

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 5, 1947.

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

Prayer by the Rev. Hazen Rigby of Gardiner.

Journal of yesterday read and approved.

Papers From the Senate

From the Senate: Resolve in favor of Bridgton Academy (S. P. 416) (L. D. 1202)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate: Bill "An Act relating to Transportation of School Children by School Busses" (S. P. 417) (L. D. 1203)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

The SPEAKER: The Chair at this time notes in the balcony the presence of the students of the Eighth Grade from the town of Livermore Falls, in charge of Miss Nellie Harmon, Teacher, and Cony High School students in charge of Miss Dorothy Giddings, and students of the Lincoln Grammar School of Augusta, Mrs. John A. McDonough, Teacher, in charge, and, on behalf of the members of the House, we bid you welcome here this morning. (Applause)

From the Senate: Bill "An Act relating to Adoption of Children" (S. P. 418) (L. D. 1203)

Bill "An Act relating to Candidates for Public Offices" (S. P. 419) (L. D. 1205)

Bill "An Act Providing for Election Counters After Closing of Polls" (S. P. 421) (L. D. 1207)

Bill "An Act relating to Salary and Expense Account of Lieutenant-Governor" (S. P. 423) (L. D. 1209)

Bill "An Act to Regulate the Use of Lands Adjacent to Turnpikes" (S. P. 424) (L. D. 1210)

Bill "An Act Creating a State

Administered Probation System" (S. P. 425) (L. D. 1211)

Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (S. P. 420) (L. D. 1206)

Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant-Governor and Providing for Succession of Office of the Governor (S. P. 422) (L. D. 1208)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate: Bill "An Act relating to Width of Trucks Hauling Forest Products" (S. P. 426) (L. D. 1212)

Bill "An Act relating to Permits for Vehicles Hauling Overweight Loads" (S. P. 427) (L. D. 1213)

Came from the Senate referred to the Committee on Motor Vehicles.

In the House, referred to the Committee on Motor Vehicles in concurrence.

From the Senate: Resolve Providing for an Increase in State Pension for Donald Wilson, of Bath (S. P. 432)

Resolve Providing for State Pension for Sidney H. McIntire of Phippsburg (S. P. 433)

Came from the Senate referred to the Committee on Pensions.

In the House, referred to the Committee on Pensions in concurrence.

From the Senate: Bill "An Act relating to Control of the Sale of Alcohol" (S. P. 429) (L. D. 1214)

Came from the Senate referred to the Committee on Temperance.

In the House, referred to the Committee on Temperance in concurrence.

Senate Report of Committee Ought to Pass

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to Gasoline and Use Fuel Tax on Maine Turnpikes" (S. P. 93) (L. D. 144)

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

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

Messages and Documents

The following Communication:
**DEPARTMENT OF HEALTH
 AND WELFARE
 STATE OF MAINE
 AUGUSTA**

March 3, 1947

Mr. Harvey R. Pease, Clerk
 House of Representatives
 Ninety-Third Legislature
 State House
 Augusta, Maine
 Dear Mr. Pease:

Complying with the Order of the House of Representatives of the Ninety-Third Legislature, dated February 19, 1947, I am transmitting herewith (1) list of pending cases (applicants) and (2) list of recipients of Aid to Dependent Children and their grants arranged by counties, towns or cities, and places of residence. These lists include the three items covered in the Order.

The Aid to Dependent Children list is set up in two sections. The first section lists the pending cases (applicants) by county and town, and pages are numbered 1 to 22 consecutively in the upper right corners. The name and address of the applicants are entered on the extreme left and in the center the number of children for whom assistance is requested is listed. The list has been made as of January 31, 1947.

The second section relates to families receiving aid under the Aid to Dependent Children program, and pages are numbered 1 to 73 consecutively at the bottom. The name and address of recipients are listed on the extreme left, the number of children for whom assistance is being received in the center, and the amount allowed for the family group in the right hand side of the page. This list also has been made as of January 31, 1947.

For the information of the House of Representatives as to the confidential nature of these and other records to follow, I also transmit a communication from the Executive Director of the Federal Security Board addressed to State Agencies Administering Approved Public Assistance Plans on the subject of "Standards for Safeguarding Information Concerning Applicants and Recipients of Public Assistance." In addition, I would respectfully call attention to Section 9 of Chapter 22 of the Revised Statutes of Maine,

1944; and the attached copy of Rules and Regulations of the Department of Health and Welfare promulgated thereunder on "Safeguarding the Confidential Nature of Public Assistance Records and Information," and indicating that no private use of such records should be made.

We are now working on the other lists requested and will forward them to you at the earliest possible moment.

Sincerely yours,
 (Signed) LEVERETT D. BRISTOL
 Commissioner

The Communication was read and ordered placed on file.

The following Bills, transmitted by the Revisor of Statutes, pursuant to Joint Order, were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Inland Fisheries and Game

Bill "An Act relating to Distribution of Information Concerning Wild Life and Providing for Revenue Therefor" (H. P. 1583) (Presented by Mr. Sharpe of Anson)

(Ordered printed)

Sent up for concurrence

Judiciary

Bill "An Act relating to Unclassified Service in Department of Agriculture" (H. P. 1584) (Presented by Mr. Boulter of Stacyville)

(Ordered printed)

Bill "An Act relating to Qualifications of the Recorder of the Gardiner Municipal Court" (H. P. 1585) (Presented by Mr. Tabb of Gardiner)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Enable a Municipal Corporation to Organize and Conduct a Water District and/or a Sewerage District" (H. P. 1586) (Presented by Mr. Lessard of Skowhegan by request)

(Ordered printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Creating the Bridgton Water and Sewer District" (H. P. 1587) (Presented by Mr. Rankin of Bridgton)

(Ordered printed)

Bill "An Act to Create the Penobscot Valley Water Commission" (H. P. 1588) (Presented by Mr. Thompson of Brewer)

(Ordered printed)
Sent up for concurrence.

Taxation

Bill "An Act to Create the Maine Highway District" (H. P. 1589) (Presented by Mr. Burton of Milo)

(Ordered printed)

Bill "An Act Imposing Miscellaneous Taxes" (H. P. 1590) (Presented by Mr. Meloon of Portland)

(Ordered printed)

Bill "An Act relating to a Severance Tax on Forest Stumpage in Organized Towns" (H. P. 1591) (Presented by Mr. Webber of Bangor)

(Ordered printed)

Sent up for concurrence.

Orders

On motion by Mr. DeSanctis of Madison, it was

ORDERED, that Mr. Laughton of Ripley be excused from attendance because of business.

On motion by Mr. Bowker of Portland, it was

ORDERED, that there be printed 500 additional copies of S. P. 335, L. D. 968, An Act to Provide for the Incorporation, Supervision, Regulation and Dissolution of Medical Service Plan Corporations, and to Prescribe Penalties for Violations.

House Reports of Committees Leave to Withdraw

Mr. Carville from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in East Pond Stream in Somerset County (H. P. 974) (L. D. 630) reported leave to withdraw.

Mr. Hayward from same Committee reported same on Bill "An Act relating to Bounty on Bears" (H. P. 825) (L. D. 528)

Mr. Williams from the Committee on Judiciary reported same on Bill "An Act relating to Divorce" (H. P. 925) (L. D. 620)

Mr. Martin from the Committee on Salaries and Fees reported same on Bill "An Act relating to Fees of Trial Justices in Certain Parts of Aroostook County" (H. P. 1315) (L. D. 912)

Reports were read and accepted.

Ought Not to Pass

Mr. McGlauffin from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Collector's or Treasurer's Deed" (H. P. 926) (L. D. 621)

Mr. Mills from same Committee reported same on Bill "An Act with Reference to Pleading and Proving Contributory Negligence" (H. P. 1071) (L. D. 731)

Same gentleman from same Committee reported same on Bill "An Act relative to Seizure and Disposition of Game and Equipment" (H. P. 834) (L. D. 531)

Reports were read and accepted.

Tabled

Mr. Peirce from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Sanitary Water Board" (H. P. 443) (L. D. 241)

(On motion by Mr. Peirce of Augusta, tabled pending acceptance of Committee Report)

Tabled and Assigned

Mr. Peirce from the Committee on Judiciary reported "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Provide for an Increase of the Municipal Debt Limit to Ten Per Cent of the Last Regular Municipal Valuation (H. P. 844) (L. D. 485)

(On motion by Mr. Sweetser of Cumberland, tabled and specially assigned for Tuesday, March 11th)

Mr. Silsby from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Absent Voting" (H. P. 923) (L. D. 618)

Mr. Carville from the Committee on Inland Fisheries and Game reported same on Resolve to Create a Commission to Study and Revise Existing Inland Fish and Game Laws (H. P. 830) (L. D. 479)

Mr. Burton from the Committee on Taxation reported same on Bill "An Act relating to the Gasoline Tax" (H. P. 1222) (L. D. 747)

Mr. Lombard from same Committee reported same on Bill "An Act relating to the Use Fuel Tax" (H. P. 1223) (L. D. 748)

Reports were read and accepted.

