

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

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SENATE

Wednesday, March 31, 1943

The Senate was called to order by the President.

Prayer by the Rev. Emmet W. Rankin of Bridgton.

Journal of yesterday read and approved.

From the House

Bill "An Act Relating to the Report of the State Auditor." (S. P. 184) (L. D. 270)

(In the Senate on March 24th, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, Senate Amendment "A" read and indefinitely postponed and the bill passed to be engrossed in non-concurrence.

In the Senate, under suspension of the rules, that Body voted to reconsider its action of March 24th whereby the bill was passed to be engrossed as amended by Senate Amendment A in non-concurrence; Senate Amendment A was indefinitely postponed in concurrence, and the bill was passed to be engrossed in concurrence.

Bill "An Act Relating to Membership in Farm Lands Loan Commission and Emergency Municipal Finance Board." (S. P. 197) (L. D. 280)

(In the Senate, on March 19th, passed to be engrossed, as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, in non-concurrence.)

Comes from the House, passage to be engrossed reconsidered; House Amendment "B" read and adopted, and the bill passed to be engrossed, as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, and as amended by House Amendment "B" in non-concurrence.

In the Senate, under suspension of the rules, that Body voted to reconsider its action of March 19th whereby the bill was passed to be engrossed as amended by House Amendment A as amended by Senate Amendment A thereto in non-concurrence.

The Secretary read House Amendment B:

"House Amendment B to S. P. 197, L. D. 280, Bill 'An Act Relating to Membership in Farm Lands Commission and Emergency Municipal Finance Board'.

Amend said bill by taking out in section 2 thereof the deleted words 'State auditor' and the underlined words 'commissioner of finance' and inserting in place thereof the words 'state auditor'."

House Amendment B was adopted in concurrence, and the bill as amended by Senate Amendment A thereto, and as further amended by House Amendment B, was passed to be engrossed in concurrence.

Bill "An Act Relating to Compensation of Fire Wardens." (H. P. 829) (L. D. 396)

(In the Senate on March 24th, passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, passage to be engrossed reconsidered, House Amendment "A" read and adopted, and the bill passed to be engrossed as amended by Committee Amendment "A", and by House Amendment "A" in non-concurrence.

In the Senate, under suspension of the rules, that Body voted to reconsider its action of March 24th whereby the bill was passed to be engrossed as amended by Committee Amendment A in concurrence; House Amendment A was read and adopted in concurrence, and the bill as amended by Committee Amendment A and House Amendment A was passed to be engrossed in concurrence.

Bill "An Act Relating to the Maine Development Commission and the State Geologist." (H. P. 1266) (L. D. 775)

(In the Senate, on March 29th, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, that body having insisted on its former action, whereby the bill was passed to be engrossed, and now asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives:

Leavitt of Portland
Sayward of Kennebunk
Marsans of Monmouth

In the Senate, on motion by Mr. Washburn of Washington, that Body voted to insist and join with the House in a Committee of Conference.

The PRESIDENT: The Chair will announce the Senate members of such Committee of Conference later.

Petitions in favor of Bill "An Act Relating to Hunting and Trapping of Foxes." (H. P. 1326) (L. D. 1331 incl.)

Which were severally read and ordered placed on file in concurrence.

At this point, the Senator from York, Senator Varney was escorted to the Chair, and was handed the gavel by the President, who retired amidst the applause of the Senate.

House Committee Reports

The Committee on Claims on "Resolve in Favor of Lawry Brothers Company, Fairfield, Maine, for Burial Expenses of Wilfred Blanchette," (H. P. 534) reported that leave be granted to withdraw the same.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Appropriations for Private and Public Hospitals," (H. P. 927) (L. D. 481) reported that the same ought not to pass.

The Committee on Claims on "Resolve in Favor of the Town of Dexter," (H. P. 213) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the City of Eastport," (H. P. 625) reported that the same ought not to pass.

The Committee on Pensions on "Resolve Providing for a State Pension for Harry E. Libby of Pittsfield," (H. P. 414) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Ethelrud Young of Augusta," (H. P. 1147) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Isaiah W. McLeod of Dyer Brook," (H. P. 1146) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Thomas A. Spares, of Waterville,"

(H. P. 1148) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Stephen Lucas Fannico of Belfast," (H. P. 144) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Frank D. Ames, of Newcastle," (H. P. 228) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Lavinia Gerald, of Staceyville," (H. P. 199) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Claude Rogers, of Newburgh," (H. P. 229) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Maria O. Jones of Lisbon," (H. P. 1152) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Benjamin Smith of Waterville," (H. P. 1149) reported that the same ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Harry T. Beane, of Augusta," (H. P. 303) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Jennie Snell of Madison," (H. P. 1212) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for H. J. Tozier of Plymouth," (H. P. 407) reported that the same ought not to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to Fees of the Clerks of the Judicial Courts," (H. P. 263) (L. D. 171) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Taxation of Shore Fronts on Lakes," (H. P. 331) (L. D. 197) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Claims on "Resolve in Favor of the Town of Bethel," (H. P. 1083) (L. D. 858) reported that the same ought to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to Salaries of Androscoggin County Officials and Clerks," (H. P. 1224) (L. D. 711) reported the same in a new draft (H. P. 1318) (L. D. 855) under a new title, Bill "An Act Relating to Salaries of Androscoggin County Clerks," and that it ought to pass.

The Committee on Ways and Bridges on Bill "An Act Providing for the Maintenance of the Road Leading to Baxter State Park," (H. P. 40) (L. D. 29) reported the same in a new draft (H. P. 1320) (L. D. 857) under the same title, and that it ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolve read once, and under suspension of the rules, read a second time and passed to be engrossed in concurrence.

The Committee on Judiciary on Bill "An Act Relating to the Appointment of Guardians of Persons Resident Out of the State," (H. P. 1115) (L. D. 580) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Judiciary on Bill "An Act Relating to Retirement of Justices of the Supreme Judicial and Superior Courts," (H. P. 947) (L. D. 539) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to Proceedings in the Probate Court—Birth Records of Children Proposed for Adoption," (H. P. 940) (L. D. 542) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Temperance on Bill "An Act to Clarify and Improve the Administration of the Liquor Laws," (H. P. 586) (L. D. 352) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Motor Vehicles on Bill "An Act Exempting Certain Property of Agricultural Societies, and Farmers from the Regulations in re Motor Vehicles Used in Intra-state Traffic," (H. P. 108) (L. D. 68) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence and

the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and under suspension of the rules, the bills as amended were read a second time and passed to be engrossed in concurrence.

First Reading of a Printed Bill

Bill "An Act Relating to the Municipal Court of the Town of Farmington," (S. P. 482) (L. D. 879)

Which bill was read once, and under suspension of the rules, read a second time and passed to be engrossed

Sent down for concurrence.

At this point, the President resumed the Chair, Mr. Varney of York retiring amidst the applause of the Senate.

Senate Committee Reports

Mr. Elliot from the Committee on Motor Vehicles submitted its Final Report.

Mr. Washburn from the Committee on Maine Publicity submitted its Final Report.

