

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, April 19, 1945.

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

Prayer by the Rev. Edna Knowlton of Augusta.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. **WARD**: Mr. Speaker, I ask unanimous consent that all matters acted upon at this morning's session requiring concurrence with the Senate or engrossing may be sent to the Senate one hour after the House recesses, and that the right of reconsideration on such matters shall be lost unless notice of intention to move reconsideration be given to the Clerk while the papers are in his possession.

The unanimous consent of the House was granted.

Papers from the Senate Senate Reports of Committees Senate Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Appointment of Police Commissioner for city of Lewiston" (S. P. 141) (L. D. 346)

Report was signed by the following members:

Messrs. **BATCHELDER** of York
LEAVITT of Cumberland
GOULD of Androscoggin
—of the Senate.

PAYSON of Portland
RANKIN of Bridgton
WEEKS of Waterville
WARREN of Westbrook
SNOW of Auburn
WELCH of Mars Hill
—of the House.

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

Report was signed by the following member:

Mr. **DONAHUE** of Biddeford
—of the House.

Came from the Senate with the Minority Report adopted and the Bill passed to be engrossed.

The **SPEAKER**: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. **JALBERT**: Mr. Speaker, I move we accept the minority report in concurrence.

Mr. Speaker and Members of the House: I stand this morning without an iota of belligerence in my system; I stand before you as a beggar, asking you to give us at home the right of self-determination.

This bill simply is this: We at home would simply like to have this matter go before the people on a referendum as to whether or not we favor the Police Commission being appointed by the Mayor instead of by our Governor.

I would like, for a moment, to go back into the history of this case. Twenty-eight years ago the City of Lewiston came up here, asking that a bill be passed giving the Governor of Maine the power to name our Police Commissioner. They were right when they said that conditions were such at home that the right of self-determination should be taken away from us. Conditions were bad; some city officials were corrupt; some police officers were corrupt. That is twenty-eight years ago. Times do change.

In 1939 we came up here from Lewiston, asking a charter revision. It was a gentlemen's agreement that, should this new charter prove successful, a change in the police set-up would be made.

I have with me a paper dated Monday morning, April 16, 1945, which says, "The City of Lewiston completes six years under new charter with cash surplus of \$121,-428." I think that is a good record. I think for at least that reason alone we have a right to ask for self-determination.

Twenty-eight years ago the police set-up at Lewiston was bad. The opponents have thrashed this out very often, and I frankly never have had the true story of how bad it was. I can tell it to you now. There were, let us say, twenty-five policemen in the City of Lewiston. The Mayor had four officers to appoint every year. For good political reasons, he gave each alderman in the seven wards three police officers to name. That is how they got their campaign kitty, and that is why it was fought. Since then the whole set-up has changed.

As you know, we have a board comprising five members, three

members of the majority party and two members of the minority party, in each of our different departments. The Police Department has three members, confirmed by the Commission and nominated by the Governor. They are almost under a civil service ruling: The only way they can be removed is for cause, with a right of appeal. To further the thing, the Chief of Police this year has been given a life tenure of office. We passed this bill here approximately ten days ago. He also can only be removed for cause and with right to appeal.

As you know, Lewiston now is non-partisan: that is why we have majority and minority members on our boards.

All we ask is a fair trial.

When this thing came about, I was six years old. The other five members in this House from home, who are all in favor of this, were younger—or a little older—than I was. We did not know what this was all about. Why should we be punished for something that was done twenty-eight years ago? Five members from Lewiston are in perfect accord that this thing should be placed before the voters of Lewiston in a referendum, to decide whether we deserve, whether we want, and whether we will accept the right of self-determination.

In closing, I might say, as my good friend, Mr. Jacobs, told me this morning: Should we again muff the ball we can always come back here and be spanked once more.

Mr. Speaker, I hope sincerely my motion will prevail.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that we accept the minority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, as a member of the Legal Affairs Committee who signed the majority report, it is at least only fair to say upon what basis our committee made that majority finding. Personally, of course, I have no interest in the matter at all, because it pertains only to Lewiston. Also, as a purely personal matter, I would like to go along with it. But here is the proposition as it was given to us in the committee:

Lewiston asked for home rule in their police department. The gentleman from Lewiston, Mr. Jalbert, has given you an accurate picture

of the situation down there so far as I know it; with the single exception I cannot understand Lewiston having no partisan politics. The situation was, in 1917, or prior thereto, that the Police Department was rotten, corrupt; jobs were for sale. Under the Governor-appointed Commission that has all been straightened out, and they have one of the finest and best police departments in the State of Maine. Naturally enough, the majority of the members of the committee said, "Why not leave well enough alone?" That is the basis of the majority report.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker, not many years ago I had an uncle, a one-armed veteran of the Civil War, who held an office in the City of Portland connected with the Police Department. It was my privilege to visit this uncle and see men on election day march in in single file and receive a five-dollar bill openly, or a quart of rum, furnished by the so-called better citizens of that city to buy their election to some office.

Now Portland has become a better city; it has become a cleaner city. Lewiston at one time might have been a bad city, but today Lewiston is a better city, it is a cleaner city, and it ranks among the highest in the cities of our State. As I have said before, I want to live in a democracy, under a government by the people, and I want to walk with the common citizens in the City of Lewiston.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, my name appears on the journal here as having voted on the majority side. I was influenced, I think unduly influenced by certain letters that we had from citizens of Lewiston who are opposed to a change. It is always easy to get such letters. It is easy to get letters of commendation and recommendation; it is always very easy. So, very reluctantly, I went along with this report. But some of you remember that two years ago, when this matter came up, I spoke for that home rule measure which was the same as this, with some changes, and I remember only about one-third of the members of the House voted. Most of us were

against it. Apparently those who voted against it were reluctant to do that sort of thing. So I have changed my mind, as we all have the right to do.

We acted upon this matter in the committee six or eight weeks ago, and I am back where I was two years ago. I never was very far from that. I am now heartily in favor of doing what the City of Lewiston wants.

It has been well said that conditions have greatly changed. They have changed in an economic way. People from my part of Cumberland County are more likely to go to Portland than Lewiston, but I go to both Portland and Lewiston, and I think I have been to Lewiston as much as to Portland in the matter of trading, for example. In recent times I have been in a number of cities of Maine, and I have not seen any principal street of any city in Maine that has shown such evident signs of improvement as Main Street, and, secondarily, Lisbon Street, in the City of Lewiston.

Lewiston has been doing very well in financial matters, as has been said. A number of years ago it was up to the top limit of its debt. In the last six years it has reduced that debt more than one-third, and in the last two years it has reduced its debt nearly \$200,000.

Now this situation which has been referred to occurred twenty-eight years ago. Surely none of us expects this sort of thing will go on forever, not in democratic America and above all in the State of Maine, where we are in the true sense democratic and individualistic. We believe in home rule. Will the situation be any different two years from now, or four years or eight years from now?

We have been making wholesale gifts of charters and revisions of charters during this session:—I recall the cities of Rockland and Saco, and such towns as Madawaska and Limestone.

So I feel sure in my own mind that the time has come for us to do this decent thing, this fine thing, this democratic thing for the City of Lewiston. As the former Mayor, Mr. Boucher, told me last night: "We simply want a chance. If we cannot go on our own, the Legislature can take these powers away from us again." So, in the remote event Lewiston does not do what we expect, we can go back to

the old status. But there is no doubt in my mind, because I believe Lewiston is a fine, progressive city. I hope we shall not deny the citizens of Lewiston the right of voting upon this important matter.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker and Members of the House: Of all the Legislatures that I have attended in the past few years, I have voted consistently against the Police Commission form of government in the city of Lewiston, believing it was not the time to make a change.

I have not been asked by any member in Lewiston to speak on this question this morning, in favor of it, but I have been asked to speak against it, but I believe, as a neighbor of the city of Lewiston, living in Auburn and having viewed at close range the business and the management of the city of Lewiston for the past few years under the new charter—I believe that the time has come that Lewiston should be given the right of franchise in every department in the city.

They have a different personnel today governing the affairs of Lewiston than they have ever had before. In my opinion a higher type of citizenry are managing the affairs of Lewiston. We have the right of franchise in the city of Auburn. We differ politically, but there are no politics in my remarks today—they are purely from the viewpoint of a neighbor across the river, and I believe the time has come when Lewiston should have the right of franchise to name its own officers to carry on, as every other town and city in the State of Maine does. As I said to Mr. JAlbert this morning, if this bill passes, and you give Lewiston this right, and if they do not exercise good judgment in the management of their affairs, in the next two years we can spank them and bring them back to Augusta and change it.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker and Members of the House: It seems to me that a genuine effort has been made in this city which very many of us love, to reform conditions, and it is not the right attitude on our part not to encourage them in their reformation. It seems to me we owe to them that duty.

There comes to my mind, I think from Shakespeare, a quotation: "If, when you make your prayers, God should be as obdurate as yourself, how then should it fare for your immortal soul?"

I believe, in dealing with this matter of home rule, we should practice the Golden Rule given us by the Master of us all.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I have been a resident of Maine for twenty years, but long before I came here I always heard and felt and thought that this State stood for justice, and I think here is a case where we ought to prove it.

The city of Lewiston admits that twenty-eight years ago it did what was wrong. Are we going to hold it against them forever? I think even a convicted murderer would be pardoned after a period of twenty-eight years. Are we going to consider these people over there worse than murderers? The other day, in this House, we had the question of area schools come up; we wanted home rule, and we voted for it. It seems to me that we should give Lewiston the same thing.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Cole.

Mr. COLE: Mr. Speaker, I rise simply to make this one remark: On several occasions I have been present in the city of Lewiston when the city has entertained the State Teachers' Convention. At such a time traffic is quite a problem, and I have always been struck by the efficiency, as I observed, of the Lewiston Police Force, not only the efficiency, but the courtesy of the Lewiston Police Force.

I want to just add my little word in the hope that we shall see fit to grant them their home rule as they ask for in this particular measure.

The SPEAKER: The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: If today I was advocating a bill to say that Portland or Bangor or Augusta should not have home rule, I would be shouted out of this room, and I rightly should be. Since I have come to this Legislature we have heard this question of home rule for Lewiston. If I

am consistent with any record, it is this: that I believe that the local unit should be given a chance to govern itself. I have said many times on the floor of this House that I believe home rule should come before State rule, and that is the way I feel on this issue.

Now I do not know anything about the police conditions in the City of Lewiston. I will take the word of the able gentleman from Auburn, Mr. Jacobs, or anyone else. I would still say that if police conditions are not as good as they are in some cities in the State of Maine that I would still be for this bill, because it would be up to the people of Lewiston to correct that condition if it is not right, and not for you and me sitting in this Legislature. And so, because I believe that the members of this Legislature have often stood for home rule against State rule, I say today that we should give the Police Commission of the City of Lewiston its freedom.

The SPEAKER: The question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the minority "Ought to pass" report of the committee in concurrence.

The Chair recognizes the gentleman from Lewiston, Mr. Boutin.

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

The SPEAKER: The gentleman from Lewiston, Mr. Boutin, asks for a division. All those in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the minority "Ought to pass" report of the committee will rise and stand in their places and the monitors have made and returned their count.

A division of the House was had. One hundred and twenty-one having voted in the affirmative and two in the negative, the motion prevailed, and the "Ought to pass" report was accepted in concurrence.

Thereupon, the bill was given its first two readings, and under suspension of the rules, was read the third time and passed to be engrossed in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, may I have permission to address the House for ten seconds?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, re-

quests unanimous consent to address the House for ten seconds.

Mr. JALBERT: Mr. Speaker, in thanking the House I may say that for a moment I had a dream that this vote was being taken on the change of election date. (Laughter)

The SPEAKER: The gentleman has two seconds left.