Ought to Pass With Committee Amendment

Mr. Silsby from the Committee on Judiciary on Bill "An Act relating to Commitment of Children to the Custody of Certain Officers" (H. P. 659) (L. D. 457) 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. 659, L. D. 457, Bill "An Act Relating to Commitment of Children to the Custody of Certain Officers."

Amend said bill by striking out in the 3rd line from the end thereof, the underlined word "competent", and inserting in place thereof the underlined word "authorized".

Committee Amendment "A" was adopted, and tomorrow was assigned for third reading of the Bill.

First Reading of Printed Bills

Bill "An Act relating to the Charter of Lucerne-in-Maine Village Corporation" (H. P. 1582) (L. D. 1225)

Bill was given its two several readings, and on motion by Mr. Sargent of Bucksport, under suspension of the rules, the Bill had its third reading, was passed to be engrossed and sent up for concurrence.

Resolve in favor of Teacher-Pension Status of Martha O. Crosby of Benton (H. P. 1158) (L. D. 1226)

Resolve was read once and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relative to Hearings Conducted by the Secretary of State" (S. P. 207) (L. D. 579)

Bill "An Act Amending the Acts which Constitute the Charter of Colby College, Formerly Colby University" (S. P. 209) (L. D. 578)

Bill "An Act relating to Inmate Criminals" (S. P. 211) (L. D. 576)

Bill "An Act relating to Business Hours in State Liquor Stores" (S. P. 265) (L. D. 727)

Bill "An Act relating to Disposition of Fees for Certificates of Approval of Manufacturers and Foreign

Wholesalers of Malt Liquor" (S. P. 266) (L. D. 728)

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

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

Bill "An Act relating to Hours of Sale of Liquor" (S. P. 306) (L. D. 787)

Bill "An Act to Provide Driver Education in Secondary Schools" (H. P. 486) (L. D. 316)

Bill "An Act relating to Returns to Commissioner of Education of Towns Having Seventy-five or More Teachers" (H. P. 600) (L. D. 369)

Bill "An Act relating to Service in Divorce Cases" (H. P. 921) (L. D. 617)

Bill "An Act relating to the County Law Library at Rumford in the county of Oxford" (H. P. 963) (L. D. 619)

Bill "An Act relating to Education of Physically Handicapped Children" (H. P. 972) (L. D. 629)

Bill "An Act relating to Lincoln County Law Library" (H. P. 1072) (L. D. 702)

Bill "An Act relating to Non-Resident Deer Hunting Licenses" (H. P. 1575) (L. D. 1215)

Resolve Abolishing Commission for Promotion of International Good Will in Education (H. P. 601) (L. D. 370)

Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 1573) (L. D. 1216)

Resolve to Provide for Repair of Fish Screen at Porter Lake (H. P. 1574) (L. D. 1217)

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

Amended Bills

Bill "An Act to Repeal the Incorporation of the Madison Village Corporation" (H. P. 247) (L. D. 174)

Bill "An Act to Incorporate the Town of Van Buren School District" (H. P. 612) (L. D. 377)

Bill "An Act to Incorporate the Freeport Sewer District" (H. P. 684) (L. D. 440)

Bill "An Act to Incorporate the Enfield Water District" (H. P. 874) (L. D. 486)

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

Tabled and Assigned

Bill "An Act to Incorporate the Kenduskeag Development District" (H. P. 924) (L. D. 560)

Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Webber of Bangor, tabled pending third reading and specially assigned for Thursday, March 6th)

Bill "An Act to Incorporate the Town of Lincolnville School District" (H. P. 927) (L. D. 561)

Bill "An Act to Incorporate the Town of North Berwick School District" (H. P. 929) (L. D. 622)

Bill "An Act to Incorporate the Yarmouth Sewerage District" (H. P. 946) (L. D. 562)

Bill "An Act to Amend the Charter of Rumford Falls Village Corporation" (H. P. 969) (L. D. 623)

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

Passed to be Enacted Constitutional Amendment Tabled and Assigned

Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum (S. P. 107) (L. D. 238)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Perkins of Boothbay Harbor, tabled pending passage to be enacted and specially assigned for Wednesday, March 12th)

Tabled and Assigned

An Act Guaranteeing Loans for Veterans (S. P. 77) (L. D. 104)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Meloon of Portland, tabled pending passage to be enacted and specially assigned for Thursday, March 6th)

Passed to be Enacted (Cont'd)

An Act relating to the Amortization of Premiums and the Accumulation of Discounts on Bonds or Other Obligations Held in Trust (S. P. 85) (L. D. 111)

An Act relating to Expenses of Town Collectors and Treasurers in Attending Meetings (S. P. 103) (L. D. 202)

An Act relating to Regulation of Employment Agencies (S. P. 128) (L. D. 285)

An Act Declaring Maine Maritime Academy as a State Agency (H. P. 57) (L. D. 44)

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

Tabled

An Act relating to the Issuance of Dealer's Registration (S. P. 218) (L. D. 571)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Brewer of Presque Isle, tabled pending passage to be enacted)

An Act relating to Inspection of Motor Vehicles (S. P. 219) (L. D. 570)

An Act to Incorporate the Town of Litchfield School District (H. P. 250) (L. D. 176)

An Act relating to Bank Accounts and Deposits of Town Treasurers (H. P. 273) (L. D. 185)

An Act relating to the Board of Commissioners of Pharmacy (H. P. 611) (L. D. 376)

An Act Amending the Charter of the Chestnut Street Methodist Society in Portland (H. P. 613) (L. D. 378)

An Act relating to Freedom Academy (H. P. 658) (L. D. 457)

An Act relating to Appointment of Directors of Corporations by Court (H. P. 663) (L. D. 470)

An Act to Authorize the Treasurer and County Commissioners of Lincoln County to Procure a Loan, and Issue Bonds of Said County Therefor for the Purpose of Building a Court House or Adding to the Present Court House (H. P. 664) (L. D. 437)

An Act to Incorporate the City of Belfast School District (H. P. 667) (L. D. 438)

An Act to Authorize the town of Norway to Acquire Property (H. P. 671) (L. D. 466)

An Act relative to Penalties (H. P. 837) (L. D. 534)

An Act Repealing the Farm Lands Loan Act and Disposing of Assets (H. P. 841) (L. D. 484)

An Act relating to the Use of Lights in the Operation of Motor Vehicles (H. P. 1364) (L. D. 961)

An Act relating to Proceedings to Bar Action on Undischarged Real Estate Mortgages (H. P. 1457) (L. D. 1041)

Finally Passed

Resolve in favor of the town of Sullivan (S. P. 64) (L. D. 39)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Verne E. Mills of Bethel (H. P. 353) (L. D. 223)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Wilfred Rosignol (Nightingale) of Stockholm (Guerette RFD) (H. P. 985) (L. D. 640)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to John Westleigh of Mason (H. P. 1032) (L. D. 668)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Dr. W. B. Twaddle, of Bethel (H. P. 1029) (L. D. 734)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Wilfred Rosignol of Guerette (P. O. Stockholm) (H. P. 1090) (L. D. 735)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Dr. W. B. Twaddle, of Bethel (H. P. 1091) (L. D. 736)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Fred Marquis, of Sinclair (H. P. 1092) (L. D. 737)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Jules St. Peter, of Guerette (H. P. 1093) (L. D. 738)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Fred B. Simpson, of Bangor (H. P. 1094) (L. D. 739)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to

be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, House Report, "Ought not to pass" of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 56) (L. D. 59) tabled on February 26 by the gentleman from Lewiston, Mr. Jalbert, pending acceptance of report, and the Chair recognizes that gentleman.

Mr. JALBERT: Mr. Speaker, Members of the House:

In asking that the bill be substituted for the report, may I state that this is my second attempt, before the Maine State Legislature, to ask that the question of changing our election date, from September to November, to coincide with our November National Elections, be placed before the people, to accept, or reject.

To use an often heard expression, I was really scoring two years ago. Whether or not the spade work I did two years ago will merit a "yes" vote today, is a decision for this 93rd Legislature to answer.

Of the more than 2,000 measures before us, many are on the taxation line; few, and very few, call for the saving of money.

This measure calls for the definite saving of thousands of dollars. Some of the arguments that have cropped up against this change were: That an attempt should be made to keep National politics out of State politics. That being the case, why then should our United States Congressmen and United States Senators be elected in September? Also why should the Speakers' Bureaus of both parties seek the aid of National Speakers, United States Senators, Vice Presidential and Presidential candidates to campaign on the issues in Washington during the September elections?

Another argument that has been presented at prior hearings on a resolve similar to the one which I have presented has been the publicity value to the State of Maine of this election. However, if the Maine Development Commission, with its

staff of expert advertising men, were given these funds which are now needlessly expended for this additional election, certainly the recreational and commercial interests of this State would be immeasurably advanced.

