. Pullham, Esq." Do we not want the truth?

Do we want honest legislation? I believe that we do.

I want to go on record in this Legislature as saying that, to the last man and woman that sits in this House, they want true, honest legislation, but it is hard to accomplish. It seems to be ever harder.

We have a gentleman from Gorham, Mr. Gould, who has endeavored in every way to bring forward economy programs. Just this week here he presented to this Legislature the figures that show an increase of 26 of the 57 bureaus of the State of Maine, and tried to put it in the record, but to no avail.

Why? Because you do not want the people of the State of Maine to know that there are 57 bureaus in the State of Maine? Ladies and gentlemen of this House, there is too much done behind closed doors. The people of the State are paying the bills. They should know what is going on.

I believe,—and you will all agree with me, I think—that I am willing to fight and I am willing to fight fair. I laid my cards on the table before I made my fight, and I fought for the bill, as it laid on my desk in front of me.

I never saw the original bill until it was laid in my hand yesterday afternoon at about half past five.

I thank you for your attention and your indulgence. I just wish that you would indulge this much further—to listen to the report of Detective No. 1 of this House—and this is unsolicited.

I ask that the Honorable George Varney, the Speaker of this House, explain to you the findings on that bill.

The SPEAKER: The Chair will state that there was no foundation for any rumor that any tampering had been done with the bill at all. The procedure was perfectly orderly in every way.

The House is proceeding under Orders of the Day.

House Reports of Committees Divided Reports Tabled

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relative to Recording Meters on Fuel Oil Trucks" (H. P. 1619) (L. D. 967)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
HARVEY of York

—of the Senate.

GRUA of Livermore Falls

WILLIAMS of Bethel

PAYSON of Portland

MILLS of Farmington

BRIGGS of Hampden

HINCKLEY of So. Portland

—of the House.

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

Report was signed by the following members:

Miss LAUGHLIN of Cumberland

—of the Senate.

Mr. McGLAUFLIN of Portland

—of the House.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I move the acceptance of the Majority Report, "Ought not to pass."

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves that the House accept the Majority Report "Ought not to pass."

The Chair recognizes the gentleman from Winslow, Mr. Belanger.

Mr. BELANGER: Mr. Speaker, I move that this matter lie on the table pending acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Winslow, Mr. Belanger, moves that both reports lie on the table pending the motion of the gentleman from Livermore Falls, Mr. Grua, that the "Ought not to pass" report be accepted. Is this the pleasure of the House?

The motion prevailed, and the two reports, with accompanying papers, were so tabled.

Divided Reports Tabled and Specially Assigned

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Levy upon Shares of Stock" (H. P. 1426) (L. D. 590)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
—of the Senate.
McGLAULFIN of Portland
WILLIAMS of Bethel
PAYSON of Portland
BRIGGS of Hampden
MILLS of Farmington
—of the House.

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

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
Mr. HARVEY of York
—of the Senate.

Messrs. HINCKLEY of So. Portland
GRUA of Livermore Falls
—of the House.

(On motion by Mr. Southard of Augusta, the two Reports, with accompanying papers, were tabled pending acceptance of either Report and specially assigned for tomorrow morning)

Divided Reports

Tabled and Specially Assigned

Majority Report of the Committee on Towns reporting "Ought not to pass" on Bill "An Act to Provide a Town Manager Form of Government for the town of Millinocket" (H. P. 1216) (L. D. 363)

Report was signed by the following members:

Messrs. MCGILLICUDDY
of Houlton
ROBERTS of Waterboro
ROBINSON of Brewer
ANDERSON of Oxbow Pl.
WYMAN of Norway
FULLER of China
—of the House.

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

Report was signed by the following members:

Messrs. CHASE of Washington
BATE of Kennebec
BOOTHBY of York
—of the Senate.
DWINAL of Camden
—of the House.

(On motion by Mr. Payson of Portland, the two Reports, with accompanying papers, were tabled pending acceptance of either Report and specially assigned for next Wednesday morning, April 9th)

The SPEAKER: The Chair wishes to announce that the Chair has just been informed by the Secretary of the Senate that Legislative Document 1085 is incomplete in the way it is printed at the present time. It will be reprinted or correctly printed and given a new document number.

House Report - Inexpedient

Mr. Grua from the Committee on Federal Relations on Bill "An Act amending the Unemployment Compensation Law in connection with Experience Rating" (H. P. 1345) (L. D. 604) reported that legislation is inexpedient at this time.

Report was read and accepted and sent up for concurrence.

Leave to Withdraw

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act relating to Recognition of Political Parties on Ballots" (H. P. 1424) (L. D. 589) reported leave to withdraw.

Mr. Donahue from the Committee on Legal Affairs reported same on Bill "An Act to Grant a New Charter to the city of Calais" (H. P. 1164) (L. D. 358)

Mr. Dwinal from same Committee reported same on Bill "An Act to Incorporate the Seboeis River Dam Corporation" (H. P. 1163) (L. D. 460)

Reports were read and accepted and sent up for concurrence.

The SPEAKER: At this time the Chair invites the gentleman from Portland, Mr. Shesong, to the Chair, and designates him as Speaker pro tem of the House.

The Sergeant at Arms then conducted the gentleman from Portland, Mr. Shesong, to the Speaker's desk, amid the applause of the House, Speaker Varney retiring.

House Reports of Committees Ought Not to Pass

Mr. Fuller from the Committee on Claims reported "Ought not to pass" on Resolve Reimbursing Stacyville Plantation for Certain Pauper Cases" (H. P. 748)

Same gentleman from same Committee reported same on Resolve in favor of the town of Anson (H. P. 16)

Mr. Patterson from same Committee reported same on Resolve in favor of the town of Anson (H. P. 290)

Same gentleman from same Committee reported same on Resolve in favor of Presque Isle General Hospital of Presque Isle (H. P. 745)

Same gentleman from same Committee reported same on Resolve in favor of Carroll Plantation (H. P. 578)

Mr. Willey from same Committee reported same on Resolve to reimburse the town of Durham for Certain Pauper Supplies (H. P. 327)

Same gentleman from same Committee reported same on Resolve to reimburse the town of Winterport for Support of Charles E. Reynolds and family, Paupers (H. P. 96)

Same gentleman from same Committee reported same on Resolve in favor of the town of Hartland (H. P. 587)

Mr. Briggs from the Committee on Judiciary reported same on Bill "An Act requiring the Payment of Poll Tax before Obtaining Hunting and Fishing Licenses" (H. P. 1392) (L. D. 770) as it is covered by other legislation.

Mr. McGlauffin from same Committee reported same on Bill "An Act relating to Exemption from Trustee Process" (H. P. 1582) (L. D. 939)

Same gentleman from same Committee reported same on Bill "An Act to Improve Highway Beauty and Sanitation" (H. P. 1150) (L. D. 450)

Mr. Donahue from the Committee on Legal Affairs reported same on Bill "An Act relating to the Voting Precincts in the town of Harpswell" (H. P. 1587) (L. D. 910)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. LaFleur from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Incorporate the Ellsworth School District" (H. P. 1589) (L. D. 911)

(On motion by Mr. Willey of Ellsworth, tabled pending acceptance of Committee Report)

Report Tabled and Specially Assigned

Mr. Sylvia from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Sale and Use of Fireworks" (H. P. 431) (L. D. 180)

(On motion by Miss Clough of Bangor, tabled pending acceptance of Committee Report and specially assigned for next Wednesday, April 9th)

Mr. Sylvia from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Organization of Consumers' and Producers' Cooperatives" (H. P. 1439) (L. D. 754)

Mr. Rankin from the Committee on Library reported same on Resolve for the Purchase of Copies of the History of the town of Leeds (H. P. 648)

Miss Bangs from the Committee on Motor Vehicles reported same on Bill "An Act relating to Reserved Number Plates for Motor Vehicles" (H. P. 1457) (L. D. 767) as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Tabled and Specially Assigned