Mr. JALBERT: Mr. Speaker, I will take those two seconds at the Mock Session.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Salaries and Fees reporting "Ought not to pass" on Bill "An Act relating to the Salary of the Governor" (S. P. 164) (L. D. 367)

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

Ought to Pass With Committee Amendment

Report of the Committee on Public Health on Bill "An Act relating to Public Health" (S. P. 212) (L. D. 471) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Pittston, Mr. Jewett.

Mr. JEWETT: Mr. Speaker, this is a compulsory vaccination measure. There have not been very many cases of smallpox in the last two years. I move its indefinite postponement.

The SPEAKER: The gentleman from Pittston, Mr. Jewett, moves indefinite postponement. The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: It is with great regret that I find myself where I must differ with my good friend Mr. Jewett, and at least it is only fair to the members of the House that I should explain the reasoning of the Committee on Public Health.

This bill, in essence, provides simply an insurance. You place insurance upon your child's life, you place accident and other insurance, and this bill simply places

upon the life of your child an insurance against one of the most malignant diseases known to medical science.

Prior to 1924 they had a compulsory vaccination bill, and at that time it was done away with. As my good friend has told you, there have been no violent outbreaks of smallpox in the State of Maine for some little time, and I am wondering if that is not largely due to the fact that our sister state, or, rather, the Dominion of Canada, has a compulsory vaccination bill.

I realize there is opposition to this bill. There is always opposition to the word "compulsory" in anything. You know, I have had a feeling of revulsion many times whenever they say "You must have your automobile license." I have had that same feeling when I have ticked somebody's mudguard and hurt it to the value of fifty dollars and they say, "You must take out liability insurance." The word "must" is distasteful, but, in this particular instance, is it as serious as it might seem on the surface?

Let us see just what the bill does say in the first instance—and I am not going to tire you long this morning. It simply says: "All children in the State of Maine on entering any school shall present to the teacher or superintendent of schools evidence of having been vaccinated." There is what it says in essence. It goes on with a lot of verbiage, but, in essence, it says that your child, when entering school, shall be insured against smallpox. Now that is, in essence, all the bill says. I realize there will be objections to it, largely on account of the word "compulsory".

I am not going to tire you this morning; I certainly tired you enough yesterday afternoon; but it seems to me that this is one of the most serious things we have contemplated for the session. We have got a new condition of affairs. Foreign countries, where smallpox abounds unabated, are but a few hours today from your doors. We do not know at what time an epidemic of smallpox might arise in the State of Maine. It seems to me that this bill is simply a case of that old adage of locking the door after the horse is stolen. I am not going to take up your time much longer with the particulars. There is no end of data, there is no end of fact. State after State has

said that this was a good law and have enacted it. I see no reason why, if it is a good law for other states that it is not a good law for the State of Maine, and that is the reaction that the Public Health Committee got. There are all kinds of statements, crude, overdrawn, far-fetched, in opposition to it. It is unnecessary to go into those. The mere fact remains that by the enactment of this bill the question for you to decide is whether or no, by the simple process of vaccination, which the large majority of the medical profession say to you today is harmless, whether by that simple procedure you will protect your child from getting smallpox or whether you say, "I am going to take a chance."

I have got a lot of pictures here I wish I could show to you, but I am not going to take the time. The whole question, members of the House, is whether you want to be a self-insurer of your child or whether you want to grant him protection which he may receive.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker and Members of the House: I simply wish to call your attention for just a moment to a request that was made to me before I left to come down here this week by a lady in Bingham who has a husband who served in the last war. She has a son who was shot down over Germany and was held by the Germans as prisoner and was reported missing in action, and for a long time was believed to be dead, but he has since communicated with her that he is a German prisoner. The other son is fighting for his country over Germany in airplanes, much of the material for which was built in the town of Bingham. That lady is interested in the schools and in the children of the town of Bingham, and she has requested me to say that the people of Bingham and vicinity feel that we should have compulsory vaccination for the children, to protect us against spread of any future epidemic.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Springer.

Mr. SPRINGER: Mr. Speaker, my good friend, Mr. Downs, has said to you all that could be said, but I want to second everything he

has had to say in regard to compulsory vaccination.

I have on my arm a couple of scars, and I am still alive. I do not think any youngster objects to it in the least. I think sometimes the people of the State of Maine, good, sturdy folks, hate to be told they must do this, and they must do that, but, on the other hand, if it is something to serve health, and it is something that we should have, then why should we object to it?

We do not find many cases of smallpox throughout the State of Maine, do we? Why? I think it is because we have taken care of this very same thing that we are asking to do here. There is nothing about it to even scare the youngster very much, and it is nothing either, that I ever have known people to die of. When the child is vaccinated—or older people—it only means that you have within your blood something that will oppose that disease that you might have. It is just like a beaver dam being destroyed and beavers go to work and mend the dam. It is just the same way with our bodies. If you do not happen to have the scar on your arm, if you do not happen to have that vaccination within your body, then Nature heals itself—and it can—to mend that thing which you will have within your body; but if you are not strong enough to overcome it, you simply pass out of the picture. However, if you have the vaccine in your body, then you can fight it far better.

I will not add anything more, but I do hope the people of the State of Maine will say yes,—let us have it, because it is nothing that anybody need fear, and there is no reason why they should object to it.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker and Members of the House: Personally, I see no need of such legislation. It has been said by many of the members this morning that Maine is free, to a great extent, from smallpox. Compulsory vaccination notwithstanding, we have not been compelled to vaccinate.

I do not like this word "must". I like it to a greater degree as pertaining to my automobile and property than I do to my personal body and personal life. When any individual will say to me that I must have introduced into the bloodstream of my children any vaccine

or virus or serum, I say that the Legislature then, or that individual, goes beyond their natural moral right. My home is my castle; it is my fortress. I enter that home with my family; I close the door, and no one has the right to enter unless I say to that individual, "Come in." But, when such a law is passed, whether I want that individual to enter yea or nay, my home, by the laws of the State of Maine can be invaded; my children can be vaccinated or inoculated whether I wish it or not; and, until the time comes that it is extremely necessary for such things to be done, I stand ready to fight any "must" measure along these lines.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, we read in that great work, "Plutarch's Lives," of the career of one great Roman leader, the one we know as Sulla. Sulla started out in political matters and worked his way up to the top and became the head of the Roman Empire. While working his way up, Sulla became chief of the Roman fire department, and, as an illustration of the manner in which he used to work his way up to the top, when he was on his way to a fire he would set up his hook and ladder and get his hose adjusted, and then he would go to the owner of the house and say to the owner, "How much will you sell this house right now for the way it is burning?" That is the way Sulla got to the top, and that is the system the opponents of this measure are using to defeat it.

To be sure, the incidents of smallpox in Maine is low, but every death which occurs in the State by smallpox is a black mark against the health record of this State. There is absolutely no need for it.

The original bill which we would substitute for the report provides that all children will be vaccinated on entering schools, and this provision would be waived if the parents filed a statement that they opposed vaccination on religious grounds, or if a doctor says that the child is not physically fit to be vaccinated. This provision takes care of the objections raised by the Christian Science Church. Therefore we believe that everybody would be satisfied by the original

bill. They do not have to have their children vaccinated if they file a statement showing that they object to vaccination on religious grounds. I therefore hope that the bill will be substituted for the report.

The SPEAKER: The question is on the motion of the gentleman from Pittston, Mr. Jewett, to indefinitely postpone the bill.

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

Mr. BREWER: Mr. Speaker and Members of the House: After listening to the talk of my colleague, Mr. Peirce, I believe that is ample justification that we do not have this legislation. If you are allowed to crawl out from under because you have your religious beliefs against this sort of treatment, you are saying that because you are a Christian Scientist you need not bother with this thing, but if you are a Catholic or a Protestant you must take it.

I will point out to you that there are youngsters who are allergic to this sort of treatment, and I will say to you that if a doctor insisted on vaccinating or inoculating one of these youngsters, you would have recourse either to the doctor's damage or to the State. I do not believe it is wise legislation, and certainly with this amendment it is class legislation.

I hope the motion of the gentleman to indefinitely postpone prevails.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: Again I wish to add just one or two thoughts. I do not think that the proponents ever proved, to my satisfaction at least, that all the good that they claim has arrived to us from vaccination and inoculation and what have you is due to that fact alone.

No one has pointed out that the item of diet has a great deal to do with our health, and no one has pointed out that the item of cleanliness has a great deal to do with our health, and that we have advanced a long way on both these counts in the last few years, and we are more conscious of those two factors in the determination of the health of the people.

In addition to that, I am not altogether persuaded at all that the inoculations and the vaccinations

have always proved what they were supposed to do. So, in addition to not liking the word "must" in this relationship, and, with the amendment and other things I have mentioned, I hope this bill will be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Springer.

Mr. SPRINGER: Mr. Speaker, I do not believe the people of the State of Maine, if I may say this, should be too smug about this thing. Why is it that we do not have more smallpox cases in the State of Maine? It is because we have taken care of them in the past. Perhaps you and your family may have been inoculated or vaccinated for that disease—you might, in that particular family have passed the disease on to somebody else. They were not vaccinated. You say, "Well, they escaped." Why? Because smallpox didn't happen in that family, which might easily have happened if they had not been vaccinated. For that reason, and, because it is so simple a thing to do, I still say I think it is too bad if we do not insist upon this thing.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker and Members of the House: I believe that the city I come from is the last city to have a scare of smallpox in 1928 or 1929. At that time we had practically compulsory vaccination in the city of Bath. We had at least one death and we have several people in the city of Bath who have never gotten over the effects of that compulsory vaccination. People in the city of Bath are very much opposed to compulsory vaccination.

This bill does not say that you cannot be vaccinated. If you choose to be vaccinated, you may be vaccinated. This bill does say that your children, before going to school, must be vaccinated unless they bring in a religious objection or possibly a note from the Doctor. I think this is another case of where education and gradual realization of the importance and benefits will go farther than compulsion to have this injection before you can go to school. Let folks realize they can have it, but do not tell them that they must have their children vaccinated.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Hemphill.

Mr. HEMPHILL: Mr. Speaker and Members of the House: I presume that you people have all been flooded with mail the same as I have, to vote against L. D. 471. Now we have just referred considerably to home rule, and we have just given the City of Lewiston home rule. Are we going to deny the parents of the children that privilege to say whether their children shall be vaccinated or not? If they want their children vaccinated, they have that privilege; but do not compel them to be vaccinated unless they want to. That is their privilege, that is your privilege. Let us remember that.

The SPEAKER: The question is on the motion of the gentleman from Pittston, Mr. Jewett, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Bar Harbor, Mr. Thorndike.

Mr. THORNDIKE: Mr. Speaker, I rise just for a few short sentences, to disagree with the gentlewoman from Bath (Miss Deering) on a point of fact. If I understood her correctly, she said that several people in the City of Bath were still suffering from the evil effects of having been vaccinated in 1928 and 1929. I think that that can hardly be the fact, because, if there was any truth in that there would certainly be some effects shown in the ten million boys and girls in the service of our country today, all of whom have been vaccinated in the last two years with no ill effects whatever, and that held true during the last war as well as this war. So I would just like to make that point on the subject.

The SPEAKER: The question is on the motion of the gentleman from Pittston, Mr. Jewett, that this bill be indefinitely postponed.

All those in favor of the motion will say aye; those opposed no.

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

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

Senate Report of Committee Ought to Pass in New Draft

Report of the Committee on State Lands and Forest Preservation on Bill "An Act relating to the School or Reserved Lands of the State" (S. P. 335) (L. D. 816) reporting same in a new draft (S. P. 441) (L. D. 1164) under title of "Resolve, to Create a Special Joint Committee to Study the Public Reserved Lots in the State" and that it "Ought to pass".

Came from the Senate the Report read and adopted and the Bill passed to be engrossed.

In the House, Report read and accepted in concurrence, and the Resolve was read once, and under suspension of the rules the resolve had its second reading and was passed to be engrossed in concurrence.

Final Report

Final Report of the Committee on Commerce.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Mr. Dutton of Bingham, was granted unanimous consent to address the House.