On this subject I would like to quote from something out of the newspaper. This editorial was handed to me a few minutes ago. This is one of many editorials that have appeared before in Maine newspapers and out-of-state papers, including the New York Times. This one was handed to me, and I do not know what paper it was from. It is entitled "There Goes Maine." "The September date of Maine's state election has long seemed, to the outsider, a harmless eccentricity which a polite person should ignore. This could be done by focusing the attention instead upon the state's delicious lobster, its mealy Aroostook potatoes, the delights of its mountain, lake and seashore vacationland, or the salty speech of the Down Easter.

"The theory that the early election serves as a political barometer went up in smoke years ago. Maine voted for Hughes in 1916, for Hoover in 1928, for Landon in 1936, for Wilkie in 1940 and for Dewey in 1944. It has, in short, backed the wrong horse five times in eight tries. The adage, 'As goes Maine, so goes the nation' is subscribed to mostly by people who believe that the ground hog and Uncle Abner's rheumatic knee forecast the weather.

A constitutional amendment would set the state election date back to November, and the Maine Legislature is considering it now. Campaigning and voting would no longer interfere with the harvest. The expense of two elections in Presidential years would be lifted from the treasury. A poll of outsiders would favor the change. What Maine will do about it is anybody's guess and, in the Maine tradition, nobody's business."

The big objection is the so-called "feed bag," enjoyed by certain leaders of each party. May I, for the moment, get away from this so-called "Feed Bag" and shatter conclusively the argument that there is no demand for a change.

Two years ago, I conducted a poll of town managers, selectmen and mayors of the different communities in our State, asking them if

they favored the change, or not; I received 195 answers.

May I, for the moment, read to you the questions on the card I sent out? "Do you favor having our State election in November instead of September, thus doing away on Presidential year with the September election cost? How much did the September, 1944, election cost your city or town?" 176 answered "yes," 17 "no," and 2 gave no opinion, showing a percentage of 90% in favor of the change. Besides this, I present petitions, sent to me, showing thousands of signatures giving support to the plan.

May I, Mr. Speaker, ask for unanimous consent of the House to insert into the record the names of the 176 towns and cities in favor of this, those two cities not giving any opinion, and those 17 towns who are against the measure, and also the amounts of the election costs of each individual town or city. I ask that this request be granted, Mr. Speaker, merely as a time saver, again being motivated by economy, because we all know that time is money, and should this not be granted I would needlessly take up a great deal of your time by reading these cards individually. I would, however, be very happy to read off every card individually if the members so wish.

The SPEAKER: The Chair understands that the gentleman from Lewiston, Mr. Jalbert, requests that these matters be inserted in the Record without further reading. Does the Chair hear objection?

The Chair hears no objection, and the request is granted.
Towns and Cities

	"Yes" Amounts
Buckfield	\$25.00
Arrowsic	13.00
Winthrop	37 05
Liberty	25.00
Brooklin	45.00
Bradley	23.00
Hancock	25.00
Bridgton	65.00
Waldoboro	75.00
Oakfield	15.00
New Limerick	11.50
Falmouth	92.20
Albion	35.00
Alexander	42.00
Deer Isle	79.00
Monroe	20.00
Sumner	20.00
New Gloucester	60.00
So. Thomaston	35.00
So. Portland	671.57

Stoneham	30.00	Avon	50.00
Winter Harbor	35.00	Perry	25.00
Houlton	125.00	Amherst	14.88
Aurora	25.00	Pittsfield	42.00
Greenville	No Amount	Machias	25.00
Hampden	50.00	Madison	77.00
Naples	No Amount	Solon	25.00
Lincoln Plant.	13.50	North Yarmouth	70.00
Bristol	38.00	Raymond	6.00
Van Buren	50.00	Brunswick	500.00
Haynesville	10.00	Jay	100.00
Carroll	45.00	Phillips	28.00
Hodgdon	15.00	Glenwood Plant.	24.80
Newcastle	35.00	Masardis	40.00
Hudson	29.00	Bowdoinham	40.50
Wade	14.00	Vassalboro	60.00
Holden	30.00	Palmyra	40.00
Stockton Springs	20.00	Gilead	10.00
Dyer Brook	9.00	Orneville	25.00
Bar Harbor	76.29	Lake View	35.00
Cutler	25.00	Mechanic Falls	75.00
Springfield	40.00	Carthage	25.00
Eddington	25.00	Lewiston	969.98
Milford	24.65	Poland	75.00
Alfred	40.00	Dexter	43.00
Westfield	20.00	Ashland	50.00
Grand Lake Stream Plant.	15.00	Dover-Foxcroft	55.00
West Bath	18.00	Sangerville	36.80
Glenburn	16.00	Benedicta	15.00
Livermore Falls	50.00	Belmont	26.88
Grand Falls Plant.	29.41	Gouldsboro	24.00
Rangeley	25.00	Richmond	60.00
St. Agatha	76.50	Searsmont	50.00
Mt. Desert	83.00	Presque Isle	No Amount
Princeton	28.00	Newport	66.00
Coplin Plant.	6.00	Sullivan	55.00
Turner	25.00	Mapleton	25.00
Stockholm	25.00	Brewer	655.00
Hiram	45.00	Wallagrass Plantation	50.00
Burlington	24.00	Westbrook	250.00
Shirley	10.00	Corinna	12.00
Danforth	45.00	Livermore	30.00
Bancroft	3.00	Madison	50.00
Rockport	41.00	Steuben	25.00
Plant. No. 21	25.00	Eagle Lake	50.00
Orient	33.00	Veazie	25.00
Pownal	50.00	Harrison	51.00
Parkman	25.00	Wales	50.00
Sherman	21.00	Edgecomb	40.00
Medway	40.00	Abbot	40.00
Milbridge	20.00	Mariaville	21.00
Littleton	28.00	Belgrade	32.00
Rip'ey	15.00	Farmington	85.00
Lebanon	63.50	Biddeford	758.00
Sanford	539.71	Dennysville	50.00
Thomaston	65.00	Dixmont	19.84
Harrington	15.00	Unity	46.00
Fairfield	50.00	Crystal	40.00
Crawford	40.50	Palermo	50.00
Minot	100.00	Industry	36.00
Portage Lake	40.00	Southwest Harbor	51.00
Baileyville	16.40	Lee	35.00
Skowhegan	100.00	Gardiner	468.64
Whitefield	39.00	Mars Hill	30.00
Fort Kent	75.00	Monmouth	75.00
Perham	20.00	Freeport	50.00
		Rockland	584.75

Fort Fairfield	65.00
Calais	500.00
Frenchville	42.00
Ellsworth	350.00
Mexico	47.37
Rangley	12.00
Winslow	60.00
Hebron	40.00
Friendship	41.00
Plymouth	35.00
Lubec	No Amount
Orono	33.34
Auburn	1000.00
Enfield	40.00
Dallas Plantation	No Amount
Jackson	36.00
Blaine	22.00
Cushing	25.00
Waterville	1500. Plus
Blue Hill	75.00
Appleton	35.00
Guilford	50.00
Towns and Cities	"No" Amounts
Southport	34.00
Kingfield	18.00
Windham	36.00
Hallowell	320.33
Wells	(Very little)
Madrid	40.00
Patten	30.00
Greene	40.00
Northport	27.50
Island Falls	12.00
Litchfield	42.00
Webster	20.00
Troy	30.00
Easton	20.00
Charleston	20.00
Cumberland	93.39
Augusta (no opinion)	1429.82
Portland (no opinion)	1939.00

Now let us go into the cost of these elections. When I sent these cards I asked the mayor, town managers or selectmen to give me the cost of the last September election. The 176 affirmative answers show a composite cost of \$15,730.50, the "no's" \$830.94; the two giving no opinion, those being the cities of Portland and Augusta, amounts to \$3,368.82, making a total of \$19,920.26. The approximate figure of the cost to the towns, cities, and plantations, not heard from, amounts to about \$25,000.00. The added amount, as many stated to me, for erection of polling booths, loss of time to selectmen, town clerks, et cetera, and the hiring of voting places would easily amount to \$10,000.00. The cost to the election department of the Secretary of State's Office for this last September election was \$24,000.00, making a grand total of \$78,920.26. It is gen-

erally assumed that there are approximately 400,000 voters in Maine. If time is money, with the use of the automobiles, tires, gas, and oil, no one can deny that the approximate cost to each voter is easily 50c, so that we can tack on an additional \$200,000.00 needlessly thrown away.

Now back to the famous "feed bag". These certain leaders of both parties shiver at the thought of a change because they feel that certainly money would be handed down to them only once instead of twice should this amendment be voted upon favorably. From the figures quoted it seems that a quarter of a million dollars is a lot of money to spend uselessly to satisfy a few somewhat selfish political leaders of both parties.

The "feed bag" is becoming decadent and simply because the day has now arrived when Washington expects money from Maine rather than they making us a donation.

In 1819, when the Constitution of our great State was drafted, weather was a most important factor in reaching the decision of date of election.

Through the years, weather records have established the fact that the winter season becomes less hardy per decade. Since 12 decades have elapsed, the weather is no longer a factor.

Since 1936, and may I ask your consideration of this thought, our September vote has dropped off to the astounding figure of 130,000. 130,000 people have not gone to the polls for our Gubernatorial and County elections, yet the November vote holds up.