Mr. Clement from the Committee on Interior Waters submitted its Final Report.

Mr. Fack from the Committee on Towns submitted its Final Report.

Mr. Fall from the Committee on Public Buildings and Grounds submitted its Final Report.

Mr. Dow from the Committee on Taxation on Bill "An Act Relating to Increase of the State Valuation," (S. P. 378) (L. D. 627) reported that the same ought not to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report.)

Mr. Sterling from the Committee on Towns on Bill "An Act Relating to Annual Audits of Municipalities," (S. P. 99) (L. D. 158) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Dorr from the Committee on Ways and Bridges on "Resolve in Favor of Hancock County," (S. P. 123) (L. D. 93) reported the same in a new draft, (S. P. 483) under a

new title Bill "An Act Providing for the Retirement of Certain Hancock-Sullivan Bridge Bonds," and that it ought to pass.

Which report was read and accepted, and the resolve laid upon the table for printing under the joint rules.

Mr. Brown from the Committee on Ways and Bridges on Bill "An Act Authorizing a Bond Issue for the Purpose of Retiring Highway and Bridge Bonds" (S. P. 330) (L. D. 522) reported that the same ought to pass.

Which report was read and accepted, the bill read once, and under suspension of the rules, read a second time and passed to be engrossed.

Sent down for concurrence.

Mr. Megill from the Committee on State Lands and Forest Preservation on "Resolve Authorizing Conveyance of the Interest of the State in Certain Land in Township Big W, N. B. K. P. in Somerset County," (S. P. 203) (L. D. 282) reported that the same ought to pass as amended by Committee Amendment A submitted herewith.

Which report was read and accepted and the resolve was given its first reading.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 203, L. D. 282.

Amend said bill by striking out in the third line of said bill the figures '\$200' and inserting in the place thereof the figures '\$201.24'."

Committee Amendment A was adopted and under suspension of the rules, the resolve as so amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

Mr. Dorr from the Committee on Ways and Bridges on bill "An Act to Provide for Re-issuance of State Highway Bonds," (S. P. 329) (L. D. 505) reported that the same ought to pass as amended by Committee Amendment A submitted herewith.

Which report was read and accepted and the bill was given its first reading.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 329, L. D. 505.

Amend said bill by inserting in the 4th line of section 3 thereof, after the word 'and' the following words: 'shall bear the facsimile of the signature of the governor and'

Further amend said bill by deleting in the 5th line of section 3 thereof the following words: 'countersigned by the governor'

Further amend said bill by deleting in the 1st line of section 4 thereof the word 'controller' and inserting in place thereof the word 'auditor'."

Committee Amendment A was adopted and under suspension of the rules, the bill as so amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

The Majority of the Committee on Welfare on Bill "An Act Permitting Certain Aliens Who Have Applied for Naturalization Papers to be Eligible for Old Age Assistance," (S. P. 107) (L. D. 76) reported that the same ought not to pass.

(Signed)

Senators:

Sanborn of Cumberland

Representatives:

Hawes of Vassalboro

Osgood of Bradford

Buzzell of Fryeburg

Davis of Buxton

Leavitt of Portland

Lackee of Addison

Smith of Thomaston

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(Signed)

Senators:

Good of Aroostook

Boucher of Androscoggin

On motion by Mr. Good of Aroostook, the bill and accompanying reports were laid upon the table pending acceptance of either report.

Passed to be Engrossed

Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer." (H. P. 1226) (L. D. 712)

On motion by Mr. Good of Aroostook, the bill was laid upon the table pending its second reading.

An Act relating to the Salary of the Judge of the Lincoln Municipal Court (H. P. 206) (L. D. 141)

An Act relating to the Bath Municipal Court (H. P. 249) (L. D. 165)

An Act Increasing the Salary of Clerks in the Office of Register of Probate of Lincoln County (H. P. 470) (L. D. 251)

An Act Creating a Civil Service Commission for the City of Old Town (H. P. 559) (L. D. 298)

An Act relating to Clerk Hire in Office of Clerk of Courts of Lincoln County (H. P. 825) (L. D. 393)

An Act relating to Compensation of County Commissioners of Lincoln County (H. P. 826) (L. D. 394)

An Act relating to Salary of the County Treasurer of Lincoln County (H. P. 827) (L. D. 395)

An Act relating to Vaccination of Animals to Prevent Tuberculosis (H. P. 922) (L. D. 476)

An Act relating to Certificate of Health upon Sale of Pure-blooded Cattle (H. P. 923) (L. D. 477)

An Act relating to Authority of Clerks of Municipal Courts (H. P. 941) (L. D. 541)

An Act relating to the Protection of Cattle from "Bang's Disease" (H. P. 1066) (L. D. 556)

An Act relating to Qualification and Registration of Voters (H. P. 1116) (L. D. 581)

An Act Further Amending the Financial Responsibility Law (H. P. 1122) (L. D. 587)

An Act Enacting the Consumer's Cooperative Act (H. P. 1126) (L. D. 591)

An Act Amending the Unemployment Compensation Law (H. P. 1131) (L. D. 596)

An Act relating to Compensation of County Commissioners of Aroostook County (H. P. 1156) (L. D. 611)

An Act relating to Compensation of Register of Deeds of the Northern District of Aroostook County (H. P. 1157) (L. D. 612)

An Act relating to Clerk Hire in the Office of Clerk of Courts for Oxford County (H. P. 1159) (L. D. 614)

An Act to Amend the Charter of the City of Rockland by Providing for the Appointment of a Board of Commissioners of Police and Firemen (H. P. 1222) (L. D. 709)

An Act relating to Sale of Liquor by Summer Hotels (H. P. 1260) (L. D. 757)

An Act relating to Payment of Special Legislative Pensions from Appropriations for Same. (H. P. 1283) (L. D. 798)

An Act relating to Records of Oaths in the Office of Town Clerks (H. P. 1285) (L. D. 801)

An Act relating to Membership in the Jointly-Contributory Retirement System for State Employees, Except Teachers (H. P. 1286) (L. D. 809)

(On motion by Mr. Elliot of Knox, tabled pending passage to be enacted.)

An Act relating to Stolen Property (H. P. 1288) (L. D. 811)

An Act relating to the Reciprocal Enforcement of Violations of Fishing Laws in Boundary Waters Between Maine and New Hampshire (H. P. 1289) (L. D. 812)

An Act relating to Taxation of Motor Vehicles (H. P. 1290) (L. D. 813)

An Act authorizing the Withholding of the Federal Victory Tax (H. P. 1292) (L. D. 816)

An Act relating to Ordinance Covering Public Assemblages, Etc. (H. P. 1293) (L. D. 815)

An Act relating to Records of De-organized Towns (H. P. 1294) (L. D. 817)

An Act relating to the Salaries of Clerks in County Offices in Oxford and Penobscot Counties (H. P. 1295) (L. D. 818)

Which bills were read a second time and passed to be engrossed in concurrence.