Mr. DUTTON: Mr. Speaker and Members of the House: Yesterday in discussing our Ways and Bridges proposition, I referred to the proponents of the Cross Measure, stating that they had misrepresented the benefits that it would be possible to receive under that measure at this particular time and criticizing the good faith of some of the promises that had been made here. These promises were not made directly by Senator Cross and these erroneous promises were not made by Senator Cross.

Senator Cross has been square and open and above-board with me in all matters up to the present time, and I wish to correct any wrong impression that any member of this House may have got in regard to anything that I may have said yesterday in regard to Senator Cross. I think he is an honorable and upright gentleman. I think he has a good measure from which things could be worked out, and I hope that you will all bear in mind that regardless of what others may say or others may promise in behalf of this measure, that, as far as he

is concerned, he has been square, open and above-board, and I hope you will accept any statement that I have made as referring to the proponents of the measure, but not to Senator Cross.

Non-concurrent Matter

Bill "An Act relating to Licensing Hospitals and Related Institutions in the State of Maine" (S. P. 405) (L. D. 1063) which was passed to be enacted in the House on April 17th and passed to be engrossed on April 10th.

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

In the House, on motion by Mr. Thorndike of Bar Harbor, the House voted to reconsider its action whereby this bill was passed to be enacted on April 17th; and on further motion by the same gentleman, the House voted to reconsider its action whereby the bill was passed to be engrossed on April 10th.

Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to S. P. 405, L. D. 1063, Bill "An Act Relating to Licensing Hospitals and Related Institutions in the State of Maine.

Amend said Bill by striking out, in the 4th line of that part designated "Sec. 253-E," the underlined figure "\$5" and inserting in place thereof the underlined figures "\$15".

Further amend said Bill by adding thereto a new section to be numbered 3, to read as follows:

'Sec. 3. Transfer of duties. The duties imposed upon the department of institutional service under the provisions of sections 144 to 151, inclusive, of chapter 23 of the revised statutes are hereby transferred and imposed upon the department of health and welfare.'

Further amend said Bill by adding thereto a new section to be numbered 4, to read as follows:

'R. S. c. 23, §§ 144-151, reallocated. Sections 144 to 151, inclusive, of chapter 23 of the revised statutes are hereby reallocated as sections 21-A to 21-H, inclusive, of chapter 22 of the revised statutes.'

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

Non-concurrent Matter

Bill "An Act relating to the Salary of the Commissioner of Inland Fisheries and Game" (H. P. 1003) (L. D. 551) which was passed to be engrossed in the House as amended by House Amendment "B" on April 17th.

Came from the Senate with House Amendment "B" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker, I move that we now recede and concur with the Senate, and, in making this motion, I wish to state that of course, as you recall, this measure was reported by the Committee on Salaries and Fees unanimously "Ought to pass". The House saw fit later to add an amendment to the bill, and we now have it before us in its original form.

The Committee on Salaries and Fees, in considering this matter, took into consideration the length of time which the present Commissioner has spent in that office, and reviewed the various and many good things which he has done in the interests of fish and game. I do not believe that anyone can deny but every Fish and Game Club from Kittery to Fort Kent and other persons in the State of Maine truly interested in fish and game conservation believe that the gentleman who now holds that office has done a very remarkable job for the State of Maine.

I call to the attention of the members of the House the report of the Legislative Research Committee which we got the latter part of last year before we assembled here in the Legislature. That Legislative Research Committee, in reviewing the matter of salaries, pointed out to us that they could see no good reason why there should be such a wide differential between the salaries which are paid to the members of the Public Utilities Commission and the heads of these various departments here at Augusta. I have been informed that the report of this committee met with the approval of the outgoing Governor, who had nothing to gain politically whether salaries were increased or left as is.

Now we are getting into the final days of this legislative session; we have discussed this matter of sal-

aries, and this is a proposition which your committee gave careful consideration to; it was reported unanimously "Ought to pass", and I sincerely hope that the motion to recede and concur will prevail.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Members of the House: To verify the remarks that the gentleman from Millinocket (Mr. Ward) has just made in regard to the fact that this committee was unanimous in supporting this increase for the Commissioner of Inland Fisheries and Game, let me say that I have a telegram here stating: "Our association favors six thousand dollar salary for George Stobie as Commissioner as recommended by the committee." This is signed by the Caribou Fish and Game Association, R. F. Gardner, President.

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker, it seems to be the duty of the two presiding officers in this Legislature to appoint joint standing committees. One of those committees is the Committee on Salaries and Fees, and, with your permission, I will refer to this committee by name. On the part of the Senate: Senator Hall of Franklin, Senator Smith of Knox, Senator Cleaves of Cumberland; on the part of the House: Representatives Downs of Rome, Sanborn of Baldwin, Ward of Millinocket, Warren of Westbrook, Collins of Caribou, Haskell of Bangor, Bird of Rockland.

Now I have attended every session of this Legislature except the second and third day. Most of the time I have been sitting in my seat or mingling with the "workmen", so to speak, in the corridors; and I have not heard one word of criticism as to the integrity of the members of this committee or of the judgment of the presiding officers in appointing them. I believe they are solid, substantial citizens of the State of Maine.

To make one point clear, it is necessary for me to speak about a personal affair in my personal business. Thirty years ago, I was called to Portland and offered a position as superintendent of a canning factory. It so happened they offered me this position just before the start of the canning season, and our

minds met and I accepted the position. They told me to go back to my home town and engage my labor for that fall season. Not knowing too much about it, I asked them what I should pay for wages. They told me that was my job, that I was there on the job, I knew the circumstances, and it was my job to hire these men. I was appointed on their "Salaries and Fees" committee, and from that day until the time wages were frozen I was still continuing in that office.

The reason I was appointed to that job was, as I said before, because I was there on the ground. Now this committee has been appointed to say what sums of money should be paid to the heads of various departments in the State, and I say to you that they worked hard and arduously on this job and did it with sincerity and integrity and brought these reports out.

I believe we should recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, this Legislature, I think, is being criticised around the State. We are all criticizing the Federal government, the Democrats in Washington, for spending all this money, but the 92nd Legislature is getting as bad as they are in Washington.

Now what some of us have been trying to do is to save the taxpayer a little money. In my own mind, that is a rather good idea. Now we have all agreed that the Secretary of State shall get \$5000. Here is a job that we are going to pay \$5000 for too, if this Amendment "B" is still left in the bill. Now we brought this matter up the other day and we passed on it once, and I think the House should stand on its own two feet and go along with what we did the other day. So I move you, Mr. Speaker, that we stick to our former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Augusta, Mr. Carpenter, moves that we insist and ask for a Committee of Conference. That leaves it so there are two motions before the House: one to recede and concur and the other to insist.

The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: The gentleman from Unity, Mr. Brown, has

read to you the personnel of the Committee on Salaries and Fees. I am willing and glad to admit that that committee, that personnel, does not reflect any particular superior judgment. I did feel that, with the exception of your humble servant, it was a committee blessed with good judgment and good business ability.

The procedure of the Legislature is familiar to the whole of you by this time. You know how a bill, coming in through the proper channels, is referred to what apparently is the proper committee to receive it and to consider it.

The Committee on Salaries and Fees has labored hard and diligently and has submitted to you reports based upon their findings, to the best of their ability. Now if the procedure is to be continued to upset every report of that committee, I fail to see where there is any need of having that committee. Why would it not be much better for this House to resolve itself into a committee of the whole and let every claim or every resolve be presented to it? I assure you that you would save that body of ten men a lot of headaches.

I again say to you that we have considered this bill, and it is only fair that you take into consideration the fact that the heads of these departments, which we consider are the men who are dependent upon this Legislature, and this Legislature alone, to set their salaries, because that is the only body which has authority to do it.

Now the thing resolves itself to exactly this: whether your committee has shown poor judgment and has reported back to you salaries which are altogether out of line and unreasonable, I submit to you today that they have not.

I am not interested in what they are doing down in Washington. I am representing my constituents in this Legislature, and I have tried, to the best of my ability, to protect their interests. The duty also devolves upon me to protect the interests of others who are entrusted to my care. I am not at all afraid; I have not the slightest fear of going home to my people and attempting to explain to them why I did thus and so. And the remedy is always apparent in this particular case—probably it would not apply to me—but the remedy is al-

ways in the hands of the electorate. Do not forget that.

Now I believe that the reports submitted to you by the committee are fair. If I did not believe that, I should not stand here upon the floor of this House and defend the action of that committee from time to time. I realize that you may say to me: "You took exceptions to your committee at one time." I tried to make the matter clear, that I did not take exceptions to my committee upon the bill which I was discussing, but I did present to you an amendment which this House very gratefully received, and at the present time its fate is in the lap of the gods. But, regardless of its fate, regardless of what happens, I must not be prejudiced or biased in considering claims of others; and naturally I trust this morning that this House will sustain the action of this committee.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, the discussion on this motion is a broad field, apparently. Probably it is well to consider the over-all picture of what your Salaries and Fees Committee tried to do.

I would like to point out to you that, by slide-rule calculation we have dealt with the salaries of sixteen department heads in our committee, nine of which number are the members of three-men boards; and, in our treatment of these sixteen cases, we have recommended to this Legislature total increases of \$16,500 per year.

Now let us look at what the result might be of spending \$16,500. I do not feel we have said to these particular individuals, "We are going to reward you with \$16,500": I think what we have tried to do is pick the job itself up and try to make it attractive to better men. No one of us can honestly defend every individual in the employ of the State as being the best man for that job; but I think we can put a price tag on those jobs that will insure today the continued service of these men we have got, and insure tomorrow the attracting to these jobs the type of men we should have. The total amount of money you pay in salaries to department heads is very modest in comparison with the amount of money they spend, and if you can get just a little bit better type of men at-

tracted to these jobs because the jobs pay just a little bit more, I cannot believe that the people of this State are going to frown on your action.

I am extremely hesitant in telling you this, but it is so honest and so typical of our department heads that I think you are entitled to know it. I had a bill before the Committee on Salaries and Fees to increase the salary of the Commissioner of Agriculture. You saw fit to let that bill go through. When it went through and the rest of them were attacked—I can tell you, because he did not tell me not to—he asked me to see that the bill was indefinitely postponed. That is the type of men you have here. I think the honest thing to do is to go along with the Senate.

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

Mr. CONNELLAN: Mr. Speaker, my feelings have been injured: I have not been appointed to the Sub-committee on Salaries and Fees; therefore I am going to start my own sub-committee, and, as self-appointed Chairman of that committee, my first act is to second the motion that we recede and concur with the Senate.

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

Mr. BREWER: Mr. Speaker and Members of the House: You may feel in my talk that I am inconsistent on the matter of the salary of the Commissioner of Inland Fisheries and Game. One day you hear me argue from an appropriation standpoint that money is not justified, and the next day you may hear me argue for an increase in salary and say that I am not consistent. If there is anything that I do admire in a body or any individual, it is economy, but I do believe that there is not a member in this House but what will admit that sometimes we have false economy.

I argued the other day that we had department heads that were not receiving sufficient salary, and, at the same time, I told you we had others who, to my mind, were getting more than they were worth. This man happens to be in the first category, and I am going to tell you a few facts that are very pertinent. Some of them, although possibly the Commissioner would

rather not have them told, I will take the responsibility for, merely to show you that in this economy drive the picture was taken as a whole and not as individual cases.

The Commissioner has served in the present capacity for nearly seventeen years, and, in that time, he has never had an increase in salary. I will say this to you, although it is not generally known, and, Mr. Stobie, being a modest man, would be the last one to tell you. For a considerable number of years his salary was one dollar a year, and his salary was ploughed back into his department. I will say to you that when these shows are held in Boston, Mr. Stobie, out of his own pocket, puts on a supper for the newspaper men in order that we may receive the publicity that his department deserves. It is not added into his expenses. I say to you that we are fortunate in having a man who has done that sort of thing. I do not look at this increase as an increase in salary but, rather, whether you approve of the program before you.