I have those figures, state wide, and by district, and also the National count, given me by the always correct, alert, and courteous Secretary of State's Department. Following are those figures:

1936	Total vote for President	295,156
	Total vote for Governor	310,046
1938	Total vote for Governor	297,238
1940	Total vote for President	320,840
	Total vote for Governor	255,047
1942	Total vote for Governor	176,605
1944	Total vote for President	296,400
	Total vote for Governor	187,632
1946	Total vote for Governor	179,951

Another thought occurs to me, that in many instances since we have convened, the argument "They do it in other States" has been brought out.

They vote in November in forty-seven (47) of our forty-eight (48) States. It might be advisable if we were to follow along this trend of thought.

I might also, at this time, state that our State Librarians have been most kind in making it possible for me to acquire data.

This measure has been hashed and rehashed for years in the halls of our State House. I'm asking that the electorate of our State be granted the privilege of voting for, or against, this change. We have to spend, I know, but here is an opportunity to save.

Members of the House, what is wrong with that thought?

Mr. Speaker, I move that the bill be substituted for the report.

I want to thank you, and the members of the House, for your attention.

THE SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the Resolve be substituted for the "Ought not to pass" report of the committee.

At this time the Chair notes in the hall of the House the presence of the distinguished President of the Senate, who was the Speaker of this House in the 90th Legislature. The Chair invites him to the rostrum and requests the Sergeant-at-Arms to conduct him to a seat on the right of the Chair.

The Honorable George D. Varney, President of the Senate, was then escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the House, the members rising.

THE SPEAKER: The Chair recognizes the gentleman from Machiasport, Mr. Hanson.

MR. HANSON: Mr. Speaker and Members of the House: In seconding the motion of the gentleman from Lewiston, Mr. Jalbert, I find myself today in much the same position as when a similar measure came up in this chamber during the regular session of the 92nd Legislature. I am still a member of that overworked committee of Mines and Mining (laughter) (this time, Mr. Speaker, by personal request) and I am still in favor of changing the date of holding our

State election from the month of September to the date when our National Election is held.

Some of you may be wondering just what the Committee of Mines and Mining has to do with the changing of the date of holding our State Elections. So let me say to you that it is my honest opinion that there is no more need for holding our State election in September than there is for the Legislature of Maine to have as one of its Joint Standing Committees the Committee of Mines and Mining. One is just as uncalled for and as unnecessary as the other.

However, our committee is ready for business. We have received our printed stationery, and it might be a good plan for the members of the committee of Mines and Mining to clean the rust from their picks and shine up their shovels for unless something happens in the near future, it is going to require the untiring efforts of some great power to unearth sufficient funds to meet the increases in the running expense of our State. There is an old saying that "A dollar saved is a dollar earned", and in my opinion this is where this resolve fits into the picture—that by changing the date of holding our State election, as set forth in this measure, it will save the taxpayers of Maine many thousands of dollars. Again I repeat that old saying: "A dollar saved is a dollar earned."

Some of the members of this House have told me that this is a political question and the change cannot be made for political reasons. I fail to find any good reason so far offered as to why this measure should be classed as a political question.

There is an old slogan: "As Maine goes, so goes the Union." Of course no one believes such an unreasonable assertion, but even if it were true, who is there within the sound of my voice that would be willing to sacrifice thousands of dollars of the taxpayers' money of the State of Maine to influence the voters in the state of Massachusetts, New York, Ohio or any other state, in order to elect either a Republican or a Democrat President of the United States of America? I say the classifying of this issue as a political question is ridiculous and very far fetched from the true meaning of the issue.

We are not called upon to decide the question of whether the date for holding our State election shall be changed or not; we are simply voting to refer the matter to the people of our State to decide by their vote. If they should see fit to turn the question down, it will probably be some time before the matter is brought up here again, and whatever the people decide is satisfactory to me, for I feel we can trust the people to do the right thing in deciding such important questions.

However, I do not feel that I am alone in placing confidence in the people for the satisfactory manner in which they have always disposed of referendum questions handed them by the Legislature. And here I wish to quote from a speech made by one of the leading so-called Administration members at the special session of the 92nd Legislature in regard to referring important matters to the people, showing his faith and undying confidence in the just outcome of matters referred to them to be acted upon through a State-wide referendum. I am about to quote from a speech made by the gentleman from Portland, Mr. Allen, which was made during the bonus debate in this chamber on July 25th last, and which expressed his feeling and confidence in the people of this State when asked to decide by their vote such important questions as the one which we now have before us, and in which we are asking the members of this House to do their part in referring the question to the people of the State of Maine to be voted on in the general referendum.

Mr. Allen said, and I quote: "I listen with amazement when people say that ten years ago the people of this State voted against a sales tax. Do you mean to say that you haven't confidence enough in the people of this State to let them vote more than once in ten years on the matter? Do you mean to say that you do not think the people of this State might not change their minds on certain matters in ten long years? Members, I am flabbergasted. I am flabbergasted that you have not got confidence in these ninety-three thousand veterans and the rest of the eight hundred and fifty thousand people of the State of Maine to send them the most important piece of legislation which the State has had to consider for

twenty-five years. You have sent a lot of referendums down to the people on matters of much less consequence than this, yet you mean to say you have not got confidence in the people of your State to let them decide the issue, but you want to say: 'No. We will be the judges.' A few men here in Augusta sent down here to legislate — sent down here to investigate for the people as a committee of the whole. 'We will decide it here. To heck with the people.'

"It is not a question for us or them; it is a problem for all the people. Let the people decide."

Mr. Speaker and Members: As was Mr. Allen's faith in the people last July, so is my faith today, and if this question we are discussing here today ever reaches the voters back home, I believe they will speak through their vote in no undecided manner — that they will show that they are ready for the question and are anxious to save the taxpayers the large sums of money expended in the operation of this September election, when our two elections could be held at one and the same time.

Mr. Speaker and Members of this House: It is my honest opinion that Mr. Allen, at the time he was so ably addressing that House, was speaking from the depths of his heart. He meant what he was saying, and I trust that great confidence he harbored for the people of Maine in those hot days of last July has in no way become frost-bitten during these chilly days of March. I too am truly flabbergasted to think, with all the intelligence in the past Legislatures of Maine, why this question has not been handed to the voters of our State years ago for them to act upon, particularly with the great saving of thousands of dollars to the cities and towns of our State expended in the operation of the two elections, to say nothing of the wear and tear on the physical and mental aspect of the candidates who conduct their campaigns in the hot months of July and August.

Why, Mr. Speaker and Members, when I have been making a campaign up in my section of the State during the dog days, I have found it so hot on the plains up there, that if I remained inside the car, out of the sun, I would just bake, and if I got out in the sun I would fry; the perspiration would just

trickle down my face like rain drops in a thunder shower, and I have no doubt that the political ambition of many a candidate has been stalled and his political career ended after his first campaign conducted in the hot months of July and August, while September and October are ideal months in which to cover our State for political campaign purposes, with its fall beauty and invigorating air. If a candidate, after a campaign under such conditions, should finally meet defeat, he would feel repaid for his labors through the exhilaration of both body and spirit by contact with the autumn beauty and blushing breezes which are so prevalent in Maine during this, the best season of the year and in the best State in the Union.

In casting our vote in support of this resolve, we are taking one step at least in an attempt to salvage some part of the old Ship of State and the people back home will have a chance to think that the members of this House are here for a purpose other than to draw their salaries. You may fool the people a part of the time, but you cannot fool them all of the time. The voters of the State of Maine are our constituents; it was through their efforts that we are here today. They, the people, were in hopes that we might do something to relieve them from the heavy tax burdens they were and are carrying today. Here is a chance for this House of the Ninety-third Legislature to make headlines, by saying to those taxpayers, by our vote: We recognize your plight; we recognize your condition, and we are going to help you by giving you an opportunity to help yourselves. We are going to refer this matter of shifting the date of holding our State election to you" and thereby give the people of this State an opportunity to cut down one of the great expenses of our State.

Mr. Speaker, if I am forced to vote for an unnecessary expense to our State, in order to be a good Republican, I don't want to be a Republican. If I am forced to take a stand offered by the minority party which will sacrifice the taxpayers' money, in order to be a good Democrat, then I do not want to be a Democrat. I want to be a free citizen with the privilege of acting in the best interest of the taxpayers of Maine, according to

the best judgment allotted me by my Creator, and I want to see the people of Maine get a break in this TAX problem, and in my opinion here is a chance to make a beginning.

Mr. Speaker, I hope the motion made by the gentleman from Lewiston, Mr. Jalbert, will prevail.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I had absolutely no intention of making any remarks on this measure, but my good friend from Machiasport, Mr. Hanson, literally and accurately quoted my remarks at the July Special Session. I might merely say for the benefit of Representative Hanson that my remarks concerning veterans legislation do not necessarily mean that they would be the same remarks concerning Mr. Jalbert's bill on the election date change. I was aware of a great amount of clamor throughout the State, of hundreds of persons coming in to the Capitol in July regarding veterans legislation. So far I have failed to see any interest outside of a few persons closely associated with the sponsor of the measure, which would indicate to me that it was necessary to send to the people at an added expense of a special referendum this matter.