Passed to be Enacted

An Act relating to the Salary of the Judge of Probate for Androscoggin County (S. P. 166) (L. D. 767)

An Act to Amend the Charter of the Town of Old Orchard Beach (S. P. 222) (L. D. 333)

An Act relating to Salary of the Clerk in Office of Clerk of Courts of Franklin County (S. P. 263) (L. D. 469)

An Act relating to the Office of State Auditor (S. P. 411) (L. D. 700)

An Act relating to the Penalty for Interfering with any Contrivance used in the Lobster Industry. (S. P. 445) (L. D. 786)

An Act relating to Civil Actions for Death (S. P. 446) (L. D. 788)

An Act relating to Savings Deposits in Trust Companies (S. P. 451) (L. D. 800)

An Act relating to Reports, Publications, Etc., of Departments (H. P. 162) (L. D. 104)

Orders of the Day

The President laid before the Senate, the first tabled and today especially assigned matter, House Report from the Committee on Salaries and Fees: Report A, "Ought to Pass," Report B "Ought Not to Pass" on bill, "An Act Relating to Department Heads" (H. P. 598) (L. D. 356) tabled by Mr. Worthen of Penobscot on March 30 pending motion to accept Report A; and the Chair recognized that Senator.

Mr. WORTHEN of Penobscot: Mr. President, I yield to the Senator from Aroostook, Senator Bragdon.

Thereupon, on motion by Mr. Bragdon of Aroostook, Report A "Ought to Pass" was accepted and the bill was given its first reading.

The same Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 356. Amend said bill by adding at the end thereof the following section: 'Section 3. Limitation. This act shall remain in force for a period of two years only. After which time the present status regarding these salaries shall return to full force and effect.'"

Senate Amendment A was adopted and under suspension of the rules, the bill was given its second reading and passed to be engrossed as so amended.

Sent down for concurrence.

The President laid before the Senate, the second tabled and today especially assigned matter, Senate Report from the Committee on Labor "Legislation inexpedient at this time" on bill, "An Act Providing that Labor Unions shall be Licensed by the State" (S. P. 408) (L. D. 703) tabled by Mr. Friend of Somerset

on March 30 pending acceptance of the report; and the Chair recognized that Senator.

Mr. FRIEND of Somerset: Mr. President, and members of the Senate, I move that the unanimous report of the committee be accepted and I wish to explain to the Senate the reasons why the Labor Committee took this action. We had a very interesting hearing on this bill in the Hall of the House. It was the only bill that was up for hearing that afternoon and the hearing lasted all the afternoon and was most interesting indeed. The debate waxed warm at times but nevertheless it was very interesting. It seemed to be the idea of the Committee following the hearing that the evidence offered before the Committee was preponderantly against the bill. It was also very noticeable that industry, which is very well represented in the lobby of this Capitol, took no part whatsoever in the discussion. Industry was interested neither one way or the other, either for the passage or against the passage of this bill. That fact was particularly noticeable.

Following the hearing the Committee had their Executive Session which lasted all the afternoon and it was the idea of some of the members of the Committee before the Executive Session that it might be possible to get together Labor and Industry and get at some sort of a bill. The Committee did the best they could to bring this about and they invited some of the leading proponents of the bill, invited some of the top leaders of labor in the state and invited industry to attend that Executive Session. Labor attended the session and was definitely against the passage of any part of the bill. We also heard the proponents in Executive Session but industry did not appear, did not take part in the Executive Session. We were more of the opinion that they were entirely disinterested in the bill, it made little difference to them whether the bill obtained passage or not.

Now, there are several sections in this bill that labor unions are now doing so the Committee saw no need, if they did pass out the bill, of including those particular sections. Under Section 40 the bill says that labor unions shall make records, in the form prescribed by the Secretary of State, of all mon-

ies received and disbursed, and also that those records shall be subject to examination and audit by the Secretary of State. So far as the Committee could determine, labor unions do keep these financial records. They keep very definite, detailed records of their income and expenditures and make reports at monthly meetings to the members of their organizations indicating as to income and expenditures. These reports must be turned in to their national organization which gets out a pamphlet including the reports of all local labor organizations as part of their national union, and those pamphlets, as the Committee understands, are available to the members of each local union, and these financial records of all the local unions and the national unions would be very readily available to the public if they wished to peruse them. Because of that, the Committee saw no need of these two parts of Section 40.

Also, the bill says that labor unions must elect all officers annually by secret ballot. It is the understanding of the Committee that all labor unions in this state do that, and we saw no reason for this section, which is Section 46.

Section 47 says that a complete financial statement of the union shall be distributed to members. Now, this is not only done but a complete financial statement is made monthly by the treasurer or secretary of leader of the union to all of the members, and no money can be spent without vote of the members of that union.

It was also found, after the committee had studied this bill about two whole afternoons, that there was much in the remainder of the bill that was in direct and serious conflict with the National Labor Relations Act. Now the National Labor Relations Act gives all labor engaged in the manufacture of products that go into interstate commerce the right to organize into labor unions. The act gives them the right to elect officers and the right to do business, negotiate contracts for working conditions or wages for the benefit of its employees. Now, under Section 39 of this bill it says that a labor union must obtain a certificate of authorization from the Secretary of State before doing business in this state, and also before negotiating any

contract of working conditions or wages for the benefit of its members. You can readily see that that section would be in direct and very serious conflict with the National Labor Relations Act. And because of that, that provision would be simply ineffective.

Section 41 of the bill says that labor unions must be licensed by the Secretary of State before negotiations can be had as to contract of labor as to their working conditions or wages or adjustments of settlements or any grievances of the members of any labor organization. It says that they must receive a license from the Secretary of State before they can enter into contracts with employers, before leaders of labor representing members of unions can enter into contracts or negotiations with employers. That is in strict conflict with the Labor Relations Act.

And so here you have some of the most important parts of the bill that would be strictly negative, as your labor committee thought, if the bill should be passed. Also this bill provides that if any union or leaders representing unions do not receive a license from the Secretary of State that they can be fined. In the first place, according to the Labor Relations Act, they couldn't be forced to obtain licenses from the Secretary of State, as I understand it. So that section, the one in connection with the penalty, would be ineffective.

At the present time there is a general feeling of good will and co-operation between labor and employer. The passage of this bill, in the minds of the committee, would create a very serious antagonism between labor and employer which would indeed be a serious result at this time.

In all probability if this bill did go through there would be this antagonism created which does not exist now between labor and employer. And the employer would be blamed for it although the employers, industry, took no part at the hearing or in the executive session. It made little difference to them whether the bill passed or not. But they would be the ones who would receive blame.

Now it was the idea of the committee that if regulatory measures are really necessary in connection with labor unions it should be done

by Congress, that Congress should amend, if they deem it necessary, the Labor Relations Act, and then that action would affect all labor unions in all states the same way and at the same time.

Because of these various reasons the committee deemed it wise and sound at this time to report this matter "Inexpedient", and I hope sincerely that the members of this Senate will sustain the report of the committee.

Mr. BROWN of Aroostook: Mr. President, I rise in opposition to the motion of the Senator from Somerset, Senator Friend, to accept the Majority Report.