Now I have watched this department. There is not a man in this House who has spent any more money or any more time in the conservation of fish and game than I myself.

I would say to you that, during the period of his service, his employees have increased from approximately 100 to 240. Deer killed have increased from 8000 to 23,000 a year during his seventeen years of office. When he began his work for the State, fish planting was more or less of a local proposition; now fish are planted successfully all over the State; and, as a post-war plan, he has something planned that will exceed by a large number those fish that are planted today. He has instituted a pheasant program, and I believe you will admit it draws in plenty of money.

Do not think that Mr. Stobie has not had offers outside this State, from other states, to act in the same capacity for them that he has for us. I would say to you that among the other commissioners he is considered as the outstanding Fish and Game Commissioner. I believe at this time he has an offer in his pocket that calls for even more salary than the present salary and the proposed salary together call for.

This man's work is a seven-days-a-week job; he is not like some of the other department heads that spend two or three days a week on the job. Until the war is over, I will say to you that you will never know how many cases have occurred where wardens have assisted in capturing escaped prisoners and the material that has been confiscated, brought here by men landed on the shores, and that sort of thing. Not only that, but Mr. Stobie has sold himself to all our sportsmen and conservationists throughout the State. I would like to say to you that any man you put in his job, if Mr. Stobie did see fit to leave us, would cost you many, many times the raise we are asking.

I hope you will recede and concur with the Senate.

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

Mr. ROLLINS: Mr. Speaker, I speak neither as a member of the Salaries and Fees Committee nor as a member of the Appropriations Committee, but I do speak as a member of a woodland county, because half my county is forest land. I happen to represent the area which comprises the north part of that county.

This debate evidently is dealing with personalities. Naturally, in my position as President of a Fish and Game Club, I am acquainted with the Commissioner. He is a personal friend of mine.

The whole attempt of the amendment that was adopted in the House on April 17th was to hold salaries within a reasonable limit; also in that amendment is a two-year clause, because the members of this House realize that no man knows what conditions will be two years from now.

I do not think there is any danger of losing the present Commissioner; if I thought there was, I would not insist upon sustaining the action of the House on the 17th. I do know, Ladies and Gentlemen of this House, there has been mention of his carrying an offer around in his pocket; I do know he had an offer before. He went before the Governor and Council and asked for a raise, saying he had the offer of another job. The only reply was, "You had better take it," and he is still here.

Now it simply devolves down to this: I, standing here, am a member of the 92nd Legislature, and I

believe each and every member here has a perfect right on the floor of this House to decide what legislation should pass, regardless of any committee report. If that were not so, why should we have the debate that we do on the floor of this House? Why shouldn't we just come down here, appoint committees, and have the committees pass the laws.

There has been lots of controversy over committee reports, and, in this instance, I am not in full accord with the Salaries and Fees Committee. They have raised all the big boys' salaries, but they saw fit to come out with a "Leave to Withdraw" report on the little fellows' salaries. All I can say is that it makes me think of the Scripture with which you are all familiar: "To those that hath, it shall be given; to those that hath not, it shall be taken away, even that which they have." That, evidently, is the maxim that has ruled this Salaries and Fees Committee.

Mr. Speaker, I hope that the motion does not prevail.

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

Mr. THOMPSON: Mr. Speaker and Members of the House: I think this department takes in something like a million and a half dollars of money a year. If we give him one-half of one per cent of what comes in, it will give him a salary of \$7500. I think when we have a department head such as we have that we are doing poor business if we try to shave things so close that we lose a man like the one we have in the Fish and Game Department.

The SPEAKER: The question is on the motion of the gentleman from Millinocket, Mr. Ward, that the House recede and concur with the Senate.

All those in favor of the motion will say yes; those opposed no.

A viva voce vote being taken, the motion prevailed.

Non-Concurrent

Bill "An Act relating to the Salaries of the Unemployment Compensation Commission" (H. P. 1305) (L. D. 949) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker and Members of the House: This is one salary measure which I have a great deal of pleasure in sponsoring, because it does not cost the State of Maine Treasury one red cent. The salaries of the Unemployment Compensation Commission are paid by the Federal government out of a special fund set up for that purpose and which the State of Maine can draw on as it sees fit.

I would like to tell you briefly of the operation of the Unemployment Compensation Commission. It is a three-man board and a full-time board. One member of the Commission is a representative of industry, another man is a representative of labor, and the third represents the general public of the State of Maine. A large part of their work is public relations work: they go around attending labor meetings, attending industrial association meetings and general public meetings all over the State of Maine. This is indeed a full-time job, not only work days but nights, Saturdays and Sundays, very often. It takes more time, actually, than a Federal job.

Now the fund from which these men are paid is especially set aside and earmarked for that purpose. Commissioners in other states receive up to ten and twelve thousand dollars for the very same type of work which the Maine Commissioners do, and the work of these other men, in a great many instances, takes less time than the Maine men put into their jobs. Unless the State of Maine comes in now and sees that its own commissioners in this department receive a fair salary, other states will come in later and increase their already high salaries, which, as I say, often amount to ten or twelve thousand dollars, and it will be impossible for the Maine Commissioners to get an increase when the real significance of their work is fully realized.

This is not a raid on the Federal Treasury; the money is there; there is a ten million dollar surplus in the fund which pays these salaries. There is no hardship to the Federal

government; there is no hardship on the people who contribute. They will keep on contributing to the fund whether we raise or lower the salaries of these commissioners. Therefore, I do hope my motion to recede and concur will prevail.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, moves that the House do recede and concur with the Senate. All those in favor will say yes; those opposed no. A viva voce vote being taken, the motion prevailed.

Non-Concurrent Matter

Bill "An Act relating to the Salary of the Bank Commissioner" (H. P. 993) (L. D. 593) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House, on motion by Mr. Rollins of Greenville, a viva voce vote being taken, the House voted to recede from its former action and concurred with the Senate.

Non-concurrent Matter

Bill "An Act relating to the Hunting and Trapping of Foxes" (S. P. 362) (L. D. 902) which was passed to be engrossed in the House as amended by House Amendments "A" and "C" on April 17th.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendment "C" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Crosby.

Mr. CROSBY: Mr. Speaker, I have done quite a little fox hunting here in Augusta this winter, and now it is getting to the time when I want to go fishing. I gave you my reasons when presenting this amendment, and I would move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Farmington, Mr. Crosby, moves that the House now insist and ask for a Committee of Conference.

The Chair recognizes the gentleman from Oxbow Plantation, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, when this amendment was presented, I tabled it and later told you why I did not like it. My reasons for not liking it were just the same then as they are now — for the reason that we are setting off one county and giving them a special privilege. I maintained then, and I do today, that the poultry farms in the county of Franklin are entitled to the same protection as they are in any other county in the State of Maine. We of the committee looked at this not from the fish and game angle, but, rather, from the agricultural angle, and that is our reason for opposing this bill as we do. We did not favor the amendment then and we do not today. So, Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Oxbow Plantation, Mr. Anderson, moves that the House to recede and concur with the Senate. That leaves two motions before the House, and in the order in which they are put, the motion to recede and concur has precedence.

All those in favor of the motion to recede and concur will say yes; contrary minded no.

A viva voce vote being doubted,

A division of the House was had. Sixty-three having voted in the affirmative and 23 in the negative, the motion prevailed.

Non-concurrent Matter

Bill "An Act relating to the Sanitary Water Board" (H. P. 1442) (L. D. 1132) which was passed to be engrossed in the House on April 9th.

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

In the House, on motion by Mr. Ward of Millinocket, the House voted to reconsider its action whereby the Bill was passed to be engrossed on April 9th.

Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to H. P. 1442, L. D. 1132, Bill "An Act Relating to the Sanitary Water Board"

Amend said Bill by adding the following words to Sec. 7 thereof: 'nor shall any license granted under the provisions of this chapter constitute a defense to any action at law for damage.'

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

Non-concurrent Matter

Bill "An Act relating to the Prevention of Forest Fires" (H. P. 1006) (L. D. 552) which was passed to be enacted in the House on March 27th and passed to be engrossed on March 20th.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" (L. D. 1187) in non-concurrence.

In the House, on motion by Mr. Williams of Clifton, the House voted to reconsider its action whereby this bill was passed to be enacted on March 27th; and on further motion by the same gentleman, the House voted to reconsider its action whereby the bill was passed to be engrossed on March 20th.

Senate Amendment "B" which was printed as L. D. 1187, was read by the Clerk and adopted in concurrence, and the bill was passed to be engrossed as amended in concurrence.

Non-concurrent Matter

Bill "An Act relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens" (S. P. 161) (L. D. 364) which was passed to be enacted in the House on April 11th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Williams of Clifton, the House voted to insist on its previous action and ask for a Committee of Conference.

Non-concurrent Matter

Tabled

Bill "An Act relating to Inheritance Taxes" (H. P. 1385) (L. D. 1046) which was passed to be engrossed as amended by House Amendments "A" and "C" in the House on April 17th.

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

In the House: Senate Amendment follows:

Senate Amendment "A" to H. P. 1385, L. D. 1046, Bill "An Act Relating to Inheritance Taxes."

Amend said Bill by striking out in the 15th line thereof the underlined words "who is the issue"

Further amend said Bill by striking out the underlined word "issue" in the 23rd line thereof and inserting in place thereof the underlined word 'child'

On motion by Mr. Williams of Clifton, the House voted to recede and concur with the Senate, and on motion by Mr. Haskell of Bangor, the bill was tabled, to be taken up later in today's session.

Non-concurrent Matter

Tabled

Bill "An Act relating to the Salary of the Forest Commissioner" (H. P. 1464) (L. D. 1168) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. ROLLINS: Mr. Speaker, as this bill now comes to us, it is the policy of the Salaries and Fees Committee to give the Forest Commissioner \$5,500. Three thousand of this will come from funds created by taxes on wild lands. Now in support of the motion I am going to make, I would say that the Fish and Game Commissioner would not be of much value if we did not have the forests, therefore I would move, in order to present an amendment later in the day to equalize the salary of the Forest Commissioner with that of the Fish and Game Commission, that this bill lie on the table until later in the day.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the bill lie on the table and be assigned for later in today's session. Is this the pleasure of the House?

The motion prevailed, and the bill, with accompanying papers, was so tabled and so assigned.

Non-Concurrent Matter

Bill "An Act relating to Fees of Town Clerks for Fishing and Hunt-

ing Licenses" (H. P. 988) (L. D. 588) on which the House substituted the Bill for the Report of the Committee on April 4, and which was passed to be engrossed as amended by House Amendments "A" and "C" in the House on April 17th.

Came from the Senate with the Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" adopted, in non-concurrence.

In the House:

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

The SPEAKER: The gentleman from Mechanic Falls, Mr. Hemphill, moves that the House insist and ask for a Committee of Conference.

The Chair recognizes the gentleman from Anson, Mr. Ela.

Mr. ELA: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Anson, Mr. Ela, moves that the House recede and concur with the Senate. Of the two motions before the House, the motion to recede and concur takes precedence.

All those in favor of the motion to recede and concur with the Senate will say yes; those opposed no.

A viva voce vote being taken, the motion prevailed.

Non-concurrent Matter

Bill "An Act relating to Close Time on Deer in the Counties of Hancock and Washington" (H. P. 1131) (L. D. 678) on which the House substituted the Bill for the Report of the Committee on April 11th and which was passed to be engrossed in the House on April 11th.

Came from the Senate with the Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Hayward.

Mr. HAYWARD: Mr. Speaker, I find myself in rather an embarrassing situation by being too hasty. I told the Hancock County boys at the first of the session that I would go along with them on this extension of time, but I have been luke

warm on the matter because I could not get the true feeling of the people from my county.

At first there were a few who wanted this extension of time. Now even some of them have changed their minds. For the last two or three weeks the opposition has been very strong, and they do not want this extension of time.