Mr. Leavitt from the Committee on Public Buildings and Grounds on Resolve Authorizing the Improvement of Fort Knox Reservation (H. P. 675) (L. D. 233) reported same in a new draft (H. P. 1889) under same title and that it "Ought to pass"

(On motion by Mr. Worth of Stockton Springs, tabled pending acceptance of Committee Report and specially assigned for Tuesday, April 8th, and the new draft ordered printed under the Joint Rules)

Mr. Dorrance from the Committee on Temperance on Bill "An Act relating to Restaurants and Locations of Restaurants Handling Malt Beverages" (H. P. 1490) (L. D. 736) reported same in a new draft (H. P. 1890) under same title and that it "Ought to pass"

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

Ought to Pass

Mr. Lackee from the Committee on Ways and Bridges reported "Ought to pass" on Resolve in favor of the city of Eastport (H. P. 1322)

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

Report Tabled and Specially Assigned

Mr. McGillicuddy from the Committee on Towns reported "Ought to pass" on Bill "An Act relating to Expenses of Town Clerks" (H. P. 479) (L. D. 213)

(On motion by Mr. Williams of Clifton, tabled pending acceptance of Committee Report and specially assigned for tomorrow morning)

**Ought to Pass with Committee
Amendment
Report Tabled**

Mr. Arzonico from the Committee on Labor on Bill "An Act relative to the Employment of Females in Executive, Administrative, Professional or Supervisory Capacities and as Personal Office Assistants" (H. P. 1235) (L. D. 497) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Arzonico of Yarmouth, tabled pending acceptance of Committee Report)

Mr. Shesong from the Committee on Legal Affairs on Bill "An Act relating to Birth Records of Children Proposed for Adoption" (H. P. 1527) (L. D. 866) reported "Ought to pass" as amended by Committee Amendment "A" submitted herewith.

Mr. Mills from the Committee on Judiciary reported same on Bill "An Act relating to the Pownal State School," (H. P. 1402) (L. D. 780)

Reports were read and accepted.

On motion by Miss Deering of Bath, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

**First Reading of Printed Bills
Bill Tabled**

Bill "An Act to Provide for the Surrender by the Ogunquit Beach District of its Organization" (H. P. 1181) (L. D. 479)

Bill had its two several readings.

Mr. Welch of North Berwick, then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1181, L. D. 479, Bill "An Act to Provide for the Surrender by the Ogunquit Beach District of its Organization."

Amend said bill by adding before the period at the end of section 2 thereof, the following:

"; but such property shall remain subject to all judgments or debts which may be rendered against said district or exist in favor of any creditor".

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

Mr. LaFLUER of Portland: Mr. Speaker, I move you that the bill

and accompanying amendment lie on the table.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that the bill, together with House Amendment "A", lie on the table pending adoption of the amendment. Is this the pleasure of the House?

The motion prevailed, and the bill and amendment was so tabled.

**First Reading of Printed Bills
(Continued)**

Bill "An Act relating to Androscoggin County Law Library" (H. P. 1340) (L. D. 797)

Bill had its two several readings. Thereupon, Mr. Leveque of Lewiston, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1340, L. D. 797, Bill, "An Act Relating to Androscoggin County Law Library."

Amend said bill by striking out the underlined "\$1500" in the 12th line of the bill and inserting in place thereof the underlined figures '\$1000.'

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

At this point the gentleman from Portland, Mr. Shesong, was conducted by the Sergeant at Arms to his seat on the floor of the House, amid the applause of the members.

Speaker Varney was then conducted by the Sergeant at Arms to the Chair, amid the applause of the House.

Passed to Be Engrossed

Bill "An Act relating to Pauper Settlements" (S. P. 93) (L. D. 99)

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

Thereupon, on motion by Mr. Payson of Portland, the House voted to reconsider its action whereby it adopted Committee Amendment "A"; and on further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

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

House Amendment "A" to S. P. 93, L. D. 99, Bill "An Act Relating to Pauper Settlements."

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

Sec. 1. Acquiring pauper settlement limited. During the period that a person is supported in whole or in part by old age assistance, he and those who derive their settlement from him, shall not acquire or lose a pauper settlement, nor be in the process of acquiring or losing a pauper settlement. Upon the termination of such old age assistance he shall again have the capacity to start to acquire or lose a pauper settlement, but until such time as he has acquired a new settlement or lost his old settlement, he and those who derive their settlement from him shall hold the settlement he had at the time of the receipt of such old age assistance.

Mr. Rollins of Greenville, then offered House Amendment "A" to House Amendment "A" and moved its adoption.

House Amendment "A" to House Amendment "A" to S. P. 93, L. D. 99, Bill "An Act Relating to Pauper Settlements."

Amend said Amendment by inserting after the words "old age assistance" wherever it appears in the amendment the words "or aid to the blind".

Thereupon, House Amendment "A" to House Amendment "A" to S. P. 93, L. D. 99, Bill "An Act Relating to Pauper Settlements", was adopted.

House Amendment "A" as amended by House Amendment "A" thereto was then adopted, and the bill had its third reading and was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Passed to Be Engrossed (Continued)

Bill "An Act relative to Standish Game Preserve" (S. P. 519) (L. D. 1084)

Bill "An Act relating to Androscoggin Lake Dam" (H. P. 612) (L. D. 250)

Bill "An Act relating to Hunting of Raccoons" (H. P. 801) (L. D. 314)

Bill "An Act to Incorporate the Milo Water District" (H. P. 1864) (L. D. 1081)

Bill Tabled

Bill "An Act to Incorporate the Presque Isle Water District" (H. P. 1865) (L. D. 1082)

(Was reported by the Committee on Bills in the Third Reading, and

on motion by Mr. Otto of Dexter, tabled pending third reading)

Resolve relating to the building of a Dam at Quantabacook Lake (H. P. 1577) (L. D. 928)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all except tabled matter passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act to Incorporate the Reef Point Gardens Corporation" (S. P. 481) (L. D. 998)

Bill "An Act Consolidating the Aviation Laws" (S. P. 521) (L. D. 1073)

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

Passed to be Enacted

An Act permitting Towns to Appropriate Money in Anticipation of State Appropriations (S. P. 167) (L. D. 225)

Enactor Tabled

An Act relating to Pre-marital Medical Examinations (S. P. 412) (L. D. 637)

(On motion by Mr. Sleeper of Rockland, tabled pending passage to be enacted)

An Act relating to Time of Filing by an Employing Unit under the Unemployment Compensation Act (S. P. 456) (L. D. 938)

An Act relating to the Investment of Municipal Trust Funds (S. P. 490) (L. D. 1015)

An Act to Amend the Charter of the City of Gardiner (H. P. 833) (L. D. 347)

An Act relating to the town of Mount Desert (H. P. 1217) (L. D. 434)

An Act relating to State School for Girls (H. P. 1249) (L. D. 532)

An Act amending the Unemployment Compensation Law so as to Permit Corrections of Benefit Claims (H. P. 1344) (L. D. 603)

An Act to amend the Unemployment Compensation Law with Respect to Advisory Councils (H. P. 1346) (L. D. 605)

An Act relative to Nonresident Hunting Licenses (H. P. 1358) (L. D. 704)

An Act relative to Transportation

of Deer within State (H. P. 1376) (L. D. 722)

An Act amending the Unemployment Compensation Law relating to Employment (H. P. 1575) (L. D. 926)

An Act Exempting Municipal Airports from Taxation (H. P. 1578) (L. D. 929)

An Act Creating the Waldoboro Water District (H. P. 1787) (L. D. 1042)

An Act Creating the Limestone Water and Sewer District (H. P. 1788) (L. D. 1049)

An Act to Incorporate the Norway Water District (H. P. 1789) (L. D. 1050)

An Act relating to Bounty on Bears (H. P. 1795) (L. D. 1052)

An Act requiring Sheriffs to Search for Lost Persons (H. P. 1843) (L. D. 1061)

An Act relative to Trapping Muskrats (H. P. 1845) (L. D. 1062)

An Act relative to Open Season on Beaver (H. P. 1847) (L. D. 1063)

Finally Passed

Resolve Granting Authority to the Forestry Department to Convey Certain Land to Stanley Hinch of Danforth (H. P. 448) (L. D. 187)

Resolve Regulating Deer Hunting on Swans Island in the county of Hancock (H. P. 472) (L. D. 208)

Resolve for Screening Sennebec Pond at Union (H. P. 1148) (L. D. 448)

Resolve Regulating Fishing in Fish River Chain of Lakes (H. P. 1846) (L. D. 1064)

Resolve authorizing the Forest Commissioner to Convey Certain Lands to Estate of Isaac Bragg (H. P. 1848) (L. D. 1065)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all except tabled matter signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today especially assigned matter, House Report "Ought to pass" as Amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act Relating to Payment of Wages." (H. P. 1432) (L. D. 749) tabled by

the gentleman from South Portland, Mr. Gowell, on April 2nd, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Gowell, the "Ought to pass" as Amended by Committee Amendment "A" Report of the Committee was accepted.