In the first place I want to call to your attention that the report does not say the bill ought not to pass on its merits but that it ought not to pass because it is inexpedient at this time. Inexpediency like charity covers a multitude of sins and I wonder, if it is inexpedient at this time, when it will be expedient. Will it be expedient when the labor unions have fastened their shackles upon every laboring man and upon every farmer and upon every industrial worker in the country and until the American farmer and the American working man is lying supinely on his back, bound hand and foot with chains which the labor unions are forging upon the people and upon the industry and life of America?

I am not here to oppose and I have no idea of opposing at any time, honest labor organization. I have been a laboring man myself. As I said to one union man in the hall of the House, I think I have done more hard labor in my time than any one of them. I was brought up under an eight hour day. I began at the age of twelve years and I worked eight hours in the forenoon and eight hours in the afternoon six days a week and usually half a day on Sunday. So I am heartily in sympathy with the interests of the working man.

There have sprung up, however, a vast number of labor leaders who have exploited labor for their own use, who continually keep labor in a foment and even today when the life of the nation depends on our war production they are continually making more and more de-

mands upon industry. We have an example in the coal industry with John L. Lewis demanding \$2.00 a day increase and threatening to strike if he doesn't get it and flouting Congress and the Truman Committee and every other organization because he believes the time has come when he can enforce his demand. And that is the kind of peace and harmony which the labor unions tell us exists today and which is existing everywhere throughout the ranks of union labor.

The new law, by and large, is for the protection of the union man. The honest man doesn't fear the law. It is the rogue and the rascal who is afraid of the law. The purposes of this bill are to protect the rights of the working man both in and outside of the union.

As Senator Brewster said the other day when they were questioning John L. Lewis—I am quoting from a column printed in yesterday's or day before yesterday's Portland press, reported from Washington—"Brewster spoke up for the unorganized workers; said, Did the War Labor Board give them as good a chance as organized labor, in disputes. That gave Green and Murray a good chance to say everybody ought to join a union because that way they had somebody to do something for them. Brewster estimated that there are about five million CIO; five to six AFL, leaving 20 to 30 unorganized workers. He was interested in those and reminded Green of the way men had been herded"—and I want you to note this because this is one of the things which at that hearing the labor leaders were demanding no regulations whatever; they didn't merely oppose certain sections of the bill but they opposed anything in it that had anything whatever to do with regulation—"of the way men had been herded into building trade unions at exorbitant fees and dues to work on army camps, paying the money out of their weekly envelopes, and then replaced by fresh victims when they had paid."

Now, that went on all over the United States and right here in the state of Maine, that men who wanted work first had to go and join the union and then they had to pay the initiation fee and if

they didn't have it it was taken out of their pay envelopes and after they had their union dues paid they were discharged from the union because of lack of skill and fresh victims are sought and the same man who was discharged could go back the next week and by joining over again and signing over his pay to the union could continue to work. Now, that existed and has existed in the United States and is existing today and it is one of the causes of the enormous expense of our war program. And when the boys come back from across, they and their children and their grandchildren have got to pay up this debt, a large part of it, which was caused by the exorbitant rules and regulations under which the labor unions worked.

As I say, the purpose of this bill is to protect the rights of working men both inside and outside the union against exploitation and racketeering by union officials and agents, preservation of Democracy in the unions as a guarantee of Democracy and economic equality in the nation and the preservation of the American way of life. Just as the growth of great corporations and combinations of capital in the past 50 years has necessitated their regulation and restriction for the common good, so now the necessity of the regulation of great labor organizations becomes increasingly apparent, for their own good and for the protection of the public.

The public is increasingly demanding that labor unions be regulated. The carefully conducted nationwide poll by the National Opinion Research Center of Denver University shows that over 75% of our citizens believe that the labor unions should be regulated and let me add here that one of the objections of some of the union leaders has been that they said, "Don't put this onto the boys when they are abroad; you put prohibition on when they were away; don't put this on." But a nationally known labor paper has recently conducted a poll among the boys abroad and the question was asked as to whether they were in favor of regulating labor unions and the answer, according to that poll, has been about three to one in favor of government regulation of unions. And I think a poll of the people of the United States would

show even a larger percentage than that.

More and more complaints by union members against their officers are getting into the courts, and producing decisions which curb union wrongs. In Congress in December, 1941, the Smith bill prohibiting certain kinds of strikes passed the House of Representatives by a vote of almost two to one, and might have gone through the Senate but for the objections of the White House. In practically every state legislature in the United States proposals for regulations in some form are being introduced and this is not because of the demands of some particular group of labor haters but because of the almost universal belief of American citizens that labor unions should be subject to the same laws as other great business organizations are subjected to, for the public welfare.

Now, I say that that isn't introduced by a group of labor haters but it is the tactics of the union leaders to attempt to besmirch and smear everyone who dares to say a word against the labor unions and their leaders. It makes no difference whether it is ex-President Hoover or the Congress of the Truman committee or the National Labor Relations Board which was created for their protection, if any of them attempt to regulate or to mention regulation they are immediately called tools of the capitalists and in league with Hitler and Mussolini to destroy industry. I have been asked if I am in league with Hitler and so has every man who does stand up in favor of regulation, even our great American hero, a man who has suffered more for labor than all the other union leaders put together, Captain Eddie Rickenbacker. And it is a shame that any labor union leader should be allowed to carry on such propaganda against so great a national hero, and I am proud if they are going to link me up with Eddie Rickenbacker.

Labor unions have become accepted under the laws of the United States in the public mind as a part of our economic system and as a part of our democracy. Under the National Labor Relations Act of 1935 and the National Labor Railway Act of 1936, if a union gets a majority of all the employees it becomes the exclusive bargaining

agency of all the employees, and thus becomes the door through which all American workmen must pass before they can get a job. If we are to accept this principle, that a majority shall represent all the employees—and it is being at the present time successfully defended by the unions and the Administration as “Majority Rule” and “Economic Democracy”—then the unions must be democratic themselves both as to their membership and then as to the public. Great combination of labor with enormous influence over public affairs must be regulated just as all other combinations having to do with the public welfare are now regulated. A union is very unlikely to be democratic in its attitude toward the public if it is undemocratic towards its own membership. It is therefore the duty of the state to so regulate the internal affairs of a union that its membership shall at all times be fully informed as to acts of its officials, and that such officials must at all times represent the majority of their membership and act in accordance with their wishes. Otherwise we have a dictatorship within the unions, and the union becomes an instrument of dictatorship and operation.