Last year over fifty percent of the out-of-state hunters came to our county, also a great number of hunters from within the State. We are glad that they do come.

It is true that we have a lot of deer, but how long will it be before they are killed off as they have been in other counties? I believe they will go fast enough without the extra ten days, therefore, Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Machias, Mr. Hayward, moves that the House recede and concur with the Senate. All those in favor of the motion will say yes; contrary minded, no.

A viva voce vote being taken, the motion prevailed.

Non-Concurrent Matter

Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects" (S. P. 103) (L. D. 178) which was passed to be engrossed as amended by Senate Amendment "B" (L. D. 1112) as amended by House Amendment "A" thereto in non-concurrence.

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

In the House:

Senate Amendment "A" to Senate Amendment "B" follows:

Senate Amendment "A" to Senate Amendment "B" to S. P. 103, L. D. 178, Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects." (Senate Amendment "B" being L. D. 1112)

Amend said Senate Amendment "B" by adding at the end of section 2 thereof the following:

Members of organized groups of architects shall not be elected to the board in greater proportion than the number of their members

is to the number of architects in the state.'

Mr. ALLEN of Portland: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mr. Allen, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: You have heard quite a lot here this morning about home rule. I do not know very much about this bill, and I am afraid, in looking it over hastily, that no one is going to know anything about it when I get through. For the purpose of bringing this to a debatable point, I am going to move the indefinite postponement of this bill, and, briefly, I want to address myself to Article 1 under Section 9: "To be qualified for admission to examination to practice architecture in this state, an applicant shall be at least twenty-five years of age, a graduate of an approved four-year high school, including not less than one year in the basic science of chemistry and physics and three years of mathematics or equivalent training, and, after completion thereof, he must have had satisfactory training in any school or college of architecture approved by the board, with graduation therefrom as evidenced by a diploma setting forth a satisfactory degree and three years' practical experience in the office of an experienced architect or architects engaged in the practice of architecture as a profession, or****"—I haven't the time or this House has not the time to go down through and find out just what follows.

Now I am wondering just what is coming under the head of architecture. It might be possible, when I go back home, that I might want to build a garage, because my car has set out all winter. Well, next door above me is a carpenter who has been satisfactorily engaged in the practice of his profession for the last forty years at least. He has built some very satisfactory buildings. Not only that, but he has about half a dozen down here on one of our principal streets, which he designed himself and built himself. Now if I go to him when I get back and say: "I would like to have you draw me plans for my garage—I don't want that building to cost over five or six hundred dollars," I

am wondering whether, when he sits down and starts figuring and starts drawing a rough draft of that building, whether he is going to be considered an architect or not. If he is practicing this profession, the way I get this bill, he is going to be subject to some penalties. I know he never could pass this examination, and, for the life of me, I can't just see why it is going to be necessary for a man to have a very extensive knowledge of chemistry in order to be able to draft a rough plan to build a rough building.

Now I may be all wrong, but, from the reaction I got from reading what I have in this bill—and I have some remembrance of similar bills in past sessions of the Legislature—I believe the State of Maine and the inhabitants thereof would be just as well off if this bill were indefinitely postponed.

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

Mr. ALLEN: Mr. Speaker and Members of the House: The remarks of the gentleman from Rome, Mr. Downs, I consider entirely erroneous. This bill will not prevent anyone from drawing plans, building a garage or any type of building they want. It does not prevent anyone from doing that.

This bill sets up a registration of architects. It does not cost the State one cent. Forty-four states in the United States have such boards. If forty-four states have such a board, it looks to me as though probably the other four are perhaps erroneous. This is for the protection of the people of Maine. It is for the protection also of the name. An architect is more than a person who draws on a piece of paper plans for your house. It takes more knowledge to be an architect than to merely put on paper how and where the timber and masonry is going to be. I could draw on paper the plans of a house, but would I know what type of beam to use in that house? You have got to be an engineer as well as a designer.

Frankly, I can really see no opposition to this bill, and I cannot see how any person in the State of Maine can be hurt by this bill. It merely provides that if they are going to use the word "architect" in back of their names that they shall be registered. If Mr. Downs'

friend builds a garage or anything else, no one is going to put any penalty on him. It merely provides that there shall be a standard, so when you call yourself an architect you will be an architect and all that the name implies. This is merely for the benefit of our people.

I certainly hope that Maine will become the forty-fifth and not the forty-eighth state to enact this legislation.

May I, Mr. Speaker, ask a point of information?

The SPEAKER: The gentleman may ask.

Mr. ALLEN: The motion to recede and concur takes precedence over indefinite postponement?

The SPEAKER: No, the motion to indefinitely postpone takes precedence.

Mr. ALLEN: I certainly hope that the members of this House will vote "No" on the motion to indefinitely postpone this measure.

These are facts which I am giving you. Any statement to the contrary notwithstanding, this can harm no one in the State of Maine; it can merely help our people and a profession which is really as important to our people in housing as are many professions which you now already acknowledge and already have protected by law--doctors and others. I certainly hope you will vote "No" on indefinite postponement.

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

Mr. PAYSON: Mr. Speaker and Members of the House: This bill comes out from the Legal Affairs Committee, and I can support everything the gentleman from Portland, Mr. Allen, says. I am sorry there has been an inclination to treat this bill as a joke, because it is no joke. There is a very fine body of men who wish to have their professional status set up under this bill.

I think the lawyers of this House would resent it if their board were to be abolished, the board under which they have their professional status. I am sure doctors, dentists and other professional men would resent any attempt to wipe out the boards under which they register and qualify.

What Mr. Allen has told you is perfectly true: this bill does nothing except to say that a man shall not call himself an architect unless

he wants to be one. You can build any kind of a place you want to--some that I won't mention here. It is a perfectly right and fair and just bill, and I certainly hope that the motion to indefinitely postpone will lose.

The SPEAKER: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker, I regret that hastily I called down the fire of my esteemed colleague from Portland. I would not have the slightest objection in the world for you to enact this bill for Portland, if they want it.

Now let us see rather hastily just what this bill does. In the first place, it sets up a board. I think every member of this House knows the history of boards that have been created by this Legislature. They are essential, they are necessary, but the State of Maine has made fairly good progress and a fairly healthy growth for quite a number of years without a board of architects.

Now it seems to me that I can easily visualize where this board, if it is set up, may enact such rules and regulations that the particular man of whom I was speaking could not sit down and draw the plans of a garage or any other building unless he was registered with the board of architects, and, for him to be registered with this board of architects, he must possess the qualifications which I have just read to you. Perhaps I am reading it wrong. I want to be perfectly fair, and I say to you this bill does not inflict any such penalties or regulations; but I do say to you that, after it is once set up, the board may establish such rules and regulations that an ordinary carpenter, who is mighty essential to us people out in the rural communities, can not build a building for us unless we go to the expense of having the work supervised by an architect who draws the plans. We have endured without it all these years; it has been kicking around this Legislature for every session I have been here, and we have endured without it and gotten along quite satisfactorily. I believe we can get along two years more without it. As I said in the beginning, I am perfectly willing that you pass this bill for Portland if Portland wants it, but I do not believe that rural Maine wants this bill.

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

Mr. ALLEN: Mr. Speaker and Members of the House: The Legislature is where the laws of the State of Maine are made. Section 8 of L. D. 1102 says this: "Exemption. Nothing contained in this chapter shall prohibit any person from performing or holding himself out as able to perform any and all the functions of an architect, providing such person does not use the word "architect" or any derivative thereof in connection therewith." If we say in Section 8 that nothing contained in this chapter shall prohibit anybody from providing the service of an architect, I think we have control of this legislation here and the board does not have control.

May I say, in defense of one statement which Mr. Downs made: This bill was asked for by the architects of the State of Maine. There are, I believe, four firms in Portland who are supporting this bill. Architects from Fort Kent to Kittery want this legislation. The City of Portland is no more interested in it than the town of Fort Kent. I ask you again to vote "No" on the indefinite postponement of this bill.

The **SPEAKER**: The question is on the motion of the gentleman from Rome, Mr. Downs, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Sanford, Mrs. Pascucci.

Mr. PASCUCCI: Mr. Speaker and Members of the House: In looking over Paragraph A of Section 9, referring to the qualifications, I will read once more: "satisfactory training in a school or college of architecture approved by the board, with graduation therefrom as evidenced by a diploma setting forth a satisfactory degree and three years' practical experience in the office of an experienced architect," and so on.

My brother, the gentleman from Portland, Mr. Payson, mentioned the legal profession as having a board along similar lines. I do not recall, and I do not believe that such a provision is in the rules of the board concerning admission of attorneys, that you have to be twenty-five years of age. Twenty-one years of age is sufficient. And, secondly, it does not state that you must have three years' practical experience in some law office before you can be admitted to the practice

of law. Now surely the practice of law is an exacting profession; it is a profession which caters to the public and which necessarily is such that the public ought to be protected from those who practice law or medicine by requiring that applicants or practitioners have sufficient knowledge of their profession.

Now those two terms puzzle me exceedingly, and I do not believe the way the particular bill is now written, it is good enough to be enacted into law. Therefore, I trust that the motion to indefinitely postpone this bill will prevail.

The **SPEAKER**: The question is on the motion of the gentleman from Rome, Mr. Downs, that the bill be indefinitely postponed. All those in favor of the motion will say yes; those opposed will say no.

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

The **SPEAKER**: The question now before the House is on the motion of the gentleman from Portland, Mr. Allen, that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Clinton, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I move the bill be laid on the table and taken up in the afternoon session.

The **SPEAKER**: The gentleman from Clinton, Mr. Knight, moves that the bill be laid on the table and taken up later in today's session.

All those in favor of the motion will say yes; those opposed will say no.

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

Thereupon the House voted to recede from its previous action whereby it passed this bill to be engrossed as amended by Senate Amendment "B," as amended by House Amendment "A" thereto, and passed the bill to be engrossed as amended by Senate Amendment "B," as amended by Senate Amendment "A" thereto, in concurrence.

Orders

On motion by Mr. Downs of Rome, it was

ORDERED, that Mr. Weeks of Waterville, be excused from attendance for the remainder of the session because of business and that Mr. Martin of Eagle Lake, be excused from attendance today because of illness.

House Reports of Committees Ought to Pass in New Draft

Mr. Knight from the Committee on Claims on Resolve in favor of Harold Kromer of LaGrange (H. P. 1321) reported same in a new draft (H. P. 1483) under same title and that it "Ought to pass."

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

Ought to Pass with Committee Amendment

Mr. Bowker from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Additional Funds for Maine Post War Public Works Reserve" (H. P. 1171) (L. D. 735) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

Committee Amendment "A" to H. P. 1171, L. D. 735, Bill "An Act Appropriating Additional Funds for Maine Post War Public Works Reserve."

Amend said Bill by striking out the figures "\$2,000,000" where they appear in the 4th and 5th lines of section 4 thereof, and inserting in place thereof the figures "\$1,000,000"

Further amend said Bill by striking out the figures "\$50,000" where they appear each time in the 8th line of section 4 thereof, and inserting in place thereof the figures "\$10,000"

Committee Amendment "A" was adopted, and under suspension of the rules the Bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

Orders of the Day

On motion by Mr. Ward of Milinocket,

Recessed until three o'clock this afternoon.

After Recess—3:00 P. M.

The House was called to order by the Speaker.

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

Conference Committee Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature on Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians (H. P. 135) (L. D. 340) reporting that they are unable to agree.

(Signed)

Messrs. DOW of Oxford
WASHBURN of Wash-
ington

CROSS of Kennebec
Committee on part of Senate.

GROSS of Jefferson
COUSINS of Old Town
CARPENTER of Skowhe-
gan

Committee on part of House.

Came from the Senate, read and adopted.

In the House, read and accepted in concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature on Bill "An Act relating to Licensing Automobile Dealers" (H. P. 1322) (L. D. 965) reporting that they are unable to agree.