I have been informed, whether correctly or not I am not sure, that many years ago, when I believe Mr. Hanson was a member of this House, the Democrats were in majority and the Republicans brought in a similar measure. Gentlemen, I would merely say I consider veterans legislation and change of election date as two entirely different matters. I have seen no demand except from Representative Jalbert and his friends. I saw plenty of demand on veterans legislation from all over the state from many thousand citizens. My remarks of July do not mean necessarily that they would apply to this particular bill in the Legislature, with due thanks to Mr. Hanson for so clearly quoting me at the special session.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: I was undecided as to whether or not I

should attempt to add to what has been said this morning on this measure until Mr. Allen spoke. I attended the committee hearing on this bill, hoping to learn why there was opposition to this measure. There was no opposition expressed. This morning I have sat here hoping to learn what legitimate reasons there were to oppose this bill. Mr. Allen has given me two reasons. The first is, he says he knows of no interest displayed in this measure aside from Mr. Jalbert and his friends. In recent weeks the newspapers of the State and this body have been flooded with taxation measures. I have been reading editorials to the effect that apparently the members of this Legislature are interested only in raising money, not in saving money.

I say to Mr. Allen that there is a widespread and keen interest in the state in any measure which will save the state thousands of dollars which can be saved if this bill becomes law. If saving money is a partisan issue, then I say taxation is a partisan issue.

I anticipate in the course of this session that the all Republican Committee on Taxation will present to this Legislature taxation measures which they will ask the minority party to support on the ground that the raising of money is not a party issue; that the raising of money is for the purpose of serving the people of Maine along lines indicated by the people of Maine.

I say to Mr. Allen that saving money likewise is not a party issue. The other reason advanced by Mr. Allen for not supporting this bill is that a similar bill introduced by the Republicans in the years that the Democratic party was in larger ascendancy in this body was not approved. I am sorry it was not approved at that time. It seems to me that is a petty kind of reason. It is to say that when I proposed this thing it was not approved; now that you propose it I am not going to approve it either; I am not going to play ball; you will not let me drive this thing through, I will not either. I do not really think that is Mr. Allen's position and it is not mine.

I am up here speaking for this bill because I think it is in the interest of good government. The only legitimate reason that I have found for opposing the bill, it seems

to rise from a matter of local pride, a pride in being different. We in the State of Maine pride ourselves on being Yankees of an individual turn of mind, and we have in years past associated that with our separate election date. Then we have persuaded ourselves that because of that independence and turn of mind we have gained something in the way of publicity throughout the nation because we have a separate election date.

I think it would be difficult for us to prove that such publicity actually brings dollars into the State. During the war I had occasion to travel all over the country and to meet people from all over the country. Not once can I recall anyone, upon learning that I was from the State of Maine, commenting on our separate election date. When we discussed Maine it was always with regard to Maine's natural beauty, the fishing and hunting available here and our lobsters. Those were the things people were interested in with regard to Maine. They were not interested in our separate election date. Is there any reason to believe that industries are attracted to the state because there is the privilege of voting two months ahead of the rest of the country? Is there reason to believe that tourists come to the state out of curiosity to see what manner of people we are to insist on electing our representatives two months ahead of the rest of the nation.

There is no dollar value in the separate election date. Democratic government at best is an expensive form of government. Without question it is the most expensive form of government in the world, but we have found it worthwhile to pay the price. There is no reason to jack that price up beyond all reason.

With regard to the partisan nature of this bill, I recall the election of last fall. Our state election was lackadaisical. About two or three weeks after our State election, a slogan began to sweep the country. I think you will recall it. It was "Had enough? Vote Republican!" I shudder to think what would have happened to our already slim minority representation in this House if we had been involved in the tidal wave of that slogan. I think there would be no question of minority representation upon committees.

During the years that Mr. Roose-

velt was a candidate for the Presidency, it is true that the Democratic vote in November was stronger in this state than it was in September, but now apparently the tide is the other way.

I say to you this is not a partisan issue. It is an issue in the interest of economical and democratic government in the State of Maine. I hope that the motion of the gentleman from Lewiston (Mr. Jalbert) will prevail.

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

Mr. JALBERT: Mr. Speaker, I had no thought of rising again, but there are two of the remarks of my good friend from Portland, Mr. Allen, that I would like to comment on. The first one that he mentioned was that when the Democratic party was in power the measure was brought forward. I would like to make this comment: In the 1911 Legislature this same measure, asking change of the election date from September to November was reported out of committee "Ought not to pass." That was in 1911, when the Democratic party was in power in both branches. In 1913, with the Republican party in power in both branches, the committee report was "Ought to pass." The minority Democratic floor leader of the House made a motion to accept the minority report "Ought not to pass." His motion prevailed; so that shatters the party issue.

The second remark made by my good friend was to the effect that I wanted to have the added expense of a referendum. Well, if he has read the bill as closely as I know he usually reads them he will see this calls for a referendum at the same time as the next biennial election, so the cost will only be the cost of printing a few thousand ballots as compared to the cost of a quarter of a million dollars every four years. I thought I would correct Mr. Allen on those points.

The SPEAKER: The Chair recognizes the gentleman for Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: I think there is some confusion on the part of the gentleman who has just spoken. From his remarks, I gather that the founding fathers, in setting this election date were interested in weather conditions prevailing in September as differentiated from those

in November. Now, due to sun spots or something, something happened in the last twelve decades, and that reason which he attributes to the founding fathers as being very good apparently has been dissipated, and, because of the weather, we can now change back to November.

But I think the gentleman from Waterville, Mr. Muskie, has really given us the reason why the founding fathers of this State set it up this way. Just because they did not happen to be in line with the other forty-seven states does not mean that they were wrong. On the other hand, just as in 1935 we were right along with Vermont, so the founding fathers were probably correct in their day. Their reason for setting it up that way was because they felt that national issues should not color the issue completely here in Maine, and that when we choose a Governor and representatives we are doing it on State issues and do not want to be influenced by national tides. I am sure we would not want to see the Democrats of this House swept out by this tide which the gentleman from Waterville, Mr. Muskie, mentions in November of last year. We want our minorities in the House and we want a strong minority. We believe if we keep the elections separate and if we keep State issues separated from national issues as much as possible, that it will build up stronger minorities and give us a more vociferous and talented ones, as we have seen demonstrated on the floor this morning. I thank you.

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

Mr. BREWER: Mr. Speaker and Members of the House: I feel that if this bill had been presented by some other party it might have had more consideration.

We are called down here at this time to save money. As a member of the Appropriations Committee, many of the members have contacted me and said, "We would like to save some money but we don't know how." What they are looking for is leadership.

Now I know we are steeped in tradition. As far as I am concerned, the only value that two election dates have is an old Spanish custom that we can well afford to do away with.

Now in my own particular instance in my county, our State elec-

tions come at a time when we are busy harvesting the grain and potato crop, and I know it is an effort for me many times to go to the polls, as it is for my neighbors. So I say to you in the past it probably did have advertising value. As has been said here many times, we used to say "As Maine goes so goes the nation," but we seem to be so far away from the other states geographically that we apparently have lost the feeling of the pulse of the other states, and the only thing we have definitely proved is that as Maine goes so goes Vermont. If you will follow the records closely, Maryland seems to have taken our place as predicting the trend of future elections.

So I say to you: I feel the only thing we are doing in maintaining two separate voting times is preserving an old Spanish custom which I think could well be done away with, and I think we could save a lot of money. It has no advertising value whatsoever. Not only that, but I feel that possibly in November, especially in our county, we could turn out a better vote than we could in September. So I am going along with Mr. Muskie, Mr. Jalbert and Mr. Hanson. I also ask that when the vote is taken that it be taken by a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that "Resolve, Proposing an Amendment to the Constitution Changing the Date of the General Election" (H. P. 56) (L. D. 59) be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Members of the House: I would like to go on record as saying, and I think a lot of people of our State felt the same way, that mob psychology in November did not help us, and if we are looking to save money, as a smart Democrat said, let us look at the record. Let us look at the record that November would have saved us had we followed them in Maine.

The SPEAKER: Is the House ready for the question?

The gentleman from Presque Isle, Mr. Brewer, has requested a division. All those in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, will please rise and

remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-nine having voted in the affirmative and seventy-nine in the negative, the motion did not prevail.

Thereupon the "Ought not to pass" report of the committee was accepted.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to Date of general Elections." (H. P. 55) (L. D. 53) tabled on February 28th by the gentleman from Lewiston, Mr. Jalbert, pending acceptance of report, and the Chair recognizes that gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: This second bill pertains to the first one. Without passage of the first one this second one is useless, and, in view of the last vote taken, and remembering the often-heard prayer, "O Lord, give me the will to win but make me a good loser," I move acceptance of the majority report, "Ought not to pass."