The Chair lays before the House the first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Education on Bill "An Act Relating to Patriotic Observances in Schools." (H. P. 1573) (L. D. 922) tabled by the gentleman from Gardiner, Mr. Slosberg, on March 25th, pending acceptance; and the Chair recognizes that gentleman.

Mr. SLOSBERG: Mr. Speaker, I tabled this bill originally because I felt that it had a great deal of merit. Since that time there have been several members of the House who have come to me and have more or less felt the same way about it. The bill has only one sentence and reads as follows:

"All pupils in public schools shall recite the pledge of allegiance to the flag of the United States and render the salute to said flag."

Incidentally, a bill similar to this is the law in Massachusetts today and has been held constitutional. I now move, Mr. Speaker, that the bill be substituted for the report.

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

A viva voce vote being taken, the motion prevailed and the bill was substituted for the "Ought not to pass" report of the committee.

The Chair lays before the House the second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Maine Publicity on Bill "An Act Relating to State Publicity." (H. P. 1536) (L. D. 875) tabled by the gentleman from North Haven, Mr. Crockett, on March 25th, pending acceptance; and the Chair recognizes that gentleman.

Mr. CROCKETT: Mr. Speaker

and Ladies and Gentlemen of the House:

Because comparatively few members of this Legislature attended the hearing on this bill on March 13th, I am going to restate in part, my reasons for writing it.

You know, and I know, that a Development Commission is necessary to the welfare of the State of Maine. When a member of a Legislature body such as this, hears and feels a growing tide of criticism and condemnation and even threatened abolishment of what he considers an essential state agency, it is his natural duty to try and revamp that important state agency to better suit the needs of our entire State. This is precisely what I have tried to do with our Maine Development Commission.

I am 100% for a Development Commission in the State of Maine—I have that idea in common with all the people who appeared against me when this bill was given its hearing. My studies into the affairs of the Commission, however, have shown me that the present system permits abuses that materially cut down its services to those organizations and people who seek its help, that lower its efficiency and subject it to State wide criticism.

My investigations have proven to my satisfaction that a considerable part of the criticism of the present set-up is deserved and legitimate.

With salaries and wages for the year 1939-40 amounting to \$30,517 and travel expenses for the same period of \$12,768 the total administrative cost of the Commission adds up to \$43,285 which is approximately 24% of their total appropriation for the year. This excludes all general office expenses which come under the administration heading. This 24% compares most unfavorably with figures from the nationally known company that carries on Maine Potato advertising campaign who estimate 15% of the total for such expenses.

And here and now I want to mention this report of the Maine Development Commission which you all received on February first as the most misleading and devious conglomeration of figures ever presented a legislative body for its misinformation!

Page 27—Read—"Funds Earmarked by Legislature for Agricultural Advertising and Publicity". If any

one in this House can show me any statute that earmarks any portion of Maine Development Commission Funds for Agricultural promotion, I will gladly share with the statute books the blame heaped upon me the day of the hearing for attempting to earmark this appropriation in any way.

This booklet—and Mr. Greaton of the Development Commission—tell us that the salary of the Agricultural copy writer in the Development Commission is paid \$875 by the Development Commission and that the balance of his salary comes out of the Department of Agriculture. It does come from the Department of Agriculture—from a portion of Development Commission money labeled in this book—Poultry, Milk, Apples and Miscellaneous Promotion, and turned over to the Department of Agriculture by the Commission. If the Development Commission is going to pay a man an \$1,800 salary for writing Agricultural copy why can't they come out and say so and not tuck him away under "Poultry, Milk, Apples, etc.?"

The present Maine Development Commission is composed of 10 members—and Governor—Commissioner of Agriculture, Inland Fisheries & Game Commissioner and Sea & Shore Fisheries Commissioner, and six men chosen by the Governor from the ranks of private business men throughout the state. I believe I can prove to you that in this personnel set-up lies the essential fault that gives rise to the most often varied criticism that one industry completely dictates the policies of the Commission.

I have nothing against the recreational business in Maine. It is one of our 3 or 4 largest industries and it is indirectly the source of 90% of my own income. It is an industry that has made remarkable growth in the past few years. It has grown to such an extent that it now has an agency of its own—The Maine Publicity Bureau—to coordinate and look after its own interests. The Maine Publicity Bureau is by its own declaration a privately owned and privately managed agency, depending for its support on contributions from private industry in the State. The Maine Development Commission has always given material help to the Publicity Bureau. It built them a building which it rents to them for one dol-

lar a year. It does considerable recreational advertising in newspapers and magazines throughout the country, replies to which are all sent to the Maine Publicity Bureau for information concerning Maine's recreational areas.

Do you see, as I do, the essential fault of such a tie-up? A private promotional agency, interested, as its manager told me in the course of a five hour conference last week, almost exclusively in the recreational interests of the state receives for reply some 50,000 letters annually in answer to advertising financed by a tax supported State Commission. To prove the unfairness of such an arrangement I can tell you of an instance where an agent of the Maine Publicity Bureau in an effort to solicit funds from a local Chamber of Commerce told them the Publicity Bureau could direct recreational business at will, and naturally would take care of the people who supported the bureau financially. Do you think it is fair for any one recreational area to profit in particular from advertising paid for at State-wide expense?

In addition to this we have a majority of the members of the Maine Development Commission also members of the Publicity Bureau this giving that recreational promoting agency a preponderance of votes in the dispersal of any Development Commission Funds. What sort of voice in affairs does this give the poorer areas of our State, even though they may have natural attractions enough to warrant considerable boosting?

Right here, Ladies and Gentlemen, I wish to state that it is not the people but the system that I am finding at fault, and that my proposed scheme to take private interests off the Development Commission and replace them with a smaller number of State Department Heads answerable to all the people of Maine, is designed to wipe out the ever increasing cry that the Maine Development Commission is dominated by the recreational interests of the State of Maine.

I am not trying to strangle the recreational business, however. Under my proposed set-up their voice in expenditure of Development Commission Funds would be through the legitimate channel of State Department Heads — where every other

business interest in the State of Maine has to go for help.

The State of Maine has conducted an intensified campaign for its recreational business for ten years or more. It has grown and prospered in that time and has also become an extremely well organized group with a fine building for its headquarters. Now it is time for this industry to stand on its own two feet and do its own advertising through self taxation as our corn canners, our sardine canners, and our potato growers do.

I should say a word about the hearing on this bill. It was held before a committee which included four men vitally interested in the recreational business in the State. Two of those men are on the Board of Directors of the Maine Publicity Bureau.

I think I should also mention the fact that one member of the Development Commission in the newspaper business in Maine actively lobbied against this bill in the halls of the State House without the formality of registering. This man was venomous in his condemnation of State Officials at the hearing, saying that their attendance at Commission meetings was very lax. An analysis of attendance records proves the average attendance of State Department Heads at Commission meetings way above that of private business men over a period of 4 years and I have figures here to prove it. The member of the Commission appointed from Aroostook County to bring the Commission closer to Aroostook attended 11 out of 30 meetings. Don't you think our Department Heads better able and more willing to bring all parts of the State equally and fairly into Development Commission affairs?