(Signed)

Messrs. BROWN of Aroostook
SMITH of Knox

CLEMENTS of Waldo
Committee on part of Senate.

PAYSON of Portland
MORRISON of Winter
Harbor

CARPENTER of Augusta
—Committee on part of House.

Came from the Senate, read and adopted.

In the House, read and accepted in concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature, on Bill "An Act relating to the Salary of the Sheriff of Piscataquis County" (H. P. 738) (L. D. 406) reporting that they are unable to agree.

(Signed)

Messrs. McKUSICK of Piscata-
quis

NOYES of Hancock
DENNY of Lincoln

—Committee on part of Senate.

ROLLINS of Greenville
ROSS of Brownville Jct.
DOWNS of Rome

—Committee on part of House.

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

Final Reports

Final Report of the Committee on Legal Affairs.

Final Report of the Committee on Military Affairs.

Final Report of the Committee on Mines and Mining.

Final Report of the Committee on Motor Vehicles.

Final Report of the Committee on Public Utilities.

Final Report of the Committee on Sea and Shore Fisheries.

Final Report of the Committee on State Sanatoriums.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Senate Committee Report

Ought To Pass With Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Resolve Providing for Certain Construction at the Bangor State Hospital (S. P. 292) (L. D. 719) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate the Report read and adopted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

In the House, Report read and accepted in concurrence, and the Resolve had its first reading.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 292, L. D. 719, "Resolve Providing for Certain Construction at the Bangor State Hospital."

Amend said Resolve by adding at the end of the last paragraph, before the period thereof, the following: 'and upon such conditions and restrictions as the governor and council may from time to time prescribe'.

Committee Amendment "A" was adopted in concurrence, and the resolve was given its second reading under suspension of the rules, and

was passed to be engrossed as amended in concurrence.

Non-Concurrent Matter

Bill "An Act to Create the Town Road Improvement Fund" (S. P. 352) (L. D. 891) which was passed to be engrossed as amended by House Amendment "A" in the House on April 18th.

Came from the Senate to that body voting to insist on its former action whereby the Bill was substituted for the Report and passed to be engrossed without amendment and asking for a Committee of Conference.

In the House, on motion by Mr. Ward of Millinocket, the House voted to insist on its former action and join in a Committee of Conference.

The Chair appointed as Messrs. DUTTON of Bingham
CROSBY of Farmington
DEAN of South Portland

Non-Concurrent Matter

Bill "An Act relating to Bounty on Porcupines" (H. P. 1342) (L. D. 993) which was passed to be enacted in the House on April 18th and on which the House receded and concurred with the Senate and passed the Bill to be engrossed as amended by House Amendments "A" and "B" and Senate Amendment "A", on April 16th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BOWKER: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves that the House do now recede and concur with the Senate in the indefinite postponement of the bill.

The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I think that we have receded and concurred so much that the stamp must be pretty well worn out, and I believe the time has come when we should insist on our former action. This little hedgehog bill calls for the appropriation of a measly little twenty-five cents, and I believe we are fully justified in asking that our former action should

be carried out. I do hope we will not throw away a proposition of this kind just simply because somebody feels a little bit narrow in regard to the twenty-five cent appropriation to kill off the varmints. They are much more destructive than anyone not acquainted with them realizes.

Last Sunday, when I left to come down here, I had as beautiful a three-year-old colt out in the field as a man could ask to look at, one I had raised, and as clever as you could expect a horse to be. When I went out in the field, it would come and stick its head in my car.

The morning I left, I went down to see if the colts were all right, and I saw one of them had a plaster of hedgehog quills in his nose, and this colt, after being plastered with those hedgehog quills, refused to let me touch it. I had to come home, leaving it in that condition, and telephone and arrange for two men to catch the colt and tie it up and pull the hedgehog quills out of its nose. They told me afterwards that they got 52 hedgehog quills out of that animal's nose.

These hedgehogs do a lot of damage besides eating up our sweet corn; they do a lot besides eating up vehicles that are left in the yard. The domestic animals have to suffer for it. Many a time people have had to etherize dogs in order to get hedgehog quills out of their noses.

Anyone who wishes to smile at the hedgehog bill is perfectly at liberty to do so, but, as for me, I have got a little sympathy for domestic animals. If hedgehogs eat up my sweet corn, I can stand that, but I certainly hate to see dumb animals suffer on account of hedgehogs. I hope we will be able to work out an arrangement whereby hedgehogs may be eliminated in the State of Maine.

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

Mr. BOWKER: Mr. Speaker and Members of the House: I would just like to remind the members of the House that the twenty-five cent piece that Mr. Dutton speaks about amounts to \$38,500.

The SPEAKER: There are two motions before the House: the motion of the gentleman from Portland, Mr. Bowker, to recede and concur, and the motion of the gentleman from Bingham, Mr. Dut-

ton, to insist and ask for a Committee of Conference. The motion of the gentleman from Portland, to recede and concur, has precedence. All those in favor of the motion of the gentleman from Portland, Mr. Bowker, that the House recede and concur with the Senate will say yes; those opposed no.

A viva voce vote being doubted, A division of the House was had. Thirty-seven having voted in the affirmative and 76 in the negative, the motion did not prevail.

The SPEAKER: The question is now upon the motion of the gentleman from Bingham, Mr. Dutton, that the House insist and ask for a Committee of Conference. Is this the pleasure of the House?

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

Messrs. DUTTON of Bingham
ELLIOTT of Corinth
ROLLINS of Greenville

Non-concurrent Matter

Bill "An Act relating to Keeping Certain Animals Confined" (H. P. 1426) (L. D. 1106) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. MARSANS of Monmouth: Mr. Speaker, I note the absence of the sponsor of this bill, my seat-mate, the gentleman from Rangeley, Mr. True, and I hesitate to table this matter, and in order to expedite conditions, I would move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, moves that the House insist on its previous action and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed, and the Chair appointed on the Committee of Conference:

Messrs. TRUE of Rangeley
MARSANS of Monmouth
BENNA of Smyrna

The following Resolve in first reading was taken up out of order under suspension of the rules:

Resolve in favor of Harold Kromer of LaGrange (H. P. 1483) (L. D. 1189)

Resolve was read once, and the rules were suspended and the Resolve given its second reading, passed to be engrossed and sent to the Senate.

The following Bills on their passage to be enacted and Resolves on final passage were taken up out of order under suspension of the rules:

An Act to Remove Floating Islands in Corundell Lake in Corinna ((H. P. 1255) (L. D. 880)

An Act to Promote Public Safety with Snow Removal or Sanding Equipment (H. P. 1452) (L. D. 1141)

An Act relating to the Salary of the Adjutant-General (H. P. 1463) L. D. 1169)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act relating to the Salary of the Attorney-General (H. P. 1465) (L. D. 1166)

(On motion by Mr. Carpenter of Augusta, tabled temporarily pending enactment)

Tabled

An Act relating to the Salary of the Commissioner of Labor and Industry (H. P. 1468) (L. D. 1171)

(On motion by Mr. Warren of Westbrook, tabled temporarily pending enactment)

An Act relating to Aid to Academies from State School Fund (H. P. 1475) (L. D. 1181)

Finally Passed

Resolve in favor of a Special Recess Committee to Study All Pensions and Retirement Laws of the State and Report to the Legislature (H. P. 1429) (L. D. 1110)

Resolve to Create a Commission to Study the Atlantic Salmon (H. P. 1436) (L. D. 1120)

Resolve, Authorizing the Forest Commissioner to Grant Permits for Setting and Maintaining Poles and Wires on a Public School Lot in Webster Plantation (H. P. 1455) (L. D. 1177)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolves finally passed,

all signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House Bill An Act relating to the Salary of the Attorney-General (H. P. 1465) (L. D. 1166) tabled a moment ago by the gentleman from Augusta, Mr. Carpenter, pending enactment; and the Chair recognizes that gentleman.

Mr. CARPENTER: Mr. Speaker, I would like to say that inasmuch as all the other salaries have been raised, it seems unfair that this head of a department should not receive the salary recommended by the Salaries and Fees Committee, and if this is the proper procedure, I would like to move that we reconsider our action whereby we passed this bill to be engrossed as amended by House Amendment "A".

Thereupon, the motion prevailed, under suspension of the rules and the House voted to reconsider its previous action whereby it passed this bill to be engrossed as amended by House Amendment "A"; and on further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its former action whereby it adopted House Amendment "A".

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

The SPEAKER: The Chair now lays before the House Bill "An Act relating to the Salary of the Commissioner of Labor and Industry (H. P. 1468) (L. D. 1171) tabled a moment ago by the gentleman from Westbrook, Mr. Warren, pending enactment; and the Chair recognizes that gentleman.

On motion by Mr. Warren, under suspension of the rules, the House voted to reconsider its former action whereby this bill was passed to be engrossed as amended by House Amendment "A"; and on further motion by the same gentleman, the House voted to substitute the original bill, H. P. 1147, L. D. 793, for the new draft.

Thereupon, under suspension of the rules the bill was given its three several readings and was passed to be engrossed.

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Bill "An Act relating to Inheritance Taxes" (H. P. 1385) (L. D. 1046) which was passed to be engrossed as amended by House Amendments "A" and "C" in the House on April 17th, and now comes from the Senate with House Amendment "C" indefinitely postponed and passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence, tabled earlier in today's session by the gentleman from Bangor, Mr. Haskell, pending motion of Mr. Williams of Auburn, that the House recede and concur with the Senate.

The question now is on the motion of the gentleman from Auburn, Mr. Williams, that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, Bill "An Act relating to the Salary of the Forest Commissioner" (H. P. 1464) (L. D. 1168) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th, and now comes from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence, tabled earlier in today's session by the gentleman from Greenville, Mr. Rollins, pending further consideration; and the Chair recognizes that gentleman.

On motion by Mr. Rollins, the House voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same gentleman the House voted to reconsider its former action whereby it adopted House Amendment "A".

On further motion by Mr. Rollins House Amendment "A" was indefinitely postponed.

The same gentleman then offered House Amendment "B", which was read by the Clerk as follows:

House Amendment "B" to H. P. 1464, L. D. 1168, Bill "An Act Relating to the Salary of the Forest Commissioner."

Amend said Bill by striking out in the 2nd paragraph thereof the underlined figures "\$5,500" and inserting in place thereof the underlined figures '\$6,000'

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

Mr. WARD of Millinocket: Mr. Speaker, in order that we may consider additional papers from the Senate and have an Advance Journal prepared, I move that we recess until quarter of five.

The motion prevailed and the House so recessed.

After Recess—5.00 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Ela.

Mr. ELA: Mr. Speaker, for the purpose of correcting a slight error I move that we reconsider our action taken earlier in this afternoon's session whereby we passed to be engrossed S. P. 292, L. D. 719, Resolve Providing for Certain Construction at the Bangor State Hospital.

The SPEAKER: The gentleman from Anson, Mr. Ela, moves that the House reconsider its action whereby it passed to be engrossed S. P. 292, L. D. 719. Is this the pleasure of the House?

The motion prevailed, and Mr. Ela then offered House Amendment "A" and moved its adoption.

The SPEAKER: The Clerk will read House Amendment "A".

CLERK: The Committee on Rules and Business of the House recommends that this amendment be considered without printing or reproduction. (Signed) Perkins, for the Committee.

House Amendment "A" to S. P. 292, L. D. 719, Resolve Providing for Certain Construction at the Bangor State Hospital.

Amend said Resolve by inserting after the word "practicable" in the next to the last line, the words 'and prudent.'

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

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

Non-concurrent Matter

Bill "An Act relating to Horse Races" (H. P. 1202) (L. D. 761) which was indefinitely postponed in the House on April 3rd.

Came from the Senate with the Majority Report of the Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House:

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

Mr. JORDAN: Mr. Speaker, I move that we recede from our previous action and concur with the Senate.