One of the prime purposes of this bill is to protect the union member against the exploitation of unscrupulous labor leaders and racketeers who in many instances have muscled into unions and are leading them to their ruin. As classic example of this I am going to quote to you an extract from a Reader's Digest of recent date. This is not my own composition but since it is published in a magazine of the character and type of the Readers Digest I believe it is true: “As a classic example of mismanagement of a union and the robbery of its funds, let me refer you to the now famous Local 17 of the Hod-carrier's Building and Common Laborer's Union of America in Newburg, New York. It is a story the like of which has happened in many local unions and might at any time happen in Maine under the present unregulated union system. Now let me say here that it was said before the committee by the representative of the labor union that this couldn't happen in Maine. But it happened in New York or somewhere else and it happened under the rules and regulations of the parent labor as-

sociation, and if it happened in New York, it can happen here. I am not here to say that it is not happening in the State of Maine today and I am not here to say that it is. I don't know whether it is or whether it isn't. We won't know until we have some regulations on our statute books that require labor unions to file their assets with the State of Maine and how they spend their money. But let us get back to Local 17. Local 17 was investigated last year in the courts. It has since been more thoroughly investigated by Assistant Attorney General Edward G. O'Neil under special orders from Governor Lehman of New York. In January, 1941, seventeen of the rank and file members of this union brought charges in court against its officers and the following charges were proven in court. Now these charges weren't brought into court until the condition became so bad that it could not be corrected in the union because every member on joining a union has to promise that he won't appeal to the court until every effort has been made to get justice within the union and this was the case when, driven to desperation, seventeen members of the union appealed to the court for protection. The following charges were proven in Court: First, that although their constitution called for an election of officers annually, they had had no election for three and a half years even though the members had appealed to their national headquarters at Washington. They tell us they have regular elections in Maine but so did this union according to its constitution and they hadn't had one for three years just the same. The National President, Mr. Joseph Moreschi, didn't believe in elections although the constitution of his National union required that annual elections be held. He was holding his office by virtue of appointment by the Executive Board in 1926 and for 15 years he had held his office without a single election in that time, although his union required that he hold annual elections. So you can see that even though they say their constitutions require annual election in the State of Maine, they can be violated here just as they were in New York. He could see no reason for holding an election in Local 17 and he did nothing about it.

The second count was that in 1935 Local 17 was only a small union with a dozen or so members. Then came the Delaware Aqueduct Water Supply Project of New York City. Local 17 had a closed shop contract so that all common laborers, drillers, blasters, and many other types of workmen had to join the union before they could go to work on the Aqueduct. Thousands applied for membership in Local 17. The initiation fees had been \$1.00. The officers raised them to \$2.00, then to \$25.00, then to \$36.00 and finally in 1936 to \$76.00. They also raised the monthly dues from \$2.00 to \$2.50. In three years by their own admissions they took in \$200,000. Later investigation revealed that they took in much more than that. Their expenses were practically nothing. They paid out little for strike benefits. They had a closed shop contract so they needed no paid organizers. Yet the court found in 1940 that of all that money only \$107.93 remained in the treasury and the balance had been stolen by the officials and squandered. Had it not been for court action this embezzlement of the funds of the union would never have been brought to light. Local 17 by-laws provided for a monthly audit of the books, but they never got it.

That is a classic example of the exploitation of the treasury of a workingmans union, by labor leaders. There are many other such cases on record and doubtless many more that have never been revealed to the public. And let me say that at the hearing at which the labor leaders gathered a hundred strong and insisted they wanted no regulation, one of them frankly said that occasionally a little "sugar" might stick to the hands of one of the leaders that that was always adjusted by the union. In other words, occasionally a labor union leader did steal a little money but that was adjusted by the other labor unions.

It is to protect the laboring man against such racketeering that I have introduced this bill. The honest laboring man should enthusiastically support this bill, but the agents and officers of many unions will oppose it. And they did oppose it but I didn't see one laboring man who came personally opposing it unless he was an agent. Do you think any man in the union under the

set-up that we have would dare to oppose it? He would simply lose his job.

There were employers who wanted to come and ask for this bill and I talked to one employer in the state of Maine—and I made this statement before the committee, and I make it again—who said that he would like to appear before this committee but, he said, "Frankly, I don't dare to because my trucks would be upset and destroyed and some of my drivers would be injured." That is one reason why a lot of employers weren't here, because at the present time they don't dare to appear.

Are the agents and officers of these unions afraid of what such regulation will do to them? My bill provides for an annual accounting under the direction of the Secretary of State and the circulation among the union members of an annual financial statement. Would any honest man object to that?

The third charge which this court found against this union was "Bossism". In the early 30's Samuel Nuzzo was working for the WPA. In 1936 he became an officer of Local 17 at \$30 a week. He soon persuaded his fellow officers to make him top business agent with power to hire and fire all other business agents. He also persuaded them to give him sole power to sign checks and to decree that all members had to have his personal O. K. on their union card before they could work. In a few years, Mr. Nuzzo was getting \$125 a week with an occasional \$1,000 bonus thrown in. He owned a night club and a tavern and a floor show and had become a member of the Newburg central committee of the democratic party. In 1937 the members of Local 17 were demanding financial statements from their officers so loudly and insistently that Mr. Nuzzo became alarmed about it and he wrote to national headquarters and complained that the meetings of Local 17 were near riots. James Bove, National Vice President took the matter up with Mr. Moreschi. He then on November 3rd wrote to Mr. Nuzzo and issued the following orders: "First, there will be no more meetings of Local 17; Second, Local 17 will be run by its officers, provided, however, those officers will do nothing except after approval by Mr. Bove and they will make their

financial statement twice a month to Mr. Bove."

These orders continued until local self government was restored by the court. In the meantime the assets of Local 17 had vanished and Mr. Nuzzo was indicted by a special Grand Jury presided over by a State Supreme Judge. The indictment contained over eighty counts of forgery and larceny, all involving theft from the union.

Don't you think it would have been a good thing for the working man in Local 17 if they had had regulation of unions such as this bill Legislative Document 703 provides?

At the present time owing to national laws requiring union membership in order to work in defense plants and the enormous demand for labor for the war effort, there has been a great increase in membership in the unions and consequently a vast increase in money obtained for dues and initiation fees. Not only have the unions had a great many more members to collect dues from but in many cases they have raised the initiation dues to thirty, forty and fifty dollars. This has enormously swollen the coffers of the unions.

The state of Maine should have the same right to examine their books and records as they have to examine the records of any other organization doing business in the state of Maine. The records of every corporation doing business is a matter of public record. They must obtain a charter to do business and file all information asked by the Secretary of State.

In order to fit into the American plan of economic democracy about which union supporters talk at great length, unions themselves must belong to the union, so one of the things that we must consider is the right to belong to the union. If everyone desiring to work must first join a union then no one should be denied the right of union membership, as depriving him of that right denies to him the right to work for his livelihood. This is a right which is a fundamental right of civilization and to deprive him of the right to make a living is taking away his inalienable right of life, liberty and the pursuit of happiness which is guaranteed him by the Constitution. Today the

right to join a union may be more important than the right not to join.

Let me cite you an outstanding bearing on this point. Harry Feinberg of New York City is an employer engaged in reconditioning wines. Benjamin Pross is business agent of a local of the wine-workers. Mr. Feinberg's employees go to Mr. Pross and sign applications for membership in his union and make him their representative. Mr. Pross then goes to Mr. Feinberg and obtains from him a closed shop contract. Then Mr. Pross takes the applications for membership to the next meeting of the union and has them all rejected. Feinberg's employees are all non-unionists, just as they were before. But now, they cannot go back to Feinberg because he agreed to a closed shop and can hire only union members. They are out of a job and cannot join the union. Mr. Pross fills all the places in Mr. Feinberg's shop with his own friends who are members of the union.