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves acceptance of the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed, and the "Ought not to pass" report of the committee was accepted.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Senate Majority Report "Ought to pass" and Senate Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to the Commitment of Patients to Mental Hospitals." (S. P. 181) (L. D. 539) In Senate Majority Report accepted and Bill passed to be engrossed. Tabled on February 27th by the gentleman from Boothbay Harbor, Mr. Perkins, pending acceptance of either report. The Clerk will read the reports of the Committee.

(The committee reports were read by the Clerk)

The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. SPEAKER: Mr. Speaker and Members of the House: I move the acceptance of the minority report "Ought not to pass." I regret the necessity of disagreeing with the majority of the Committee on Judiciary, but there comes a time when there is nothing else for one to do except to stand for those things in which he believes, and I would ask respectfully of the members of the House if you would kindly turn to your copy of L. D. 539, "An Act Relating to the Commitment of Patients to Mental Hospitals." This bill is 15 pages long as printed, and it repeals all the law in our State relating to commitment of patients to mental hospitals. It sets aside the long-established commitment proceedings that we have had in this State. Furthermore, it changes the word "insane" in the statute to those who are "mentally ill." It is letting down the bars.

It has been my position as a member of this Legislature for several years, and it has always seemed to me that anyone who proposes a drastic change in a statute must bring to us some information and some very pertinent reasons for the changes proposed. There have been no such reasons given to me by anybody.

The real issue in this bill, or the real purpose of it, as stated by those who appeared before the committee—and there were three, Dr. Hedin, of the State Hospital at Bangor, Dr. Sleeper, of the State Hospital of Augusta, and Mr. Greenleaf, Commissioner of Institutions—and I quote from the Lewiston Journal—the date of this I just don't recall—but it says:

"Maine's legislative Judiciary Committee today was divided seven for and three against in a report on a bill eliminating public hearings by municipal officers before persons could be committed to a State Mental Hospital. Harrison C. Greenleaf, State Commissioner of Institutional Service, told the Committee at a public hearing on the measure last week that it would assure more humanitarian committal treatment and strengthen the protection of the patient." That is the only reason advanced, that it might embarrass some patient who had become unfortunate if he had to appear at a hearing to determine whether or not he was insane and should be committed to the hospital.

It has been the law for more than one thousand years that a man should not be deprived of his life, liberty or property except according to due process of law or in accordance with the law of the land. That is the old English common law, and those provisions have come down to us from the days of Magna Charta and are part of our common law today and have been embodied in the Constitution of the State of Maine. One cannot be tried for crime unless they have been indicted by a grand jury for a felony. But here these people wish to make it possible to seize an individual and place him across the river without giving him a hearing. Now that strikes me in a tender spot. If there is one thing that the Anglo-Saxon law has stood for, it has been for protection, and that is the American way of life. I must oppose this bill, and I must ask you, if you will, to support the liberty which we have always enjoyed. Do not set it aside because they say some patient might be embarrassed.

I wish you would turn to Page 2 of L. D. 539, because if I told you what was in this bill I would not expect you to believe it, therefore I want to read over one section with you, and that is Section 5, amending Section 104 of Chapter 23 of the Revised Statutes. I quote from the bill:

"If a person is found by any guardian, blood-relative, husband or wife of such person, any justice of the peace or notary public, to be in such mental condition that he or she may require treatment in a state hospital for mental patients, such guardian, blood-relative, husband or wife of such person, any justice of the peace or any notary public may apply in writing to the superintendent of either the Augusta or Bangor state hospital for admission of said person, and the superintendent may receive and detain such person for observation and treatment in a state hospital for mental patients for an indefinite period, provided that such application is accompanied by a written certificate of two physicians and that the said person is mentally ill and in their opinion requires mental hospital care and treatment."

If I can read the English language, the patient gets no hearing, there is no judicial determination by anybody whether the patient is

insane or not. Under this law they say "mentally ill," and I submit to you, Mr. Speaker and Members of this House, there is a vast difference between an insane person and one who may be mentally ill. Under this bill I, as a notary public, might put some of you folks across the river, and then I would like to see you get out. You are there for an indefinite period if they receive you.

Now we have had a long-established committal practice in this State for years. It may be the hearings are rather crude, but the patient is entitled to a hearing. You cannot put a criminal in jail or detain him unless he has had a hearing and been found guilty, and here are these people who are mentally ill or insane and who, my friends, are unfortunate, and who, under this bill, are not going to be given a hearing. That is fundamental in Anglo-Saxon jurisprudence, and I challenge anybody to say that we can put a man in there without a hearing. True, he may go voluntarily, and there is a provision in this bill where you may take somebody up to Massachusetts and New Hampshire and have them committed up there and then get them transferred down to Maine.

That really is about all my opposition to this bill, because it violates what I think is a fundamental of law. They say, "We are not going to take anyone over there unless they are mentally ill." That is not the point, whether it is Dr. Hedin of Bangor or Dr. Sleeper of Augusta—the Legislature is saying you may put somebody over there, if they will take them, without giving the patient a hearing.

I never have seen in my legislative experience any bill, except one other bill, that was as bad as this, and that was the venereal disease bill two years ago, where they could pick you up on the street and examine you. That was defeated.

I have received letters from some people. I would just like to quote briefly from one I received from a gentleman who says, "I fear the bill, if enacted, would result in wrongful commitment of persons who are not insane and who may be deprived of their liberty for life, and in the commitment of many persons merely sick or indigent by selfish relatives who do not wish to care for them."

We all know of people in our community where simply because they are old and a burden their relatives attempt to thus get rid of them. That is my objection to the bill.

I want to read a letter I have here because after the hearing I happened to meet Dr. Forrest C. Tyson, who was Superintendent of our State Hospital here for many years, and he was very much opposed to the bill for the reasons which I have thus far given you here. At my request he wrote out this memorandum; he said he would be very glad to. I just want to read you what Dr. Tyson said in his large experience as Superintendent of our State Hospital. "February 24, 1947. This is not merely an act relating to the commitment of patients to mental hospitals, but an attempt to revise the entire chapter administration of our State Hospitals, in the statutes pertaining to the act. It is so extensive and radical that a brief review is almost impossible.

It calls for repeal of our long established methods of commitment. It takes this authority from the selectmen of towns and the municipal governments of cities. For over fifty years the only persons eligible to make complaint against a person suffering from mental disorders are a blood relative, husband or wife, and a justice of the peace. It now proposes to include a guardian and a justice of the peace. Any of these persons may make complaint and apply to either of the superintendents for admission of the patient, with the certificate of two licensed physicians.

The superintendents may receive and detain the patient for an indefinite period. The patient's liberty is taken away without a hearing, on the grounds of mental illness. (Now this is Dr. Tyson speaking, not me, after his long experience. It takes away their liberty without a hearing.) It seems to me that this is a high-handed procedure that is decidedly Fascist or Nazi, if you wish. Because a person is mentally ill is no adequate reason for depriving that person of his liberty by forcing him into an institution for treatment or detention that he does not want or need.

The term 'mentally ill' cannot be substituted for the term 'insanity' which is a legal and social condition. (Now he is an expert on in-

sanity). It is no crime to have a mental disorder. Mental illness does not always mean insanity, therefore the insane oftentimes may not have any mental disorder. No one should be deprived of his or her liberty without due process, etc., rights that everyone enjoys under our Constitution. This act proposes to have the patient committed by two licensed physicians without hearing or other legal notice. I think it is wrong. Guardians and justices of the peace should not be included among the complainants. Their motives might not be the same as those of blood relatives, and the patient suffer an injustice. The two licensed physicians become practically committing authorities, and I doubt if physicians desire this responsibility. While the selectmen and municipal officers have no voice in the matter, the towns and cities are liable for the expenses incurred.

This is called a thirty day commitment as well as a period of observation and treatment for the mentally ill person, but in the opinion of the Superintendents this observation and treatment period may be indefinite.

Finally, the superintendents have to institute commitment proceedings before the Judge of Probate. This is bad practice for members of the medical staff to be obliged to appear before the Court against the patient. You can imagine the effect of this on the morale of the patient and the embarrassment of the staff who have to live with the patient.

The term 'mentally ill' does not have the same legal or social meaning as the term 'insanity.' The two terms are not synonymous any more because of the legal situation. Mental illness may take on a multitude of forms, none of which by any stretch of the imagination should be classified as insanity. The term 'insanity' has reference to conduct. Mental illness may or may not be demonstrated. Society permits a person to think what he wants to, and it may in this country permit him to even say what he wants to, but objects when he attempts to do something about it. A person displaying anti-social tendencies is more than often declared insane.

Under this act one may be deprived of his liberty for thirty days or more by two licensed physicians and without a legal hearing. This will result in many more patients

being sent into our hospitals that are already filled far beyond reasonable capacity. We have provided for voluntary patients since 1919. This provision permits a certain class of patients to treatment without commitment.

The transfer of mentally ill persons on the original commitments in other states to our hospitals is bad practice. No other state accepts Maine commitments. This provision puts the mentally ill in the same class as indigents or paupers. This law passed two years ago is the result of the Welfare Department's request. After the patient is received, the superintendent is required to proceed with a second commitment.