The SPEAKER: The gentleman from South Portland, Mr. Jordan, moves that the House recede from its previous action whereby the bill, with accompanying reports, was indefinitely postponed. Is this the pleasure of the House?

The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker, I move you that we adhere to our former action whereby we indefinitely postponed this bill on April 3rd.

The SPEAKER: The gentleman from Windham, Mr. Pratt, moves that the House adhere to its previous action. There are two motions before the House. The motion to recede takes precedence.

The Chair recognizes the gentleman from Portland, Mr. Connellan.

Mr. CONNELLAN: Mr. Speaker and Members of the House: I am rising to support the motion made by the gentleman from South Portland, Mr. Jordan, and I would like to discuss what I consider to be involved in this bill.

During the previous discussion in the House on this matter, it seemed to be a question of whether or not we were to have harness races or running races in the State of Maine. That question is not involved in this bill. If you will read the bill carefully, you will notice that the dates assigned for running races are not in conflict with any of our State fairs.

I consider myself to be a lover of harness racing. I have, for many years, attended regularly — as regularly as I could — the Grand Circuit meet at Old Orchard. I have

seen some of the best harness horses in the world. I have seen an Aroostook man whom I consider to be one of the top men in the country in this game, Wendell Wathen, and I have looked forward to seeing his horse time and again. If there was a slight chance that Grand Circuit racing would be eliminated at Old Orchard by the passage of this bill, I would vote against the bill.

I have made inquiry as to the effect that this measure will have on Grand Circuit racing. I have been informed that the Old Orchard track, which is the only mile track in Maine, can be used for both running and harness racing. With that question decided, I think we have reached what could be a fair decision on the matter.

We have heard running races referred to as a drop of poison. I do not believe that it is a drop of poison. If it is a drop of poison, it is only those people who desire to be poisoned who would be affected by it.

The principal feature of this bill is that it is a revenue-producing measure. A conservative estimate of the annual income to the State of Maine when running races take place is \$200,000 a year.

Now we have not hesitated in this Legislature to spend money when we felt that the expenditure was deserved. I feel that we should not hesitate to pass a revenue-producing measure when it will not interfere with one of our famous sports in Maine and when it is rightly desired by the people who will be most affected by it, and that is the citizens of York and Cumberland Counties.

I hope the motion of the gentleman from South Portland, Mr. Jordan, prevails.

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

Mr. BOWKER: Mr. Speaker and Members of the House: It is not more than three weeks ago that this House passed a measure of discrimination of tax between domestic and foreign insurance companies. Now the courts ruled that we were discriminating, and we corrected that. Why should we discriminate against the horses? I do not believe that there is any difference between the runners and the sulky races.

If this bill was going to affect the fairs, I would be against it, but I do not believe that it is. Within

the last week the New Hampshire Legislature renewed the lease on Rockingham Park for \$400,000, and that track in that small town netted New Hampshire over two million dollars last year. Now I say: Why should we discriminate against the runners?

The greatest horse race in the country is the Kentucky Derby, and that is not a sulky race.

I would like to support the motion of the gentleman from South Portland, Mr. Jordan.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker and Members of the House: Little by little, through the years that have passed, the State of Maine has been casting into discard principles that have made us great as a State. I am not arguing from the point of dollars and cents. I believe there are great principles here involved that cannot be measured by dollars and cents, and on those principles I stand.

From a gambling standpoint, I am opposed to this bill. Because the State of Maine has already legalized harness racing and made it a revenue project for the State, that does not lessen the question of gambling in this matter. Two rights do not make one wrong, neither will two wrongs make one right. So it is on the principle of the bill itself. If we pass this bill, we, as citizens of Maine, are once more legalizing gambling among the inhabitants of the State.

I do not believe any man ever drank himself or gambled himself into prosperity, neither do I believe that a State or a Nation can do the same. If we would be great; if we would stand upon the principles that our forefathers stood on that made this Nation and the heritage of our State, which we are so fast letting slip from our hands, we should vote to adhere to our former action.

When I think of these bills as they come up, my mind goes back to two brothers of old, one of whom sold his heritage for a mess of pottage. Are we going to do that, or are we going to stand by these principles of right and see to it that little by little we lift ourselves out of the condition into which we are slipping and place our feet once more upon a highway of justice and righteousness?

I trust sincerely that the motion of the gentleman from South Portland (Mr. Jordan) does not prevail.

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

Mr. BOWKER: Mr. Speaker and Members of the House: We are in the gambling business, we are in the liquor business, and, as long as we are in that business, let us get what we can out of it. The people have voted that they wanted liquor, and the State is getting revenue from that source. Now if the horses will give the State of Maine, as the Racing Commissioner tells us, \$250,000—to be conservative, we will say \$200,000—why not get it? People will go out and gamble on sulky races. Let us have the runners.

Now we are running a forty-two million dollar business here, and you cannot spend money and not have any revenue coming in. This House has passed measures all through this session that call for expenditures, and not one revenue measure.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: I rise in opposition to the motion of the gentleman from South Portland (Mr. Jordan).

I wonder what kind of a measure we are talking about, whether it is a revenue measure or whether it is horse racing. I would think from what I have heard here that it is a revenue measure. If it is a revenue measure, then what we did the other day was substitute principle for revenue. I believe the other day we voted on this measure on the basis of principle. What is principle? What do they want to do? They want to have horse racing at this particular mile track in York County. I am interested quite a bit, in the first place, because of principle, and, in the second place, because they want to start this in York County, which is my county. I will say that I am proud of York County. I hope we will stay clean. I feel it would be a backward move to have this particular bill pass. It is not only so far as York County is concerned, but this is an opening wedge for the State as a whole.

A few days ago, when this measure came up, I mentioned the drop of poison you have heard about. I

want to be fair about it, but I still feel that drop of poison is just as effective today as it was the day I mentioned it. It does not mean that the drop of poison is going to spread overnight, but the point is that it is going to spread, as far as this particular kind of horse racing in the State of Maine is concerned, in a short time.

The reason why some want the horse racing today is because there may be two or three hundred thousand dollars of revenue from it. What good is that revenue if it is going to do so much damage? Frankly, I believe this particular type of horse racing — from what I understand has already gone on — certainly would not help.

We have a responsibility; we have taken an oath of office. It is not what some want; it is what we think is fair. I believe we should vote with the dignity of our office as representatives of the State Legislature. We have a big responsibility, and, frankly, we cannot wash our hands of it: it is our responsibility, and we have got to live with our conscience according to the way we vote today. We are all going to decide for ourselves, and certainly when we vote it will be our particular responsibility.

I move that we vote by the yeas and nays.

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

Mr. PAYSON: Mr. Speaker and Members of the House: I do not know of anything than can be more boring than to have an oldtimer in your House who is always telling what has happened in the past, but I am one of those bores that will bore you just the same.

I remember back in 1937 we had a bill to allow Sunday movies, and the opponents of that bill — one opponent of that bill, arose in his place in the House, and, with his voice trembling with emotion, told about the fall of Rome and Nero fiddling, and predicted that is what would happen to the State of Maine if we had Sunday movies. And another gentleman in the same House told of a career of drunkenness he had experienced and which he had shut off, and which he predicted would occur to all the youth of this State if the Sunday movies came into being. I think we are going along on the same line here today, although I have not seen the State

of Maine fall apart due to Sunday movies.

So far as I know, horse racing is legal in the State of Maine today, trotting races or running races. The thing we are debating, as I understand it, is whether or not pari-mutuel gambling shall be allowed in connection with running races. For the life of me, I cannot see any difference between the runners and trotters, and this does mean some money. I think the motion of the gentleman from South Portland (Mr. Jordan) should prevail.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Members of the House: I rise to speak in favor of the only measure in this House which has appeared before us which perhaps means the difference between more taxation or less taxation. Where are we going to get the money?

Many citizens in this State of Maine gamble, if it is gambling, on horse races. They gamble on horse racing in New Hampshire and Massachusetts. Who gets the proceeds from that gambling? It is Massachusetts and New Hampshire. I believe the citizens of New Hampshire and Massachusetts consider themselves as Christianlike and as good, so far as morals are concerned, as the people of the State of Maine. Just because they have running races, it makes no difference to their morals, in my estimation.

There are things that are coming after this Legislature is over, post-war activities and, perhaps, a bonus for veterans. The State of New Hampshire has already appropriated some of this money to take care of the bonus. Let us prepare for all these things with additional revenue through racing. Therefore, I hope the motion of the gentleman from South Portland (Mr. Jordan) prevails.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker. I have my conscience with me when I speak on the floor of this House in whatever I may say. I have never sanctioned or acknowledged or countenanced liquor selling or horse racing or moving pictures on Sunday in this House, in which I am now serving my seventh term.

They have all passed into history, and the country moves on just the same.

Now from a financial standpoint, as we stand here today in the closing hours of the Legislature, we are in the red \$125,000 to \$140,000. I do not know where you are going to get this money except to raise the per capita State tax one mill, and I hate, as a member of this House, to go back to my constituents and say that out of all the income derived from various sources throughout the State we have expended here in this Legislature more money than we have received.

I believe that it is no worse to have horses racing with jockeys than it is to have horses racing with a man behind them in a sulky. Gambling exists in every walk of life. I have stood in the grandstand at Skowhegan, and I have watched the pari-mutuel bettors in August, because I lived there for fifteen years. They bet on the horses, in the grandstand, just as much as they bet anywhere. You can bet on baseball games. There is a certain instinct in mankind to gamble in one way or another, and I cannot see the difference whether you gamble on a horse with a boy on his back or a man behind it in a sulky. There is no evidence there is any more gambling in this venture than there is in horse racing with a sulky. If we can get this revenue, let's have it. The people will gamble anyway. If they want to gamble, it is none of my business. I do not gamble; I do not attend these pari-mutuel occasions and these horse fairs throughout the State. If I thought it would interfere with these agricultural fairs, I would vote against it, but it is not so, as I understand it. The question is: Do you want to balance the budget before you leave for your homes and provide income to take care of the red of \$150,000?

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker and Members of the 92nd Legislature: First, I want to point out to the Legislature that while some of my friends from York County are afraid of this measure, that two of the members of the Legal Affairs Committee who signed the majority "Ought to pass" report on this bill come from York County.

If anyone has attended the Grand Circuit racing at Old Or-

chard Beach, they are acquainted with all that the citizens have gotten out of it. Let me assure you that all of the citizens of York County do not attend these races, but I can assure you that a great many of them do, and the Grand Circuit races have attracted to Old Orchard horse-lovers from all over the country and have brought a great deal of revenue to those conducting summer hotels and other places of business at the beach.

This bill will provide revenue along the line of the bill introduced by Senator Howes, because it will increase the amount of money which the State would have available for the purpose of awarding prizes at State Fairs. Under the Howes Bill, if you recall, it provides that five per cent of the State take shall be set aside for the purpose of assisting fairs in making up prizes to those who breed the best cattle shown at the fairs. By increasing the amount of the State take, as will naturally result in the event this bill is passed, you will naturally increase the amount of that fund. For that reason, I hope that the motion of the gentleman from South Portland will prevail.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I rise in opposition to this bill permitting running races in Maine. It is too bad that in the closing hours of this Legislature that there is an attempt to thrust this type of legislation down the throats of you lawmakers here.

The Fair Associations, in a recent meeting in Lewiston, went on record as opposing this measure. The reason for this particular vote was that if this type of racing was permitted in the State of Maine it would be an entering wedge to eventually eliminate all types of racing that comes into the State; thus our agricultural fairs would be a thing of the past; this is the type of racing that incites people far beyond harness racing. This would also eventually be an entering wedge for dog races, and God knows I hope they never will permit dog races in Maine. I love dogs, and I know what terrible abuses they go through before they are permitted to run.

The only people I know of who are interested in this particular type of racing is a group of race promoters at Old Orchard. I do

not know of any other place in the State where they have a one-mile track that would permit this type of racing—and that is the type of track you must have.