Another incident of the closed shop came under my own personal observation. It happened in Philadelphia. The president of a local and long established firm in Philadelphia in the produce business died and a friend of his who had a store across the street, Dock Street, which had been in business a great many years was going to take over the business but the shop whose owner had died was a non-union shop and the man who was going to take it over, his business was a union shop. The arrangements were all made and on the morning when they were to combine, the walking delegate of the union came in and said, "Are you taking over that shop?" "Yes." "Who is going to work for you?" "The same men." "Those men can't work for you; they are non-union men and they can't work in a union shop." The proprietor said, "All right, that is O. K., they will join the union and I will guarantee that they will." And the answer came, "They can't join the union; we have a closed shop and we don't want them." And this man said, "Do you mean to tell me that an American citizen who has worked for thirteen years, who has a family to support and is an American citizen, can't work in my shop or join the union?" And the

answer was "No." "Then what do you expect them to do?" And the answer was, "He can starve." And the man said, "What is going to become of the man?" And the answer, "We don't care what becomes of the man, we don't give a damn." That came under my own personal observation and so I say, if the labor unions are to become a part of our democratic organization they must be democratic themselves.

No union should have initiation fees that bar the poor. Many unions are very considerate in this matter. The Locomotive Engineers and Railway Conductors charge new members only \$10.00. The United Steel Workers charge \$3.00; the United Electrical Workers \$2.00; the United Textile Workers only \$1.00. On the other hand, certain locals of the Hod Carriers Union charge up to \$250.00. During the war emergency many locals of Carpenters Unions, Plumbers unions, etc., have charged from \$50 to \$100 for joining their Union and working for National defense.

I know that to be so because I was in the vicinity and lived many years where Camp Blanding was built. A man came from my own town and wanted to get work at Camp Blanding as a carpenter. He was told he must join the union and they said the fee was \$50. He didn't have the money so he signed a blank making over a part of his pay checks until it was paid. He worked three weeks and it was paid up, and although he was a fairly good carpenter, he was discharged at the end of three weeks and told he didn't have sufficient skill, but that he could come back the next week and join again so he might get sufficient skill so he could stay in.

Another man I know personally went to get a job of plumbing in the same camp and was told he must pay \$75 to get a job working on government defense. Think of it. A man working on a government project must pay \$75 for the privilege of working for government defense. That man refused and went to work for a private establishment.

We say that that happens in other states but we have no trouble here. I have a letter here from a gentleman you all know—Donald Webber, attorney for the research Committee. I wrote to him, requesting information as to what happened in Lewis-

ton and Auburn at the time of the shoe strike. I got this letter from him:

"Pursuant to your request for information, I give you the following brief synopsis of the events which occurred in Lewiston and Auburn in 1936.

"Some ten or twelve shoe manufacturers in Lewiston and Auburn were employing about 6400 people. These employers were suddenly waited upon by a committee of men from Massachusetts, headed by one Powers Hapgood, who represented themselves to be the CIO bargaining representatives of a majority of these 6400 employees. The employers refused to recognize these gentlemen as the bargaining agents and further refused to handle labor problems other than by individual factories. Immediately thereafter the professional agitators from Massachusetts called a mass meeting at the City Hall at which they proclaimed a general shoe strike. No opportunity was afforded the workers present to vote on the question, although demands were made by individual workers for a secret ballot. I attended this meeting so I know what transpired. Then there ensued over a period of many weeks a costly and damaging strike.

"This strike had no basis of grievances over wages, hours, or working conditions. It was what is termed an organizational strike, that is, a strike for the purpose of bringing all the workers into a union. During this strike every type of threat, intimidation, and violence was employed by the thugs who were imported into Maine from out of the State. Buildings were burned in the night time, automobiles were destroyed, windows were broken, and unsympathetic workers were slugged and beaten."

Remember, this happened in the state of Maine, not down in New York.

"The strategy was to put the workers in such fear that they would not dare to come to work, which in turn would cause the factory to close. The worker, even though entirely unsympathetic with the particular union which had cost him his job, would, after a few weeks without pay, feel compelled to go to the union commissary to get supplies. Naturally, his membership in the union was the price of the supplies which were received."

This is a case where a poor man had to barter his liberty for bread. A great friend of the poor man, wasn't it?

"So great was the hostility, however, of the workers to this dictation from outside the State that the CIO was never able to muster more than about 1500 people out of the 6400. The strike was later enjoined by Mr. Justice Harry Hanser and subsequently about six non-residents of the State of Maine served time in jail for active and intentional contempt of his injunction. In subsequent hearings before the National Labor Relations Board, the trial examiner dismissed every single charge of unfair labor practice on the part of the employers. Out of the chaos of this situation there arose an organization known as the Lewiston & Auburn Shoe Worker's Protective Association which is a well-organized and well-ordered independent union. The officers and executives are Lewiston and Auburn people who have lived here all their lives. They know the local situation and the local problems. I am informed that they have over \$35,000 in invested funds. The members know where their money goes and where it is at all times. Since this union became the bargaining agent in all the local shoe shops, contracts have been bargained and written on a sound, reasonable, and business-like basis. This union employs excellent and reputable legal counsel and its other representatives are citizens of Maine of the highest type. It has no affiliation with an national union.

"This situation which arose here in 1936 and which nearly wrecked this community at that time would never have happened if the employees had been permitted by the outside agitators to vote upon the decisions and run their own affairs along accepted democratic lines. In all fairness, I will say that the organization of the textile units by CIO has never been handled in any such a way as the shoe situation was handled and the CIO has obtained bargaining rights in most of our textile plants in a perfectly peaceful and orderly manner. I will say without reservation, however, that when men of the type of Powers Hapgood and his ilk start to invade any State you need a law and a good one."

Now, I have not taken up very much time with the law, itself. I wish to say that at the committee

meeting after listening to the violent objections by labor unions and although I had no hope, personally, that they would accept any type of regulation I had drawn up, with the assistance of an attorney, a new draft or amendment which I offered to the committee. I want to say that the new draft does away with a great many of the things which aroused their most violent opposition, and should perchance the motion of the Senator from Somerset, Senator Friend, be turned down, I have an amendment which I wish to offer. The first part of the bill defines labor unions, local unions, business agents, etc. Section 39 applies to the Certification of authorization. I have listened to the learned discussion of the law by my friend, the Senator from Somerset, Senator Friend. I know he is not a lawyer any more than I am. There are no lawyers on the committee. I wonder who interpreted the law for him. I suppose it was the attorney for the labor unions. I have talked with quite a number of attorneys in regard to the matter and they see no conflict between this and the National Labor Relations Act. I say if there should be any conflict, it can be changed. The state of Kansas has passed a more stringent law than this one and it has been signed by the governor and it is now the law. They were not afraid of being in conflict with the National Labor Relations Act.