It is not my intent to criticize any present member of the Development Commission. They are all honorable men.

I believe a ten-man commission is unwieldy and awkward. This belief is apparently shared by the Governor who has refrained from filling two vacancies on the Commission.

The personnel of the proposed Development Commission is composed of the Governor and the heads of all the creative departments of the State government. The Commissioner of Agriculture,

of Inland Fisheries and Game, and the Commissioner of Sea & Shore Fisheries would continue to serve as they do now.

The Commissioner of Labor and Industry should be a member of the Development Commission. Budget Estimates for Commission expenditures for the next two years list a proposed \$15,000 for promoting and advertising Maine Industry. I believe this amount insufficient and have increased the fund earmarked for Industry to \$25,000 and placed the head of that Department on the Development Commission to have a voice in its disposal. I have suggested this increase for the Department of Industry because it is obvious to us all that Maine should be sharing the benefits of industry step-up all over the country. I believe the Development Commission should have been active in this endeavor long ago—its record of two new industries brought into the state in the last year doesn't look very good to the average citizen.

The Department of Forestry has never had a voice in the expenditure of Maine advertising funds. In 1940 the Maine Forestry Department wanted from the Maine Development Commission to build a show for the Eastern States Exposition. This request was refused, and had it not been for the Contingent Fund, there would have been no Forestry exhibit at Springfield.

The Maine Development Commission Annual Report lists the recreational industry as first and biggest in the State—\$100,000,000. I would call to your attention the fact that our Forestry Industries bring into the State an estimated \$348,000,000 each year—in year round business—and I would also point out the fact that money earned by our permanent forest products industries stays in the State of Maine in permanent payrolls and does not follow the resort business to other states in winter seasons.

Several factors support my contention that the State Geologist should be the seventh member of the Maine Development Commission. An ever increasing necessity for minerals and mineral products, the supply of which has been entirely cut off by war hazards is one argument. Many of these minerals are to be found in considerable quantities in Maine. Last year special legislation was passed permitting the mining of zinc below tide-

water at Cape Rosier. The Portland Cement Company at Thomaston which uses tremendous quantities of Fuller's Earth has always imported its supply from Belgium. At present its main source of supply is New Jersey, but mineral experts say there are large deposits of this mineral in Eastern and Central Maine. The Portland Cement Company is quoted as promising to buy all that can be delivered. Maine's sizeable deposits of beryl are increasingly valuable in airplane construction.

Our mining industry should be fostered and encouraged with a voice in Development Commission affairs.

Funds devoted to Sea & Shore Fisheries advertising have been notably protected because they were earmarked from the first. Monies for advertising all Maine resources should have the same protection.

The \$50,000 General Fund provides \$23,000 estimated for General Office and Personnel expenses and leaves a considerable amount to be devoted to advertising Forestry and Mineral products, as well as providing a fund to draw on for an intensified advertising campaign in any one field.

I especially would call your attention to the \$15,000 item in the Commission's 1941-42-43 budgets designated for a New York Office.

This New York Office is to be conducted in cooperation with the Maine Publicity Bureau. The Development Commission is to pay the rent on an office in Rockefeller Plaza amounting to \$1800 a year.

The Maine Publicity Bureau is to pay all the expenses of the office including salaries of two people, who incidentally both come from Bar Harbor, one of our principal recreational areas.

At the Budget Committee hearing, it was represented that the \$15,000 annually was for the cost of renting the office. This is quite different from \$1800 and the question arises what is the rest of this amount for? The Commission tells us that \$5,000 is for decorating the office—which in our estimation is a considerable amount for one office and it then occurs to us to ask why is this same amount included in the second year's estimate. Don't you agree with me that an office decorated at a cost of \$5,000 should stay decorated for both years? That takes \$6,800 of the \$15,000—what of the other \$8,200? Investigation

brings out the fact that this is to be used by the Development Commission to pay a deficit in their Department on Sportsmen's Shows put up this winter. If the Maine Development Commission has a deficit to this amount why can't they do as any other State Department would have to do and come to the Legislature with an honest deficiency measure and not hide it under an exorbitant estimate of future expense. To me this is downright dishonesty to the extent of \$19,600 of a sort no State Department Head could get away with.

To conclude my criticism and comment: I quote the leader of the opposition to my bill at the hearing who said in conclusion "We in the Development Commission have no right to spend money unless provision is made for it." I would like to point out to you that that man is not now a member of the Development Commission and that there is something seriously wrong in a set-up that cannot convince a former representative on the Commission that he is no longer a member.

The proposed legislation concerning the Development Commission is designed to save money by decreasing its appropriation and enable it to continue its present work at an increased efficiency and effectiveness.

Mr. Speaker, I move that the bill be substituted for the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from North Haven, Mr. Crockett, moves that the bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Standish, Mr. Hanold.

Mr. HANOLD: Mr. Speaker, I had a little speech made up, but the gentleman from North Haven, Mr. Crockett, has just knocked it galley-west.

I did not intend to appear before you this morning and try to tell you all of the good things the Maine Development Commission has done, because, to do so, I would probably be here for many hours.

My intention originally was to dwell upon the bill itself, and how the bill, if adopted, would affect the welfare of the people of the State of Maine—and I mean all of the people.

First let me thank the gentleman from North Haven, Mr. Crockett, for

his very gracious remarks in saying that he had the highest regard for the personnel of the Commission, but that he was decidedly opposed to our system.

I will try to show you, briefly—I do not want to bore you, to be sure—but I want to show you, if I can, how the Development Commission operates. I will endeavor to answer some of the questions brought forth by the gentleman from North Haven, Mr. Crockett.

Naturally, I am at a little disadvantage when he quotes figures, because I did not know what figures he was going to bring out. I will endeavor, however, to give you a few pertinent acts pertaining to the Maine Development Commission which I think most concern each and every one of us.

First, let's take the program. The Development Commission, under its present set-up, if I am not mistaken, was established in 1926 with a small appropriation. At that time, because of the size of the appropriation it was decided that the efforts of the Commission could best be put forth on recreation.

As you all know, the purpose of the Development Commission, as originally set up, was to advertise and promote—and please bear in mind the word "promote," I shall refer to it a little later—the agricultural, industrial and recreational advantages of the State of Maine.

Now, with a limited appropriation, it would be useless and folly, and not good business—I think you will agree with that statement—for any group to spend all of their money over a wide-spread program. So it was decided on the part of the Commission to proceed, first, upon the matter of the recreational industry, as that in itself seemed to offer the quickest return for the money spent.

As the years went on, and the people of Maine began to realize the importance of the Commission—and I will say your Commission, because it is your Commission—they realized that more money was needed for promotional purposes. The appropriation has been gradually increased and likewise the program, to include, in addition to the recreational industry, the next step, which was the agricultural interests of the State of Maine.

I am sure that the majority of the members of this House are fa-

miliar with what has been done by your Commission in the agricultural interests of the State of Maine.

Two years ago—and I think this answers one of the questions of Mr. Crockett,—we embarked upon a program of industrial expansion for the State of Maine. More money was available for that purpose.

To be sure, the results, as Mr. Crockett mentions, have not been one thousand and one per cent, but, do you realize—and I am sure that you do—when you pick up any magazine of national circulation, you see therein the advertising of practically every state in the Union, after new industries.

Now, you men who are interested in the industrial situation of this country, know that you cannot go out and drag new industries into the State of Maine over night, if you spend a million dollars to do it. You have got to have something besides money to get new industries to come into the State of Maine. I think you will agree with me that that is true.

Mr. Crockett says that the Maine Development Commission plan should go on its own, the same as the Maine Cannery Association or the Maine Agricultural Association. Let me tell you this, that during the years I have been a member of the Commission, that is, during the past four years, we have had innumerable requests from those two organizations for us to assist them in their advertising and promotional work.

I would like you to look at this as more than a cold business proposition.

Now, a while ago we read in the papers that Mr. Crockett was going to battle on the floor of the House. I do not call this a battle. I think it is more serious. I think that this is a serious problem for the people of the State of Maine, as I have seen the program.