So I want to appeal to you members here this afternoon. Please do not permit this type of gambling to come into the State. Please take into consideration our little agricultural fairs which mean so much to many of our local people who attend these fairs for various purposes.

The fathers of our children do not want this type of racing; the mothers of our children do not want this type of racing; the employers of our people do not want this type of racing; and I do not think the members of this Legislature, deep down in your hearts, want this type of legislation.

I wonder what they will do to balance the budget if the ban on horse racing is not lifted this year—and there is a possibility that it will not be lifted. I think there will be some measures taken if they lack something in the budget; I think there will be some other way besides that of a gambling nature.

So I hope here this afternoon, Members of the House, that you will give this grave consideration and not permit this type of racing to enter into the State. This is a type of racing which is different from harness racing: it brings in big-time gamblers and racketeers. I wonder how many of you folks have read about the "Lady in Red"—I think many of you have—who bets \$10,000 on a single race. How can small bettors compete with that? I do not think many of them can. So I hope the motion of the gentleman from South Portland (Mr. Jordan) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Sweetser.

Mr. SWEETSER: Mr. Speaker, I attended the hearing when this bill was before the committee, and I came out of that hearing with a very definite thought in my own mind: that horsemen in Maine are set up to train and race horses in harness racing; that this training and racing at the present time is quite an industry in Maine. It employs all of the trainers, drivers, people who have to attend these stables, and people who furnish the supplies for these stables. The outstanding thing which, it seemed to me, was presented at that hearing

was the fact, evidenced by several individuals who spoke, that whatever additional revenue may come as a gain on saddle racing at Old Orchard will be felt as a loss by various harness racing tracks in various towns throughout the State. So, if you are counting on additional revenue just because you are going to have saddle racing at Old Orchard, I think you are going to be disappointed because of the loss of revenue that will be sustained from the other races.

The SPEAKER: The Chair recognizes the gentleman from Jefferson, Mr. Gross.

Mr. GROSS: Mr. Speaker and Members of the House: I merely want to interject one thought that has occurred to me while listening to this discussion.

I come from a small town where there is one church, a rigid, moral community which would refuse to countenance anything that they thought would injure the morals of the people of the State of Maine. However, those people are very anxious to have summer visitors come to Maine, as many as we can accommodate, and particularly have them come to that town. It seems very incongruous to me that the State of Maine will appropriate and spend \$150,000 a year to advertise the State as a playground and not give the players what they want.

As has been repeatedly said, we are in the gambling business; we are in the liquor business, and the class of people who now, because of better and easier and cheaper modes of travel, take vacations and come to Maine for two weeks in the summer, or go to Florida for two weeks in the winter, whichever is their choice, wish to do the things that they cannot do at home, not because they are forbidden by law but because they are cramped for time. I feel there would be two opposites of thought for us to continue to spend money to entice people to come to Maine and still refuse to give them what they want.

I hope the motion of the gentleman from South Portland (Mr. Jordan) prevails.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I happen to come from a county that has an unusually nice fair,

and those people are upset by the proposition of running race betting. I claim no great virtue nor no great morals in regard to whether it is worse or better to vote for race betting by running or by sulky. I used to raise horses; I used to have a fine horse that had a lot of speed—he would trot the first half of the mile in a minute, but he would run the next half and nobody knew how long it would take him. (Laughter) The judges always refused to give him any money for that kind of winning, so naturally I have always been somewhat opposed to running races.

My people up there in the north country do not want running races, and they are opposed to this measure on that ground. I feel that I should abide by their wishes and not vote in favor of it.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker and Members of the House: I was until recently President of an agricultural fair in the State of Maine. That fair was situated ten miles from the New Hampshire line. I want to say to you that I am acquainted with agricultural fairs in the State of New Hampshire, and not one of these agricultural fairs are affected in any way adversely from the Rockingham race track in that State, and I do not believe our agricultural fairs in this State will be adversely affected by the passage of this bill. On the other hand, I believe it will help our agricultural fairs in this State.

The SPEAKER: The question is on the motion of the gentleman from South Portland, Mr. Jordan, that the House recede from its former action in indefinitely postponing this bill and concur with the Senate.

The Chair recognizes the gentleman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker and Members of the House: I cannot help but admire the beautiful time, the psychological moment, the sponsors of this bill took. We do not know whether we will be out tomorrow night, Saturday or the first of next week, therefore it was not quite safe to wait much longer.

We had the case presented to us over a month ago that our financial condition was not the best. We had papers put upon our desks, telling

us how much money we were planning to spend. About the same time we had this bill presented to us, and we turned it down. If we had considered it a good bill, if we had considered it a desirable bill, we would have passed it at that time. I think we should hesitate at the hysteria put on us now to balance the budget. We also have the same old cry put on us that you usually put on people when you encourage them to do something which, with a little more consideration, they would not do. It is the old pride—be a sport.

Have we not the courage to balance our budget in a more dignified way? Possibly we are in the gambling business, but I can tell you now that many of the working people in the State do not admire the way the Legislature has taken to derive money. I have had people working with me in the Iron Works turn around and say, "Why don't you lawmakers do something to protect us from all of these various gambling things?" I have had people who gamble turn around and say, "Horse playing is a mania; I will admit I am weak, but if you folks would keep this away I would be better off."

The City of Bath has had to take most of the—I might say disgrace, during wartime, by having many of these gambling things put upon us. These people moved in when the war started for easy money, and they will move out and take the easy money with them. Our merchants in Bath, and also the women and the children in the City of Bath, have had to pay quite a penalty for that same thing.

We realize about what our State is facing. If it is so very serious, why don't we have the courage to put in a revenue measure? We could have put in a sales tax; we could have put in something that would have been a little more dignified than getting down to gambling. I do hope that when the vote is taken we will stop and think carefully of the results that our action in these last few moments of this Legislature may cause for the future of the State.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I have stood on this floor and attempted to start economy measures, but I

did not get very far. In the last few moments of our deliberations we have spent something over \$100,000. In the previous argument I heard remarks on discrimination in regard to tax on insurance companies, and this Legislature is still going home and leaving a discriminating tax on widows and orphans by leaving the intangible tax in the present form. There have been many inequalities; there has been much discussion about committee reports. I have differed severally with the committee reports, both on appropriations and on salaries and fees.

I am very glad that the gentleman from Bath (Miss Deering) brought out the timing on this measure. Nevertheless, we are so situated that we need the revenue; we must have it.

Mr. Speaker, I hope that the motion of the gentleman from South Portland (Mr. Jordan) prevails.

The SPEAKER: The question is on the motion of the gentleman from South Portland, Mr. Jordan, that the House recede from its previous action in indefinitely postponing the reports. The gentleman from Elliot, Mr. Dow, has asked for a roll call vote.

In order for a roll call vote to be ordered, it requires the consent of one-fifth of the members present. All those in favor of the roll call vote will rise and stand in their places until counted and the monitors have made and returned their count.

A division of the House was had.

The SPEAKER: Thirty-three having voted in the affirmative, the roll call vote is ordered.

Mr. ROLLINS of Greenville: Mr. Speaker, I would like to ask for a division of the House.

The SPEAKER: The gentleman is out of order, the House having ordered a roll call vote.

The Chair will restate the question. The question is on the motion of the gentleman from South Portland, Mr. Jordan, that the House reconsider its previous action whereby it indefinitely postponed the bill with accompanying reports. A vote yes is a vote to sustain the motion and revive the bill; a vote no is against the bill. Is the question perfectly clear? The Clerk will call the roll.

YEA—Adams, Allen, Anderson, Baker, Bell, Bernier, Berry, Bird, Rockland; Bird, Washmgton; Boulter,

Boutin, Bowker, Boyker, Brown, Brunswick; Brown, Milford; Brown, Unity; Byron, Chase, Christensen, Cobb, Bangor; Collins, Conant, Connellan, Crosby, Cyr, Dean, DeSanctis, Dicker, Donahue, Downs, Ela, Emerson, Forhan, Gallant, Gay, Gillies, Grenier, Gross, Harrison, Haskell, Bangor; Haskell, Portland; Hayward, Jacobs, Jalbert, Jennings, Jordan, Saco; Jordan, South Portland; Judkins, Knight, Clinton; Knight, Jay; Lacharite, Lackee, Lombard, Lord, Camden; Lord, South Portland; Marsans, Marshall, Martin, Meloon, Morneault, Morrison, Rumford; Morrison, Winter Harbor; Morse, Nadeau, Ouellette, Palmeter, Pascucci, Patterson, Payson, Peirce, Perkins, Poulin, Prout, Renouf, Rollins, Ross, Sanborn, Smart, Smith, Snow, Springer, Stillings, Ward, Warren, Wells, Weston, Wight, Williams, Auburn; Wood, Wright.

NAY—Ames, Benn, Blake, Brownfield; Blake, Dexter; Brewer, Burton, Carpenter, Augusta; Carpenter, Skowhegan; Cobb, Gardiner; Cole, Casco; Cole, West Gardiner; Coombs, Corson, Deering, Dow, Dutton, Edwards, Ellingwood, Elliott, Gowell, Hamilton, Hanson, Hawes, Heanssier, House, Lee, Legard, Longstaff, MacKinnon, McFee, Moulton, Plummer, Pratt, Rankin, Roberts, Russell, Savage, Sweetser, Thomas, Thompson, Thordike, Tozier, Vickery, Walsh, Webber, Williams, Clifton; Williams, Topsham.

ABSENT—Cousins, Daigle, Dorsey, Hemphill, Jewett, Jones, Leathers, Letourneau, Sargent, Southard, True, Weeks, Welch.

YES—90.

NO—47.

ABSENT—13.

The SPEAKER: Ninety having voted in the affirmative and 47 in the negative, 13 being absent, the motion prevails.

Thereupon, on motion by Mr. Jordan of South Portland, the "Ought to pass" report of the committee was accepted, and the bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1202, L. D. 761, Bill "An Act Relating to Horse Races."

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

"Sec. 1. R. S., c. 77, § 9, amended. Section 9 of chapter 77 of the revised statutes is hereby amended to read as follows:

Sec. 9. Rules and regulations. The commission shall make rules and regulations for the holding, conducting, and operating of all harness horse races or meets for public exhibition held in this state and for the operation of race tracks on which any such race or meet is held. No such race or meet shall be held on Sunday. No meeting shall be allowed for more than 6 days in any 30-day period, except that between the 1st day of July ~~May~~ and the 1st Monday of August, a meeting may be allowed for not exceeding 18 days on mile tracks for any harness horse race or meet, and the commission shall allow a meeting of horse races to "runners", so called, on said tracks on all other days between said dates which will not conflict with such 18-day meet. In the event such an 18-day meeting is held, no further meetings where pari mutuel betting is permitted, shall be allowed during the same calendar year for harness horse races or meets on such mile tracks. No part of this chapter shall be construed to apply to any racing whatever except harness horse races."

Senate Amendment "A" to Committee Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to Committee Amendment "A" to H. P. 1202, L. D. 761, Bill "An Act Relating to Horse Races."

Amend said Amendment by striking out in the 9th line of that part designated as "Sec. 9." the underlined words "a meeting of horse races" and inserting in place thereof the underlined words 'meets of horse racing'

Senate Amendment "A" to Committee Amendment "A" was adopted in concurrence.

Committee Amendment "A" as amended was then adopted in concurrence. Under suspension of the rules the bill was given its third reading and was passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in concurrence.

On motion by Mr. Marsans of Monmouth, out of order and under suspension of the rules, it was

ORDERED, that the House Retiring Room be reserved tonight for the use of the cast of the Mock Session for a dressing room; that the front row of seats be reserved for use of the cast and that the remainder of the seats of members in front of the rail be reserved for the use of the members of the House and Senate and their friends.

On motion by Mr. Ward of Millinocket,

Adjourned until ten o'clock tomorrow morning.