"Section 39. Certificate of authorization. No labor union shall do business in this state, either in soliciting memberships, collecting membership fees, or dues, or negotiating any contracts respecting wages, hours of labor or working conditions of its members unless and until such union shall register with the secretary of state for a certificate of authorization, permitting it to do business in this state, on a form:

"(a) Appointing the secretary of state as its agent upon whom all notices, service of process and legal notice may be served and such service shall have the same force and effect as if served upon the labor union itself."

I am sure this needs no explanation to the attorneys in this body because they know this is a common form where foreign corpora-

tions are doing business in the state in order that they may have someone upon whom to serve a summons.

"(b) Agreeing that it will keep accurate records of all moneys received and disbursed by it within this state."

I have modified that somewhat. It requires they keep account of what they do in a financial way in the state.

"(c) Agreeing that it will submit its books and records of moneys received and disbursed, within this state, to examination and audit by the secretary of state, annually or sooner, if in the discretion of the secretary of state it is deemed advisable."

Now there is violent opposition to this, that we are making the secretary of state a czar, but it is nothing more than is required of any corporation doing business in Maine in some form or other especially corporations handling large amounts of the people's money.

"(d) File with the secretary of state a copy of its charter, constitution and by-laws, and also, annually, a statement of its assets, particularizing each item of its investments, and the depositories of its cash and securities, and a statement of its liabilities, such statements to be sworn to by its secretary and treasurer or business agent."

Now, those are the things the secretary of state requires. They attempted to tell us they didn't want to be under a whim of state officials. We all have to live under the whim of state officials, if you want to call it that. They have certain duties to perform, and in this case, the duties regarding unions are plainly set forth. There can be no question of there being a whim.

Now then, "After full compliance by any labor union with the above conditions the secretary of state shall issue to such labor union a certificate of authorization to engage itself as a labor organization in this state. Such certificate of organization shall be renewed annually on the 2nd day of January of each year."

Section 40 applies to the licensing of business agents of labor unions. Then there is a section regarding the penalty and one applying to the annual fee.

Section 43—"Labor unions extending certain benefits regulated." Here is where mine differs from the other bill. The one originally offered provided further restriction and regulation by the secretary of state. We have left it so the secretary of state is really only a recording agency for labor unions. This section provides: "Any labor union which extends to its members sickness or disability benefits or unemployment payments shall be subject to the restrictions and regulations of sections 20, 21, 22 and 23 of chapter 61 and amendments thereof and in addition thereto, of the revised statutes."

Let me explain that a moment. All beneficial fraternal associations in the state of Maine who carry insurance for their members must come under similar regulations. The labor leaders told us in the corridor and they also told me that they were willing to come under the same regulations other societies and organizations did. I found out what regulations were put upon fraternal beneficial insurance companies because after all, the labor unions in a certain sense are insurance companies because for dues received they have granted certain sickness and in some cases, death benefits. Therefore, when collecting money from the people of Maine a part of it has to be used for insurance benefits and they should come under the same rules and regulations that the New England Order of Protection or the Masonic insurance body or any other body engaged in fraternal insurance. Therefore, we ask them to be put under those rules and regulations.

Now, in regard to internal affairs. "Sec. 44. Election of officers. Labor unions, holding elections in this state, shall elect all officers by secret ballot, all members being eligible to participate in such elections."

"Section 45. Financial statement to be distributed to members. Any labor union, doing business in this state, shall distribute, annually, to all its members a complete financial statement covering its past fiscal year, within 30 days of the termination of such fiscal year. Such statement shall include the salaries and expenses of all officers and business agents of such labor unions."

Senator Friend has stated that many labor unions do just this thing. That is good. More power to them. The object of this is to make the worst union do what the best is doing.

"When membership fees, dues and assessments shall become effective. Any changes in membership fees, dues and assessments of local labor unions shall not become effective until after approved by vote of a majority of members present at a regularly called meeting of such labor union."

That is to prevent labor union officials getting together and jacking up the dues as we know John L. Lewis did in the coal union.

"Membership in any labor union, doing business in this state, shall not be denied to any person on account of race or color nor on the ground that such labor union is a closed union."

"Suspension of license. Any labor union violating any of the provisions of sections 38 to 47, inclusive, shall be punished by suspension of its license and by a fine of not more than \$1000.

"Powers and duties of secretary of state. The secretary of state is hereby authorized and empowered to carry out the duties and powers conferred upon him under the provisions of sections 38 to 48, inclusive."

That concludes the bill. Now there is something that goes a little beyond this. It is a question of policy—policy toward the people outside the union and policy of the unions towards the farmers. I do not know how much you are acquainted with it but there has been a determined and vicious attempt on the part of labor unions to organize farmers and farm workers throughout the United States. Today a great majority, or a great number of milk farmers, farmers producing milk in Michigan or New York state are paying tribute to John L. Lewis's mine workers—so much a can per hundredweight. They are members of John L. Lewis's coal miners' union. Here you see the peculiar thing of organizing the employer of labor as well as the employee. The CIO have gone to the farmers all over the country and organized farm labor. In California they have gone so far as to—I am quoting from an editorial in the American Agricul-

turist, one of the best known and most reliable farm papers in the country:

"Last winter the farmers of five counties surrounding Los Angeles who supply big dairies with alfalfa hay got a notice from a Teamsters' Union that, after a certain date, no farmer, his son or his hired man would be permitted to drive his truck loaded with alfalfa hay to supply these dairies, unless the driver joined the union and had his union card. The union also informed the milk producers that if they used any of this 'hot' hay to feed their cows, the milk itself would be declared 'hot' and the drivers who delivered the milk would refuse to handle it to the consumers. Again the Associate Farmers came to the rescue, had 250 of their members sworn in as deputy sheriffs, and organized these in highway patrols, with the result that the hay was delivered without interference.

"If you dairymen are still not convinced that this labor business is a menace, recall the story of the farmers who delivered milk to the Hershey plant in Pennsylvania. These farmers, when the workers in the plant went on a sit-down strike, took clubs and went to town, cleaning out the sit-downers and putting the plant in operation again."

They had to organize under the name of Associated Farmers to protect themselves against the ruffians which they hired to intimidate the farmers.

I have an editorial which I wish to read from the present governor of New York, Thomas E. Dewey. This was made before the time he was elected and evidently there was one public official not afraid of the union labor vote. This is taken from the New York Herald Tribune of Sunday, April 26, 1942: "Thomas E. Dewey accused John L. Lewis last night of attempting to build an American dictatorship behind the backs of the people fighting this war by his drive to unionize the farmers and to 'get control of the American food supply.'

'It is a scheme that represents a perfect pattern for American dictatorship' Mr. Dewey told the Long Island Association dinner at the Pennsylvania in an address bristling with condemnation of the president of the United Mine

Workers of America and founder of the Congress of Industrial Organizations.

"Noting that Mr. Lewis might collect \$27,000,000 annually if the 3,000,000 dairy farmers alone were organized, Mr. Dewey said that this income and food control would assure 'such a throttlehold on the lifeblood of the nation' that the organizer 'would be in a position to dictate America's destiny.'

'It is the patriotic duty of the American people to defeat that effort,' Mr. Dewey insisted. 'American boys coming home from war must not find that they cannot grow food or eat food without the consent of John L. Lewis. While we fight dictators abroad we must not become enslaved by a home-grown despot.'