Now, first I want to answer one of Mr. Crockett's questions regarding the Maine Publicity Bureau. As I said in my opening remarks, it is a long, long story, to go into all the phases of the activities of your Development Commission, but I want to read to you, if I may, a paragraph taken from the lease signed jointly by the Maine Development Commission as custodian of the building in Portland and the Maine Publicity Bureau:—

“The Lessee further covenants

and agrees to maintain on said premises a publicity bureau during said term, and impartially disseminate information relative to the recreational, agricultural, and industrial advantages of all parts of the State of Maine with equal privileges and service to the several lines of business aforesaid and to all proper applicants whether or not they are subscribers to the Maine Publicity Bureau.”

I think, once and for all, we should decide that is the answer. The occasions which the gentleman from North Haven, (Mr. Crockett) spoke of naturally would occur in any business, where there might possibly be favoritism shown to some particular section or locality. We cannot avoid that.

I would like also to correct, in that connection, a statement regarding the number of letters. If I am not misinformed, 85,000 inquires were handled by the Maine Publicity Bureau last year.

Now, I want to read to you, if I may, a statement published in the March 26th issue, this year, of the Portland Evening Express, regarding the Maine Publicity Bureau. This is a part of that item appearing in the editorial column:—

“That is to say, a certain number of vacationists would come—but certainly not a large enough number to make the recreation ‘industry’ worth \$100,000,000 a year to the hotels and camps and business houses of the State. Some credit, therefore—in fact, a great deal of credit, it seems to us—must go to the privately supported organization which disseminates Vacationland ‘propaganda’ so wisely, so attractively, and so well.”

Now, how do they do this job so well? It is the result of the inquiries received from the money which is spent. I think that the editorial writers of the papers do to a great degree express the opinion of the people at large. I naturally feel they do in that particular instance.

Now, we speak of the New York office. If I understood Mr. Crockett correctly, the figures which he gave are absolutely wrong. If I recall correctly, the Budget did set up \$15,000 to establish a New York office. This matter was brought before the Commission on several meetings, and for several months.

Finally, not by unanimous vote, however, it was voted to join with the Maine Publicity Bureau in opening the New York office.

I happen to be one of the members of the Commission who was appointed on a special committee to cooperate with the Maine Publicity Bureau.

Let me say in passing, although this has nothing to do with the New York office perhaps, except that my traveling expenses to New York were \$34.00, two nights on a train and expenses in New York. The total of my expenses for attending regular Commission meetings in Augusta, and this one trip to New York, totaled altogether only \$99.40.

To come back to this New York office, there is no question in my mind at the moment but what the New York office is going to be of extreme value to the people of the State of Maine, to all the interests of the State of Maine.

Referring to the figures of Mr. Crockett, the State of Maine, through the Maine Development Commission—is paying a rental on the space in the Concourse in Radio City of \$1800 a year. We also agree to furnish an office for the use of the Maine Publicity Bureau. I think at the moment we have spent approximately \$2,200 in furnishings—not \$5,000 for decorations.

Since the New York Office has been open, one thousand visitors, according to reports, have visited that office, and this is at a time of year, in February, when you would not expect to have any visitors at all.

I would say, too, that this is the only expense incumbent upon the Maine Development Commission in connection with the New York office. There might be a few dollars here and there, for painting signs on windows, and so forth, that was included in our agreement with them, but a very few paltry dollars. I can assure you.

Now, coming down to this bill. As you all know, there has been an increase—the Governor, the Sea & Shore Fisheries Commissioner, the Commissioner of Agriculture, and five or six citizens at large are the present make-up.

I want to ask you, in all fairness to Mr. Crockett and everybody else, is it best to have a Commission composed entirely of department heads, or do you believe that the people of the State of Maine at

large should have some representation on that Commission? I will ask you that question frankly.

Now, Mr. Crockett speaks of the agricultural appropriation. Let me read to you a little bit from the Public Laws of 1937, Chapter 174:—

“The sum of \$200,000 is hereby annually appropriated for the purpose of advertising and publicly setting forth and displaying agricultural, industrial and recreational resources, activities and attractions of the state, of which sum \$50,000 shall be expended for the purpose of advertising the agricultural products of the state, and advertising the sea and shore fishing products of the state.”

That means a definite amount appropriated for those two specific purposes, in direct answer to the matter brought up by Mr. Crockett.

Mr. Crockett's bill would add the State Geologist, the Commissioner of Forestry and the Commissioner of Labor and Industry.

I have another question that I want to ask. Do you believe that the State department heads have so much time on their hands that we could take all of them and put them on any commission? At the expense of the duties in their own offices, do you believe they should attend to the affairs of any other commission? Perhaps you have an answer to that one.

Now, ladies and gentlemen of the House, I want to refer very briefly to this hearing that was held on March 13th. Over two hundred citizens of the State of Maine appeared at that hearing. Not a single one of them, outside of Mr. Crockett, voiced any objections to the Maine Development Commission and its program. I will explain that fact to you.

I am going to take just a little of your time and read to you a list of organized groups representing thousands and thousands of Maine citizens who appeared at that hearing and who spoke against this Legislative Document 875:—

Maine Press Association
Maine Hotel Association
Maine Cannery Association
Rangeley Lake Region Association
Kennebec Lakes Region Association
Moosehead Lake Region Association
Sebago Lake-Long Lake Region Association

Belgrade Lakes Region Association
 Maine Camp Directors Association
 Maine Fisheries Association
 Maine Horse Association
 Maine Winter Sports Federation
 Maine Guides Association
 Maine Apple Growers Association—

and in that connection, the Maine Apple Growers Association, I understood Mr. Crockett to say, that there was not such an organization.

Also, Maine Potato Growers
 Aroostook Development Association

Maine Craft Guild
 Southwest Harbor Chamber of Commerce

Maine Real Estate Association
 Depositors Trust Company
 Auburn Chamber of Commerce
 Garden Club Federation of Maine
 Maine Federation of Women's Clubs

Bar Harbor Chamber of Commerce

Oil and Gasoline Dealers of Maine
 Why did these people appear against that bill? I will tell you why. Because they know, from experience, what has been accomplished. Because of their interest and knowledge of what has been done and their hope for the future. They do not want the program disrupted. That is why they came here, at their own expense, to appear against that bill.

Another important point, is the elasticity of any program. I mean by that, why should we limit the activities of the Maine Development Commission by specifically stating this amount and that amount shall be used for any particular purpose. Why not state that we have this amount, and not that this amount shall be used for that particular purpose, with no leeway?

As you ladies and gentlemen know, for the past twelve years the State of Maine has been represented at the New York and Boston Sportsmen's Shows. I am telling you now, if it were not for the elasticity of the program and the reserve carried by the Maine Development Commission, you would not have any representative at either one of those shows this year. The Governor and Council absolutely refused to finance the shows from the Contingent Fund. Mr. Stobie came before the Commission and requested the Development Commission

cooperate with him, so that we could continue the program. That is a proof of the inestimable value to the sportsmen of the State of Maine. Five thousand dollars of your money was used for that purpose.

I want to also quote to you from an editorial in the Bath Times, on the evening of March 10th, relative to this activity of the Commission and the elasticity of its program:—

“The proposed act would also take away from the Commission the right to say how its appropriation shall be spent. Instead it earmarks the funds and designates for just what purpose each amount shall be used. Any business man will see at once that this would be a mistake. Circumstances arise in agriculture, industry and recreational activities which require much study and funds are better used where they can do the most good for the greatest number than to tie them up for stated purposes.”

Ladies and gentlemen of the House, I could really go along a long time telling you folks about the activities of this Commission, but I have talked for twenty to twenty-five minutes. That is beyond my capacity. I will grant that. But I do not want to bore you, as I said before.

The Maine Development Commission's office has been open every workday of the year, to every citizen of the State of Maine. There is no citizen to my knowledge who has ever come in and asked for any information of any kind, who has not been cheerfully given the information.