Another bad feature is the fact that a patient may be taken to an adjoining state, committed and then transferred back to a Maine institution, thus avoiding publicity. This is not desirable practice.

The part relating to the criminal insane taken from the Criminal Code at the previous revision of the statutes should not be changed, and should be restored to the original place under the law in regard to criminals.

Since 1849 Maine has had the best as well as the first criminal insane act. It should not be changed. It has worked perfectly and has been the means of preventing so-called battles of the experts, and the saving of a large amount of the taxpayers' money.

This bill is so extensive that a brief analysis is impossible. It changes the chapter on the insane beyond recognition and, in my opinion, does not improve the present law except in a few minor instances pertaining to administration under a single commissioner.

The transactions of the American Psychiatric Association record many addresses by eminent jurists on the question of commitments. All have agreed from time to time that no person can be legally committed without a notice, a hearing, and adjudication on the evidence. This bill requires far more consideration than has been given it to date."

That is Dr. Tyson. He was superintendent over here at the State Hospital across the river for many years

The point I wish to make is this—and with which Dr. Tyson and all psychopathic societies agree, and with which I hope you will agree—

that you cannot legally commit any person to the hospital across the river without giving him a hearing, giving him notice of it, having a hearing and having adjudication by somebody that he is fit to be put over there as a patient.

Mr. Speaker and Members of the House: that is the very cherished tradition of our liberty. Are you going to open the door and say under the Constitution you can put a man in a mental hospital over here for treatment without giving him a hearing? At least you have got to go through to form.

Mr. Speaker and Members of the House: I hope when the vote is taken it will be taken by a division and that you members will come over into Macedonia and help us."

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

Mr. McGLAUFFLIN: Mr. Speaker and Members of the House: I was one who signed the minority report, and I second the motion made by Mr. Perkins who has just spoken, and I want you to know why I oppose this bill.

I have caught a great many trout in my lifetime, and the most of them I caught with a good fat worm that was hiding the hook. That bait looked attractive to the trout, and he discovered the barb hidden in the worm when it was too late.

I came pretty near swallowing this bill hook, line and sinker when I saw that they had the words "mentally ill" substituted for "insanity" until I began to analyze the thing and saw what was apparently behind it, and I came to the conclusion that there is a hook concealed there that is going to get some innocent person, and that innocent person is a human being.

Now you cannot change an insane asylum into a ladies' sewing circle or a social club by calling the patients "mentally ill."

Some years ago there was a woman who was in the State Insane Asylum at Augusta who wrote to me, asking me to help get her out. I paid no attention to the letter, I did not even answer it; I took it for granted that she was insane and that was all there was to it. Later, I got another letter, urging me to help her get out of that institution, and again I ignored it totally, not even answering the letter. But, in the course of time, I got a third

letter, and then it occurred to me, "What if that woman is right? I will look into this matter." I did, and this is what I found: Months and months before she had been committed to Augusta for observation. They had forgotten all about her. She had never been properly committed at all, and apparently they were ready to keep her there the rest of her life. When I learned this fact, I took the matter up with Dr. Tyson and explained the situation and said, "If you do not let that woman out immediately I will bring a writ of habeas corpus and compel the institution to let her out." They let her out.

Now the reason I am telling this story is this: It is worse than hell to put a sane person in an insane institution. I want no part in it. They have got this innocent-looking bill that I say has got a hook in it, that says they can commit a person who is mentally ill. Is there a single man or woman in this audience who has not at some time or other been mentally ill? When you have lost a loved one, when you have met with some misfortune, great heavens, you are mentally ill and you are sick all over, but you are not insane.

This bill would enable two doctors, reputable or otherwise, to go to some shyster Justice of the Peace and put almost any one of us into the insane asylum for an indefinite period. I am against this bill.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Broggi.

Mr. BROGGI: Mr. Speaker and Members of the House: The last two speakers made the inference that under the new law collusion would take place. I would like to explain to the members of the House the new bill. It is written by Dr. Hedin of the Bangor State Hospital in cooperation with Dr. Sleeper of the Augusta State Hospital. Dr. Hedin told Representative Kent and myself during the State Hospital visitation a few weeks ago that this new bill was not the result of weeks or months of study. He said, "Gentlemen, I have had fifty-two years of experience in mental hospitals, and this bill, in my opinion, is something that is badly needed in Maine."

I think some of the members of this House do not realize the number of people who are committed annually in the United States. The

American Psychiatric Society tells us that one hundred twenty thousand people are committed annually in this country. With the normal expectancy of sixty years of life, this means that in the normal life of a person seven million people are committed to state hospitals. These are actual statistics. In a population of one hundred forty million, this is one person in twenty. Think of it.

I have talked with many selectmen and I have talked with many members of city councils. This hearing business which is included in the present law is very distasteful to them. They do not feel competent and they do not feel adequate to judge whether a person is insane or not. In many cases, and I quote statistics, thirty per cent of all people committed to State Hospitals are sent back to society within thirty to ninety days. Do you think a public hearing is right for those people? Do you think they should be exposed to the indecencies of scandal mongers and people who are interested in scandal, neighbors, friends and relatives. I ask you, is it humane to do this? I have talked with selectmen and with city councilmen, and I have talked with many who favor the continuance of the present law. They feel they are not competent and they claim it is the function of the medical profession. The doctors, and I have interviewed many, claim that this twenty-four hour procedure which holds up the commitment of a sick person, is a deterrent for immediate cure and treatment. Immediate treatment is very necessary. If a patient is received early and early treatment started, the chances for recovery are very much higher.

Now this bill does not ask Maine to do something that other states have not done. There are many states which do not require that a person be subjected to a public hearing. The state of Massachusetts has no such public hearing. It is only the opinion of Mr. Perkins about having a hearing to protect a man's Constitutional rights. The Constitution says that no person shall be deprived of the right to life, liberty and the pursuit of happiness without due process of law. It does not say anything about a hearing for sick people. That is an opinion only.

In regard to the changing of the name, I think as civilization progresses, we change terminology. Un-

fortunately among laymen the word insane has a stigma. According to the statistics one person in twenty is admitted to a State Hospital. I think it is humane for us to take off this stigma if possible. So many people return to normal after proper treatment that I think the removal of this stigma of the word insane is a humane thing for us to do. I think it is incumbent upon us to protect the rights of these people, and not take them away.

Oftentimes when a person is ill, and a public hearing is held, several months later if they are returned it is very embarrassing. I do not think that any member of this House wants any member of his family to be subjected to any such thing.

I want you to know that the American Medical Association and the American Psychiatric Society respect the word "mentally ill" and accepted it in place of the word "insane".

As a citizen of Maine, I would not stand on my feet and ask you to deprive any person of his rights. I do not think that Dr. Hedlin, a very benign gentleman, with fifty-two years of psychiatric experience, would have approved this if he did not think it was good; nor would have Dr. Sleeper, who was Assistant Medical Director in Massachusetts. I do not think that seven members of the Committee on Judiciary would have signed an "Ought to pass" report, with six of them attorneys, if they did not think it was a good bill.

Members of the House, I urge you strongly to support this bill and vote against the motion of the gentleman from Boothbay Harbor, Mr. Perkins, to accept the "Ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Aurora, Mr. Silsby.

Mr. SILSBY: Mr. Speaker and Members of the House: I dislike to disagree with my colleagues on the committee, but in order to follow the dictates of my own conviction I find it my duty to do so. I would like to call your attention to the existing law now with regard to committing insane or mentally ill persons.

If you will refer to the 1944 Revised Statutes, Chapter 203, Section 104, I believe you will find that if in the opinion of two examining physicians they feel that a person

complained of should have immediate restraint and detention by reason of the fact that they might do bodily harm to others. that the hospital superintendent will admit them.

At the hearing, Mr. Greenleaf, I believe, stated that 47 per cent of our persons now committed to the State Hospital are committed under this statute, and this statute here amends the old law which strikes out the hearing before the selectmen. I think I can say without fear of contradiction that there are few selectmen, if any, that would go against the advice of the attending physician, which they must have in order to commit any person.

Now in the matter of our constitutional rights and denying to our citizens liberty, I think we can go on and analyze that particular law in this way: When any law is set up under our Constitution to deny any of our citizens a liberty there is always a shield, there is a shield between the accused and the accuser. For instance, if you have any complaint against a citizen you must go to the Clerk of Courts, enter a complaint, and there must be some merit in the complaint or you are denied a warrant to have that person arrested, it might be for assault and battery.

In this case the shield goes along further than that. The person who makes the complaint must be a blood relative or husband or wife or a notary public or justice of the peace. That is who makes the complaint or files a petition with the superintendent of our hospital. Now there is a shield between the accused and a false accuser.

We go a step further, and we find that before the superintendent can accept that person he must have the certificate of two doctors authorized to practice medicine in this State and residents of this State, and they not only must state in their opinion that this person is mentally ill but they also must state their reasons, give some objective symptoms—or it may be subjective—but it must be symptoms. There is another shield.