I want you to think that over.

I have a lot more material here but I think you have listened until you have become tired. I just want to give you one or two instances—we have labor racketeers here in the state of Maine. One man, sitting in this Senate who was a candidate for a state office was approached by a labor man and told if he would give him \$25 he could deliver the legislative vote of York County. I am not believing for a moment that York County had anything to do with it. It was a case of graft where the labor man was going to put the \$25 in his pocket. Is that a thing we want here in Maine? Under this law, every agent would have to register in Maine and we would know who he was.

Another instance: When the bill was given to the committee, the lobbyist representing the labor unions went to the clerk, Mrs. Hills, and demanded she not advertise it for hearing until they told her to.

Think of it, you members of the Senate. These are charges I can prove. They can say that labor unions need no curbing in Maine, but I say they do. It is for the interest of good government.

I wish to read a little I have received. This lady says something I hesitate to say, myself. She is a lady in Portland and she writes:

"You are certainly to be commended for having the courage, and vision, to introduce a bill providing for the licensing and regulating of Maine Labor Unions.

"Unfortunately there are altogether too few of our public officials who have the courage to make a move against this organized labor movement which is rapidly securing a strangle-hold upon our American Ways of Life, although they must realize, as we do, that unless there is immediate legislation for the control of organized labor, that it will very soon control us.

"Just why shouldn't these union agents, who make their living and hold their jobs by stirring up trouble in industry, be licensed, and made to give an accounting of the tremendous sums of money which they exploit from the working men and women of this country?

"During the past ten years, under the coddling of our Administration in Washington, helped out by taking full advantage of war-time activities, we have watched with alarm as organized labor has succeeded in elevating itself to a position of labor dictatorship, which we must all appreciate is a very dangerous condition. It must be curbed or we will very soon find ourselves under their complete control, and the democratic principles, which we are now fighting to defend will have been lost on the home front, while our boys are across.

"Your bill should be passed. We hope that a majority at least of our representatives at Augusta have sufficient courage to give you their support, and that the State of Maine will have the honor of taking such an important step in the right direction."

I wonder if, after all, this report of "inexpediency at this time" doesn't mean it is politically inexpedient to some people. I think now is the accepted time. As I said yesterday, let's not adopt the motto of the Spanish or Mexicans down south who say, "Manana. Manana," meaning "tomorrow — tomorrow". Today is the time for the legislature of Maine to act on this constructive, safe, progressive step. We should not be afraid to do it.

I hope the motion of the Senator from Somerset, Senator Friend, to accept the "inexpedient at the time" report will not prevail. If that motion is lost I will offer my amendment.

Mr. WORTHEN of Penobscot: Mr. President, I do not care to discuss this bill in detail because I think Senator Friend presented the facts and findings of the committee very closely. When I went in the committee I went with an open mind, bearing in mind that on matters pertaining to labor we should be as fair as possible to both labor and industry. At the hearing, as I recall it, and I think this is a fairly important point, there were approximately 150 opposing the measure. To my knowledge, industry was not represented at all. I think the proponents of the bill numbered only two. As Senator Harvey said the other day on another matter, I was not convinced that there is any necessity for this measure at this time. I think perhaps in fairness, the time is coming soon when we may be able to pass legislation which will be a benefit to both labor and industry. I hope the members of the Senate will vote to accept the report of the committee.

Mr. FARRIS of Kennebec: Mr. President, the Senator from Aroostook, Senator Good, had to leave for a speaking engagement. He asked me to pair with him on voting. He would vote against the motion and I would vote for it.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Friend, that the report of the committee, that legislation is inexpedient, be accepted.

Mr. VARNEY of York: Mr. President, apparently I was not paying close attention to Senator Brown, as I should have been, but I did hear him make some remark about a member of the Senate and a little later referring to York County—a member from York County having been offered to carry the vote in York County for \$25.00. I am sure he didn't intend to insinuate it was any member of the York County delegation who had any such offer. I simply want to correct it on the record. No one made any offer to me, and on conferring with my colleagues from York County, I think that is true so far as they are concerned.

The PRESIDENT: The Chair will state that he does not think there was any such insinuation in

the remarks of the Senator from Aroostook, Senator Brown.

Mr. BROWN: Mr. President, certainly there was no reflection upon the senators or anyone from York County. The gentleman is a member of the Senate and told me I could use it. It was Senator Washburn who told me when he was running for Commissioner of Agriculture, a member of a labor union, —one of the leaders—offered to deliver the legislative vote of York County for \$25.00.

Mr. FRIEND: Mr. President, when the vote is taken I ask for a division.

Mr. BROWN: Mr. President, I move when the vote is taken it be by the yeas and nays.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Friend, for the acceptance of the committee report that legislation is inexpedient. The Senator from Aroostook, Senator Brown has asked that the vote be taken by the yeas and nays. To order the yeas and nays, an affirmative vote of one fifth of the Senate membership is required. Is the Senate ready for the question?

A sufficient number having risen, the yeas and nays were ordered.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Friend, for the acceptance of the committee report, that legislation is inexpedient on Legislative Document 703. Those in favor of the motion to accept the committee report will answer "Yea" when their names are called, and those opposed will answer "No." The Secretary will call the roll.

The Secretary called the roll:

YEA: Senators Batchelder, Boucher, Bragdon, Buck, Clement, Dunbar, Elliot, Emery, Friend, Hanold, Harvey, Haskell, Hodgkins, McGlauffin, McGill, Owens, Peakes, Peters, Sterling, Townsend, Varney, Washburn, Worthen—23.

NAY: Senators Bishop, Brown, Dorr, Dow, Hall, Sanborn, Woodbury—7.

PAIRED: Senators Farris, Good—2.

Twenty-three having voted in the affirmative and seven opposed, the

report of the committee, "Legislation Inexpedient at this time" was accepted.

Sent down for concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table, House Report from the Committee on Legal Affairs, Majority Report "Ought to Pass in New Draft", Minority Report, "Ought Not to Pass" on bill "An Act to Create a Board of Fire Commissioners for the Town of Sanford" (S. P. 458) (L. D. 246) tabled by that Senator on March 29th pending acceptance of either report.

Mr. BATCHELDER of York: Mr. President, I move acceptance of the Minority Report "Ought Not to Pass".

Mr. BOUCHER of Androscoggin: Mr. President, I move the bill be laid upon the table pending acceptance of the report.

The motion to table did not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Batchelder, that the Minority Report "Ought Not to Pass" be accepted.

Thereupon, the Minority report of the committee "Ought Not to Pass" was accepted in non-concurrence.

Mr. ELLIOT of Knox: Mr. President and members of the Senate, it is my understanding there will be no further business to come before the Senate requiring an afternoon session. If any members desire to take bills off the table at a later session today, will they kindly make a motion to recess until later in the afternoon? Otherwise, my motion will be to adjourn until ten o'clock tomorrow morning.

On motion by Mr. Elliot of York
Adjourned until tomorrow morning at ten o'clock.