As to the abuses, I would say that we are going a long ways when we change the set-up of the Development Commission, that has received, from all over this country, the commendation of all editors—resort editors, editors of industrial magazines, agricultural editors, and so forth. I cannot stop without telling you that I have here in my hand and on my desk several folders, containing letters unsolicited, from the several editors all over this country.

I want to speak just briefly about the publicity handed out by the Maine Development Commission, and I would like to read you four lines of a letter written on December 26, 1940, by the Washington Daily News:

“In reviewing my own copy of

the past two years, I note that Maine has enjoyed the lion's share of out-of-town copy. In fact, among the hundred odd items, there are literally thousands of lines of copy. My 'phone calls for information on Maine have greatly increased, and I know that for the past two years I have sent a handsome volume of business north."

That was signed by Donald Carpenter, Fishing and Hunting Editor.

Here is one here from the New York Herald Tribune, under date of February 25, 1941:

"Let me take this occasion, now that Spring is rolling around again, to thank you for your cooperation in sending me news and pictures for special resort issues and coverage throughout the summer. I am looking for some assistance this spring and know that I shall not be disappointed."

I have another one here, that is written by the Secretary-Director of the Kansas Industrial Development Commission:

"I want to thank you for sending us copies of your State of Maine booklets, which I consider most attractively and intelligently done.

"While we do not feel as yet that we can come up to the standard you have set, I wish to assure you that your booklets will be of great help to us in the matter of style and arrangement."

Now, invariably other states will turn to Maine when they are anticipating the establishing of a Bureau such as ours.

I have here several letters. I will not bother to read any of them. If any of you gentlemen want to know what other states think of us, when they are anticipating a program of this kind, I hope you will call in at the Maine Development Commission office and read some of the letters which we have on file.

Now, ladies and gentleman of the House, I will say in conclusion, that I hope the motion of the gentleman from North Haven, Mr. Crockett, does not prevail. I think I am voicing the sentiments of thousands and thousands of Maine citizens who I am trying to represent. I say now, in all seriousness, that I think for the best interests of the State of Maine as a whole, that the program, as now set up,—the program which we have followed successfully, as is evidenced by the results accomplish-

ed,—should be continued, and I hope that the motion of the gentleman from North Haven, Mr. Crockett, does not prevail.

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

Mr. JONES: Mr. Speaker, I would like permission to read a letter that I received yesterday, under date of March 31, 1941:

"Hon. Albert C. Jones, State House, Augusta, Maine.

Dear Sir:

If the bill calling for the reorganization of the Maine Development Commission has not been disposed of, I should like to ask you to consider my protest against the bill.

For thirty-seven years I have been conducting Medomak Camp for Boys in Washington, Maine. Since the Maine Development Commission has been organized I have received splendid co-operation.

It is my belief that those of us who are helped by Maine publicity will be better served by a non-political body than they would be under the terms of the bill.

As a fairly heavy taxpayer in Maine, as a son of the State, and as a man whose business will be benefited by the co-operation of the Maine Development Commission, I hope that its present form of organization will be retained and I earnestly solicit your opposition to the bill No. 875.

Very truly yours,

FRANK E. POLAND, Director"

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members of the Ninetieth Legislature: When I discovered that I was elected and was to be a member of this present legislature, I wondered and thought over what would be expected of me as a member of this House. Now the first thought that occurred to me was that I was not sent down here to save the State of Maine; the good old State of Maine seemed to be struggling along and making her way reasonably well. I also had another thought, and that was when I discovered any department that had apparently set up a real record of good efficiency, the thing to do was to encourage and build up such an organization

rather than to tear it down. With this thought in mind, I am speaking not as a member of the Maine Development Commission, but I do believe I can give the members of this House some little inkling as to how we in Aroostook County who have been associated from time to time with the Development Commission feel about the work that it has done.

I would call your attention to the fact that under the new bill which is now pending in the Legislature pertaining to the half a cent a barrel potato tax, we had originally thought of placing that in the hands of a group of the potato growers, but, upon second thought and due consideration, realizing the real job that the Maine Development Commission had done and the assistance it had been to us in administering this fund, we decided to let well enough alone and leave it in their hands.

Now I have had considerable accountancy and bookkeeping, although my vocation is raising potatoes. I have looked over the records of the Maine Development Commission and examined their accounts and expenditures, and the one thought that comes to me is how they have accomplished all they have with so little money.

I have also been asked to speak in behalf of the Aroostook Development Association,—an organization we have made up of various members over the county, who, in our small way join to invite tourists and guests into the county—to register a protest against the change in set-up of the Maine Development Commission.

As I say I, have had considerable contact and have been associated with the gentlemen in the Development Commission on many of their publicity works in the county, and I would say to you that we do feel that this is one department under its present set-up that cannot be improved upon in any way.

The SPEAKER: The question before the House is on the motion of the gentleman from North Haven, Mr. Crockett, that the bill be substituted for the "Ought not to pass" report of the committee. The Chair recognizes the gentleman from North Haven, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I should like to make just a few more remarks.

I am going to say right here and now that I have not solicited a vote in this House or really asked anyone to vote for the substitution of this bill, not one person, and I did not think when I got up today that anyone would get up on their feet to support this bill. And why? Because they have not had the time to study the Maine Development Commission. They have their own bills and they have their own committees, and no one person has the time to study each bill that is presented to us. It is an impossible job.

Now the distinguished gentleman from Standish, Mr. Hanold, made some remarks. I am not going to doubt any of the statements he has made, but every statement I have made to you today I have dug into the facts on it. Many things have been told me that I could not mention because I do not know about the facts, but they may be true, some of them.

I want to tell you about this New York office, where I got my figures and how I got them. The executive secretary of the Maine Development Commission gave me the figures. If \$2200 is what has been spent at the New York office, nevertheless, the executive secretary told me there was a little over five thousand dollars. Why would he tell me that?

Now the opponents at the hearing spoke against my bill. We all know that these people have been directly helped by the Maine Development Commission. How did they all happen to come in here? I have on my desk a list of three two-week periods of the telephone calls of the Maine Development Commission, February 1st to March 15th. It so happens from March 1st to February 15th the calls were just doubled. Now who got all those people to come in? Who asked them to come in. I even received letters after that hearing from people who said they were sorry they opposed my bill. They came in here not knowing what they were supporting. How did they happen to come in here?

Now the distinguished gentleman from Standish, Mr. Hanold, mentioned about the Maine Apple Growers Association. What I found out about that I got from Mr. Painter of the Agricultural Department, who is in charge of those things. He says he never heard of

any such association. It appears to me on the surface he should know whether there is an association of that kind.

The gentleman from Standish (Mr. Hanold) also mentioned a contract between the Maine Publicity Bureau and the Maine Development Commission. I knew what was in that contract, although I had not seen it. I was informed in regard to that by the manager of the Maine Publicity Bureau when I talked with him last week. He said he was more interested in recreational activities than anything else. Why shouldn't he be?

The gentleman from Rockland, Mr. Jones, read a letter. I, too, received that same letter that he read. Why would not the gentleman who owns that camp receive the same cooperation from the set-up that I am trying to give the State of Maine as he gets from the present Development Commission? He would get just the same cooperation.

I am not going to take any more of the time of the House. It is getting late. I still hope the House votes with me to substitute the bill for the report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I think that Mr. Hanold has been very modest in his defense of the Development Commission. I will agree, too, with my fellow-countryman that there is no need to study out the workings of the Development Commission. Just pick up any big magazine that is published in the United States.

The industry and the type of business that the Development Commission is trying to attract to this State is becoming highly competitive. All the states that surround us and the Canadian Provinces are trying desperately to attract this business. Every state on the coast from North Carolina up and over in the Canadian Provinces running out to the Great Lakes, and most of them are similar to our own. Every State Development Commission in all these states is organized the same; they are non-political. I do not see any reason why there should be any change made in our Development Commission. It is one of our most efficient departments. I certainly hope the

motion of the gentleman from North Haven (Mr. Crockett) will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Megill.

Mr. MEGILL: Mr. Speaker and Members of the House: I feel, being a member of the Maine Publicity Committee, I should say a word on this matter.