Then we have the next shield. If you will refer to the act, you will find that within two days after the admission of the patient to either State Hospital the superintendent must notify at least two of the near-

est relatives or any two other persons whom the patient may designate, of the fact of his commitment to the said hospital. If he has been unjustly accused, at that time he may take an appeal to the Probate Court, have his day in court, and, if the Probate Court finds that he is not mentally ill, then he may be dismissed from the hospital.

Now there is another significant fact. Dr. Hedin states, I believe, that in the Bangor State Hospital there are 250 patients more than that hospital will accommodate, and certainly, ladies, and gentlemen, Dr. Hedin is not going to keep any patient in that hospital mentally ill when he has got 250 more than the place will accommodate. I submit to you that if the recorders of our courts and our clerks and also our probate judges can have authority to be the shield between the accused and the accuser, then by the same token, are not our doctors more competent to be the shield between the person who is accused of being mentally ill? Certainly we cannot say to our doctors that they are wrong in their judgment. We have a lot of confidence in their judgment, and we go to them every day of our life, and if they submit to us that we should have an operation we have it: we do not go to the selectmen for any further authority.

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

MR. MILLS: Mr. Speaker and Members of the House: In answer to the last speaker, I would like to say it is not a question of conflict who would want to exercise this power, whether municipal officers or physicians; it is a question of whether you want to remove from the picture entirely the municipal officers. The physicians are in it anyway, they pass on it anyway; two certificates must come from them before the municipal officers can make their affirmative decision that this person should be put away, but the municipal officers have a check on it and they should. What better people are there in the community to judge whether a man is being railroaded into an insane hospital than the selectmen who are picked by their peers to represent them in such matters? This is an institution which has existed many years. It was set up basically to

conform to our Anglo-Saxon rights and privileges, that no man should be put away without a hearing. This bill would wipe the hearing right out of it and say two physicians can do it in their place. It is not conflict between physicians and municipal officers; it is a question of whether you write the municipal officers right out of it. I think that whether the municipal officers themselves want it or not, that is not the question. The question is whether they should be placed there as an additional safeguard.

There are no requirements here for a public hearing. Our municipal officers do not conduct a kangaroo court on this proposition; our municipal officers are humane gentlemen; they are not there to ridicule and make a spectacle of the poor person who is mentally ill; they are there to safeguard his rights. I say to you: we have gone far enough in this country towards removing our basic Anglo-Saxon life. In Hitler's Germany they can tap on your door at night and take you away and that is the last your relatives hear about you. It is the same in Mussolini's Italy. I say it is time for us to strengthen our safeguards. Our municipal officers are not the inhumane gentlemen they say they are in these hearings. This bill is offensive to anyone who believes in the preservation of our American rights and privileges. I hope the motion of the gentleman from Boothbay, Mr. Perkins, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker and Members of the House. When my people sent me down here I understood I was to consider progressive legislation. I believe I have read in history that years ago people were tapped on the shoulder and told, "I believe you are a witch." With no hearing at all, they were put into some kind of prison or something and kept there, with no hearing whatsoever. I am not trying to say this bill here is as radical as that, but I believe it is one step in that direction and that it is against progressive legislation.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: Some of the things that I might have

said will be unnecessary because of the remarks of the gentleman from Aurora, Mr. Silsby. There are a few things I want to comment on very briefly. Some of the matters in regard to the transfer from institutions and going out of the state that have been mentioned are no matters that have been added in this amendment. They are a part of the law now.

This bill, it is true, is some fifteen pages long, but I would call your attention to the fact that the part changing the word "insanity" to "mentally ill" practically all the changes appear in three pages. There are some changes in other parts having to do with support of the patient by relatives, in which they try to strengthen that law and make it easier to collect from relatives for the support of the patients who are committed.

Now in the first section that has received much discussion, Section 104, a person who may sign the application, there is no material change in that phase of it. I have in my capacity as a notary public signed such papers. In the case where I signed, the man came from the State of New Hampshire and was beating his brains out in a padded cell in the local jail. There was no one else to sign. I think you will agree with me that it is proper that a justice or a notary might have the authority to bring this matter before the committing authority in such cases.

The real change comes in doing away with the hearing before the municipal officers. May I comment briefly from my experience of four years as City Solicitor in Auburn. In that capacity I attended many hearings of this nature and I will say that they are not public. There is no humiliation on the part of anyone so far as that is concerned. The notice is served on the patient; the two doctors come to the hearing, and if they say this person will be benefited by treatment in the State Hospital the municipal officers then act on the commitment. The certificate of the physicians assigned merely states that they believe the patient should be committed for treatment. The certificate that two physicians would have to sign in the proposed law must include facts on which they base their opinion. That is something they do not now have to do.

After this person is committed, notice must be given to the nearest relative or guardian which appears on the committal papers and to any two other persons that the person may designate.

Now if we assume that people are railroaded and committed when they should not be, we have to assume a number of things: That some relative is trying to commit a normal person that would not be benefited by treatment in the hospital. We have to assume two physicians are going to be corrupt and perjure themselves and certify to facts which are not true and try to commit this person who should not be committed; we have to assume that they have secured the approval of the head of the institution to hold this person who he knows should not be held. Then we have to assume that these three people to be notified are desirous of having this party confined and that they will not say anything.

Now if you believe that those things are happening, you certainly should vote against this bill. Frankly I do not believe they would happen. In some thirty or forty hearings which I have attended I have never yet seen the patient appear nor anyone appear in opposition to commitment, nor have I ever seen the municipal officers do anything other than vote as suggested by the physician.

I have known of a patient being released within a week and in that particular hearing there were numerous citizens appeared in favor of commitment. It is true also there is this right of appeal. I think you will find and I am confident that this right of appeal would seldom, if ever, be used because the heads of our institutions are anxious and willing to release anyone and everyone as soon as they possibly can. When they have a patient that can be removed, they notify the municipal officers to come and get him at once or they will hold them at their expense and they will have to pay their board.

I therefore believe that this bill will not as a matter of fact, result in anyone being deprived of their liberty unjustly. It would result and should result in their receiving the attention they need more promptly.

A large number of the commitments made in this state are made

before any hearing is held. The patient is in such condition that he is a menace to those about him and a menace to himself. There is danger of his taking his own life or the life of another party, so that the physician signs the papers and the patient is immediately sent to the hospital. Sometime thereafter they meet and sign the formal papers and the municipal officers approve the papers and they are sent over.

"I hope you will vote "No" on the acceptance of the minority report.

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

Mr. THOMPSON: Mr. Speaker and Ladies and Members of the House: I hope the motion of Mr. Perkins prevails.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I believe it is unwise to send patients to the State Hospital without a public hearing. I happen to have been one of these municipal officers for the past five years. We have sent many poor, unfortunate people to the State Hospital. We always give them a public hearing. A public hearing never hurt a patient; never interfered with their treatment.

Six months ago a young man came to me and said he would like to send his old father to the State Hospital. I asked him how old his father was. He said "Eighty-five years old." I asked him what the trouble was with his father. He said his wife and children didn't get along with his father. I went to see the old gentleman. The old gentleman appeared to be much brighter than the rest of the family. (Laughter) So I told the young man if he wanted to send his father to the State Hospital we would have to have a public hearing and put his name in the paper. He asked if there was any way to stop the newspaper man from publishing his name. I said, "No." When he found out his name was going to be put in the paper he seemed to change his mind, because I have not heard from him since, and I understand his father is still with him.

I went to see Mr. Greenleaf a few days ago and asked him why he wanted to pass such a bill. He did

not seem to know himself, or he did not want to tell me. It might be that there is something dangerous behind the bill. When I came out I did not know any more than when I went in.

Last Monday we sent two poor, unfortunate people to the State Hospital. We gave them a public hearing, and that did not interfere with their treatment. The gentleman from Aurora, Mr. Silsby, says that if they send a person to the State Hospital the doctor notifies two of his relatives. They have got to go, but, in spite of what that gentleman says, they never will take that patient out of the State Hospital; they will not spend enough money, and they are going to leave that man or woman in the State Hospital for the rest of their lives. I hope we all support the motion of the gentleman from Boothbay Harbor, Mr. Perkins.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the House accept the "Ouzht not to pass" report of the committee. The same gentleman has requested a division. All those in favor of the motion of the gentleman from Boothbay Harbor, Mr. Perkins, will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

Ninety-eight having voted in the affirmative and twenty in the negative, the motion prevailed and the House voted to accept the "Ought not to pass" report of the committee.

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

Mr. MILLS: Mr. Speaker, due to the lateness of the hour, and with due reference to the gentleman from Portland, Mr. Allen, and the gentleman from Bridgton, Mr. Rankin, who have the next two matters, I move that we adjourn. These two matters will be coming up tomorrow morning.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the House do now adjourn.

During the course of this morning's session we had as our guests among others the Juniors and Seniors of the Island Falls High School in charge of Superintendent Bagley and four teachers. On behalf of the members of the House, I wish to say that we bid you welcome.

The Clerk will read the notices.

On motion by Mr. Mills of Farmington,

Adjourned until ten o'clock tomorrow morning.