We only have to go around to the Sportsmen's Shows throughout the country and see where other states are spending dollars where we are spending cents, to try to make a bid in no uncertain terms for our summer business. I want to go on record as opposing this bill, and I hope the motion of the gentleman from North Haven, Mr. Crockett, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from North Haven, Mr. Crockett, that the bill be substituted for the "Ought not to pass" report of the committee. All those in favor of the motion of the gentleman from North Haven, Mr. Crockett, 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 to substitute the bill for the "Ought not to pass" report did not prevail; and on motion by the gentleman from Standish, Mr. Hanold, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

The SPEAKER: At this time the Chair will appoint the following conferees on the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide Assistance to the Civil Population of England," (H. P. 637) (L. D. 273).

The Chair appoints the gentleman from South Portland, Mr. Hinckley; the gentleman from Turner, Mr. Pratt; and the gentleman from Dixfield, Mr. Holman.

The Chair lays before the House the third tabled and unassigned matter, Majority report "Ought not to pass" and Minority Report, "Ought to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution to Provide for an Adjustment of

Real Estate Taxation, (H. P. 1391) (L. D. 769), both reports tabled by the gentleman from Livermore Falls, Mr. Grua, on March 27th pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. GRUA: Mr. Speaker and Members of the House: I would not presume to take up your valuable time on this measure if I did not feel so strongly that this matter of adjustment of real estate taxes was the most important matter before this Legislature for the future welfare of the State of Maine. I feel, as I think most of you do, that something simply has to be done to change our method of taxation.

When we were first organized as a State, the only property that had any income was the real estate, and it was therefore perfectly natural that real estate should form the basis of taxation. Since then we have become an industrial state and the income from real estate is a very, very small proportion of the income-producing property of the State of Maine.

Just a word as to why I brought this in as a resolve proposing an amendment to the Constitution. It is my opinion, which has been confirmed by the Attorney General of the State, that in order to differentiate between the different kinds of property in levying taxes we would have to amend the Constitution, because the Constitution requires that it be levied on all property equally other than intangibles. Therefore it became necessary to put in this bill which is an amendment to the Constitution. What we are seeking through this Resolve is merely that this Legislature permit the people of the State of Maine to vote on this proposed limitation of taxation.

This is not such a novel idea as a great many people think. There are eight states in the United States that already have tax limitations, three of them by statute and five of them by constitutional amendment. The states are: Indiana, Rhode Island, Washington, Michigan, New Mexico, Ohio, Oklahoma and West Virginia.

Now we have seen on our desks certain arguments against adopting this on the basis of the experience in these states. But, gentlemen, if they argue anything they argue for the adoption of just what we are

seeking in this Resolve, because not one of these states have ever changed their laws in regard to tax limitations. If these limitations are not working satisfactorily, why have they not changed them before this?

The State of Maine has increased the rate of taxation on real estate 180 per cent in the last thirty years; and, since 1930, based upon the value, the rate of taxation in the State of Maine on real estate has increased thirty per cent in the last ten years I submit to you: Just how long can the farmers and owners of real estate in the State of Maine stand this?

Thirty years ago, about the time I came to the State of Maine, there was a good market for real estate. For seven years I sold farms for the Strout Farm Agency, sold hundreds of farms to people from other states coming to buy our farms. They were remarkable bargains at the prices for which we could sell them. Have you heard of any farms being sold to out-of-state people in the last ten years? Do you know of any people coming in from outside to buy State of Maine farms? Thirty years ago every little village had half a dozen real estate agents in the community. How many are there today? You will find very few of them. Why? Because nobody can afford to own real estate today.

Now I want to call your attention to one particular item in this resolve. I have based the valuation of real estate upon the market value. The reason I did that is because the assessors have construed the constitutional amendment to mean that if they assess your real estate and my real estate on a similar valuation, that is a just valuation, even though the valuation may exceed the market value by two hundred per cent, the purpose of this resolve is to limit not only the rate of taxation to \$25 a thousand but to establish that the value shall be the fair market value as nearly as can be ascertained.

We have only to travel over the State of Maine to see the number of vacant farms, to see the number of farm buildings that have not been built up after they have burned down. We find, even in the city of Portland, that houses are being torn down to avoid payment of taxes. I was told only the other day of an out-of-state woman who had built a summer place less than

twenty years ago and had torn it down last summer to get out of paying real estate taxes. I have been told there are some nice houses in Portland that are being torn down to avoid payment of the real estate tax. Gentlemen, does that help the State of Maine?

We know the condition of the towns of the State, the number becoming bankrupt, the number that are being deorganized, the number taken over by the State Municipal Finance Board. Towns are being loaded with tax liens. Within two miles of Livermore Falls, our second selectman has a place of 140 acres. He came to me not long ago and wanted to give me a deed of it if I would take it, because he did not want to pay taxes any longer. It was all free and clear, with no tax lien. It has become that people cannot afford to own real estate. No bank will take a loan on real estate. They had rather have your personal note than have a mortgage on your farm.

Let me illustrate how our antiquated system of taxation works. We had in our town a man who was sixty-four years old and who had for many years been a hard worker, working in the paper mill. He became afflicted with lung trouble and sold off piece after piece of his farm until he had left only a fifteen acre lot with house and barn. His wife continued to take in washings to pay the taxes for five or six years. He came to me not long ago and I wrote him a deed. He was deeding it away and getting a couple of hundred dollars. Why? Because the tax lien expired in a few months and he would have lost it. He said, "I will be able to get old age assistance in another year, and my wife, who is sixty-three will get it in two years. If I could have kept my farm I would not have had to call on for anything, but, because I am losing my farm, I will have to take old age assistance." He is a man who should have our praise and commendation, and we are forcing him to lose his property at the very time of life he should have a home and be able to rest in quiet and peace. Why are we forcing him out? Simply because we are all negligent and too busy with other things to adjust our system of taxation to meet the needs of today.

Now here is the way it works in regard to repairing your buildings

or property. A man in our village has the given name of John—I won't go any further because it might cause me trouble—and he had a friend come to visit him from out of the State and this friend was struck by the evidences of prosperity inside the house and the ramshackle appearance of the house outside, so he said to Mr. John: "What is the idea of living in a place like this when you have all this nice furniture? Why don't you fix up the outside and make it look decent?" Mr. John says, "The assessors don't see the outside."

That is true all over the State of Maine. If the assessors see you improve your property they will put on an additional assessed valuation.

A young man built a tarred paper shack outside of Livermore Falls, a little place of two rooms, and then he put on a little piazza, and along came the assessors and raised the valuation fifty dollars. He left it a year or two and then tore down the frame. Is that a benefit to the State of Maine.

Now I believe that something of this kind would establish a market for real estate, because before you even built your house you would know that your taxes were going to be so much and no more, not only for this year but for the next year and forty years from now, and you would know whether you could afford to have a summer camp or could afford to own a woodlot. A gentleman who used to be in the legislature told me this summer he was forced to sell his woodlots because the taxes were so high. That is happening all over the State of Maine. If you had reasonable taxation on wood lots people would hold them until they could grow to a point where they could be sold to the best advantage of the people of the State of Maine. I believe that if we had a reasonable rate of taxation the building of summer camps would be more than doubled in the State of Maine. A little while ago there was a splurge of building summer camps in the town of Livermore Falls, but as soon as they began to get their tax bills a good many people were sorry they had built them. A woman built herself a little camp because she got the lot for fifty dollars. When her tax bill came in it was for forty-eight dollars. She occupies it probably two weeks out of the year. Who can

afford to build summer camps when they are taxed at that rate?

I believe with a limited tax rate that people would build homes, and they would find it cheaper to own a home than they would to rent. That is what we want. We want the State of Maine to be a state of home owners.

Our present system of taxation is so utterly unfair now that it bears no relation whatever to the income coming from the property. You are taxed just the same whether your store is vacant or occupied, whether your dwelling is vacant or occupied. Regardless of anything that may happen to your property, your tax goes on just the same. I think taxes should be based on income and in some manner hitched to the revenue-producing capacity.

I heard of a widow just the other day whose husband died and she could not carry on the farm. She had disposed of her personal property and was trying her best to dispose of her farm, but she cannot do it because there are two tax liens on the farm now. One of them has six months left to run. What can she do? Her husband thought he was leaving her with assets worth three or four thousand dollars. What will it be worth to her if she is able to sell it?

Just the other day I heard of a splendid farm outside of the village of Farmington with a fine set of buildings on it, but nobody would buy it because of the taxes.

Now this system of taxation that I have suggested seems to me to be eminently fair to everybody. The fellow who rents property will add to the amount of taxes he has to pay. All of us occupy property of some kind, and if we put a limitation on real estate taxes all of us will be benefitted to some degree according to the amount of property that we occupy, so I think it is eminently fair. We do have bills before us that approach it from a different angle, namely exemption of home owners.

Why not put a limitation on that which would be fair to everybody and help all the people?

This proposition, if the Legislature sees fit to adopt the minority report and let it go to the people for vote, would give sixteen months in which people would have time to argue it back and forth and decide for themselves whether this is

the sort of limitation they want. If they do not want it, they can vote it down in the election of September of 1942, and if they did adopt it it would then constitute a mandate to the next Legislature to pass some other form of taxation to relieve real estate.

I have been asked: What will you do to take up the slack? Well, we have sales taxes, we have income taxes, and we still have personal property and intangible property on which taxes could be levied. We are now reimbursing the towns for support of pupils in the public schools and the next legislature could very well provide to reimburse the towns completely. I think that would do the job. If it would not, there are other means. Personally, I think an income tax system is the fairest sort of a tax, and I also think a sales tax is a fair sort of tax. If you have only ten dollars and spend ten dollars, you at least have something to pay taxes with, but if you have no money you have nothing to pay taxes with.

Now this mandate to the next Legislature would be an emergency matter and some sort of taxation would have to be passed to take effect by the following April. The next Legislature could pass as an emergency measure any tax measure they saw fit, and that is a decided advantage.

Now there are some arguments against this sort of legislation, but, as I pointed out a minute ago, the fact that none of the states that have adopted limitation of taxes have repealed their statutes or their amendments to the constitution is conclusive argument to me that they are satisfied.

Now there have been cited some reports as to the value of these tax limitations. I would like to just call your attention to the report of A. R. Gans, Director of Research of the Farm Credit Administration, issued in January of this year, in which he discusses this very thing. In the States of Michigan and Indiana, which have passed tax limitation measures, he said in 1930 their tax rate was just about the same as that in the State of Maine. Now he says, as a matter of fact, taxes in Indiana and Michigan were higher than in Maine but are now about one-third as high on farm land. He speaks of the differ-

ent cities that have adopted this sort of legislation and the effect on the taxes in those states, and he says, "the following maximum property tax rate limits were fixed: In Indiana at \$20 per \$1000 for incorporated towns and cities and \$12.50 for unincorporated areas; in Michigan, at \$14.00; in Washington at revenue by a three per cent sales state assessment level." Now in Ohio since they adopted it in 1929 they have reduced their limitation from \$20 to \$10 a thousand. Ohio made up the difference in lost revenue by a three per cent sales tax; Indiana by a gross income tax of one-quarter per cent placed on manufacturers, wholesalers and jobbers and a one per cent gross income tax on public utilities, financial institutions, professional services and retail sales; in Michigan by a three per cent retail sales tax; in Washington State by a retail sales tax of two per cent and a gross income tax of one-quarter to one-half per cent, in addition to a few excise taxes.

The writer of this article favors tax limitation very strongly, in fact he says it has resulted in limitation of taxes in every one of the states where it has been adopted.

Now the other argument against letting this go to the people is that the people do not know enough to vote on a proposition of this kind. Now I submit to you that if we were willing to let the people vote or whether we were qualified to come to this Legislature and they have voted us in—and if you want to see what a good job they did, just look around you—I submit if they are able to elect us to the Legislature they may be able to decide on other things.

I do not feel that just because they have elected me to the Legislature I am there ipso facto, and given the authority to decide for it all the matters in regard to the State of Maine. I think they have some rights left to themselves. I think that they still might be able to decide what sort of tax limitation they want.

I do not think that it is wise for us to treat the rest of the people in the State of Maine, the electorate, as so many children for whom we have to say what is good for them.

I feel that as representatives we

should be responsible to the people in the State of Maine.

I sent out to the various Granges in the State of Maine, to see how they felt on this proposition, a brief summary of what I had in mind on this legislation, in the form of a petition, which they could use if they so desired, to petition the Legislature for something on this line.

I received back right around eighty petitions signed by something like 1600 people in the State of Maine. There are 1600 people from every county in the State of Maine, asking us to let this go to the people to be voted on. Those are on file in the room of the Committee on Judiciary, if anybody wishes to see them.

We promise our constituents, year after year, that we will do something about real estate taxes, yet we go back and we have done nothing.

Here is a proposition, the only proposition, that places any positive and distinct limitation on real estate taxes. We have it before us.

I have heard a suggestion that we ought to take off a little at a time. Ladies and gentlemen of the House, look at the tax rates in some of these towns as put out by our own Department of Audit.

The tax rates vary anywhere from 70 to 100; in Woodland, 100; St. Francis Plantation, 110; 75 in Madrid in Franklin County. Just look at your high rates of taxation. It is ninety-eight in some of them. How can a person pay 98 on a thousand, and continue to do business? Here is 93 in Clifton; 117 is the tax rate in Greenville. How can a person pay a tax rate of 117? That is not taxation; that is confiscation. Here is 113, 106, and 95. I could go on reading, but you have it all before you. They cannot go on doing that. All of our towns are going to be bankrupt unless we do something.

Here is a step in the right direction, it seems to me.

If a person had only a tumor, what would you think of a doctor who suggested cutting off a little piece at a time? You would think he was crazy.

We are faced here with a tumor on the body politic, in the nature of an overgrown tax rate. Why not face the emergency before us? Why not cut the thing right off, and let the people vote on it.

It seems to me that is the sensible thing to do. We have got to do something with the extreme conditions which face us. Extreme conditions require extreme measures and that is why I am suggesting this extreme measure.

It is new but let us not be afraid of it. Let us do something for the people of the State of Maine. Someone has said "Let us approach this by reducing the State tax." But the State tax is only 7 mills. What does 7 mills amount to, taken out of a rate of 117? Let us fix it so that the people can still afford to own real estate, so that they will be glad to get it, so that they will have a market for it and so that we will have our farms developed.

Let us trust the people of the State of Maine. Let us have confidence in them. Let us have confidence in the working of the pure principles of democracy. If there is something you can let them vote on, let us let it go back to them to be voted on. Let us give them this opportunity they have asked for, to vote on this method of tax limitation. Let us by our vote register our confidence in the intelligence of the people of this great State of Maine.

I therefore move. Mr. Speaker, the acceptance of the minority report "Ought to pass" on this resolve.

The SPEAKER: Because the Chair believes that there will necessarily be much more debate from now until the remainder of the session, and because the Chair believes that it is highly important that this

House continue to proceed in an orderly fashion, the Chair feels that it should call to the attention of the members a few minor violations of the rules which, if continued, may tend toward disorderly procedure.

The Chair believes that members are out of order when reading newspapers to the distraction of the speaker during debate. The Chair also wishes to call to the attention of the members that they are out of order when occupying any other seat than their own, and the Chair considers it the Chair's duty to insist that the visitors in the rear of the hall refrain from conversation during debate on the floor.

The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the minority report "Ought to pass" be accepted. The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I move you, due to the lateness of the hour, that we retable this matter and assign it for tomorrow morning.

The SPEAKER: The Chair might suggest that if the gentleman wishes to move to adjourn, it would automatically be first in order tomorrow.

Mr. RANKIN: I move you, Mr. Speaker, that we do now adjourn.

The SPEAKER: The gentleman from Bridgton, Mr. Rankin, moves that the House do now adjourn. Is this the pleasure of the House?

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