

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

Tuesday, April 1, 1947

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

Prayer by the Rev. Preston Pennell of Stratton.

Journal of yesterday read and approved.

The SPEAKER: At this time the Chair notes in the balcony the presence of the Civics Class of Unity High School, with Mrs. McKenzie as teacher, and on behalf of the members of this House, the Chair bids you welcome here this morning. (Applause)

**Papers from the Senate
Resolve and Bill Received
by Unanimous Consent**

From the Senate: Resolve in favor of Alfred Winick of Boston, Massachusetts (S. P. 489) (L. D. 1353)

Came from the Senate received by unanimous consent and referred to the Committee on Judiciary.

In the House, the Resolve was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

From the Senate: Bill "An Act to Change the Charter of the City of Calais" (S. P. 490) (L. D. 1356)

Came from the Senate received by unanimous consent and referred to the Committee on Legal Affairs.

In the House, the Bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

**Senate Reports of Committees
Ought to Pass in New Draft**

Report of the Committee on Pensions on Resolve Granting a Pension to James L. Walker, of Oxford (S. P. 290) reporting same in a new draft (S. P. 481) (L. D. 1343) under same title and that it "Ought to pass"

Report of same Committee on Resolve Granting a Pension to Eugene H. Stevens of Norway (S. P. 289) reporting same in a new draft (S. P. 482) (L. D. 1344) under same title and that it "Ought to pass"

Came from the Senate with the Reports read and accepted and the Resolves passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Resolves read once and tomorrow assigned.

Ought to Pass

Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Resolve Directing Commissioner of Sea and Shore Fisheries to Make Study of Life and Habits of Seals (S. P. 118) (L. D. 355)

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

In the House, Report was read and accepted and the Resolve read once and tomorrow assigned.

**Ought to Pass with Committee
Amendment**

Report of the Committee on Indian Affairs on Resolve to Create an Interim Committee to Study the Indian Problem (S. P. 444) (L. D. 1245) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Resolve read once.

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

Committee Amendment "A" to S. P. 444, L. D. 1245, "Resolve to Create an Interim Committee to Study the Indian Problem."

Amend said Resolve by striking out the period at the end thereof and inserting in place thereof, the following:

“; and be it further

Resolved: That there be, and hereby is, appropriated whatever sums are necessary, not to exceed \$500, to carry out the provisions of this resolve; and be it further

Resolved: That the expenses incurred under the provisions of this resolve shall be paid currently from the Indian accounts.”

Committee Amendment "A" was adopted in concurrence, and the Resolve was assigned for second reading tomorrow morning.

Report of the Committee on Judiciary on Bill "An Act Providing for a State Advisory Council on Personnel" (S. P. 364) (L. D. 1033)

reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

Committee Amendment "A" to S. P. 364, L. D. 1033, Bill "An Act Providing for a State Advisory Council on Personnel."

Amend said bill by inserting after the underlined word "personnel" in the 6th line thereof, the following underlined words: 'to serve at the pleasure of the board, and'

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

Report of the Committee on Judiciary on Bill "An Act relating to Compensation of Registers of Probate in Foreign Estates (S. P. 385) (L. D. 1098) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

Committee Amendment "A" to S. P. 385, L. D. 1098, Bill "An Act Relating to Compensation of Registers of Probate in Foreign Estates."

Amend said bill by striking out all of the 7th line of that part designated as "Sec. 42." thereof, and inserting in place the following:

'shall be paid, for the use of the county, reasonable'

Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading tomorrow morning.

Report of the Committee on Towns on Bill "An Act relating to Assessment of Costs for Construction of Drains" (S. P. 412) (L. D. 1160) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

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

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

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

Committee Amendment "A" to S. P. 412, L. D. 1160, Bill, "An Act Relating to Assessment of Costs for Construction of Drains."

Amend said bill by inserting after the underlined word "necessary," in the 10th line of Sec. 136 thereof, the following underlined words: 'and constructed after the effective date of this act.'

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

Non-Concurrent Matter

From the Senate: An Act relating to Unredeemed Tickets on Pari Mutuel Pools which was passed to be enacted in the House on March 12th and passed to be engrossed on March 4th.

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

In the House: The House voted to recede and concur with the Senate.

Orders

On motion by Mr. Robbins of Houlton, it was

ORDERED, that by the death of D. Herman Corson, a vacancy exists in the class towns of Amity, Bancroft, Haynesville, Hodgdon, Linneus, Orient, Weston, Cary Pl., Glenwood Pl. and Reed Pl.;

AND BE IT FURTHER ORDERED, that his name be stricken from the rolls, and that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State and the Selectmen of the oldest town in the representative district represented by the late Mr. Corson.

On motion by Mr. Collins of Caribou, it was

ORDERED, that Mrs. D. Herman Corson, widow of the late D. Herman Corson of Hodgdon, be paid

the salary to which he would have been entitled had he served during the entire term of the Legislature.

The **SPEAKER**: Without objection the Chair at this time will make appointments to committees wherein vacancies exist, and the Clerk will read the names of the members of the committees, together with the names of the appointees.

Pownal State School

Williams, Topsham
Rich, Detroit
Daniels, Gilead
Holt, Bar Harbor
Fowler, Augusta
St. Pierre, Lewiston
Dostie, Winslow
Health and Welfare
Elliott, Corinth
Prout, Lubec
Chase, Cape Elizabeth
Day, Monticello
Fuller, Hallowell
Nichols, Windham
Lessard, Skowhegan

House Reports of Committees Leave to Withdraw

Mr. Atherton from the Committee on Federal Relations on Bill "An Act relating to Definition of Employment under the Unemployment Compensation Law" (H. P. 1438) (L. D. 1056) reported leave to withdraw.

Mr. Meloan from the Committee on Federal Relations reported same on Bill "An Act to Exclude Service Performed by Real Estate Salesmen from the Definition of 'Employment' Under the Unemployment Compensation Law" (H. P. 1382) (L. D. 1001)

Mr. Peirce from the Committee on Judiciary reported same on Bill "An Act to Incorporate Kennebec Loan Company" (H. P. 840) (L. D. 536)

Reports were read and accepted.

Tabled and Assigned

Mr. Bell from the Committee on Towns reported same on Bill "An Act Authorizing Towns to Expend Money on Cottage Roads" (H. P. 1526) (L. D. 1119)

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

Ought Not to Pass

Mr. McGlauffin from the Com-

mittee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Following of Motor Vehicles on Highways" (H. P. 833) (L. D. 482)

Mr. Mills from same Committee reported same on Resolve Authorizing Nellie D. Pennell, of New Gloucester, to Bring Suit at Law Against the State of Maine (H. P. 1302) (L. D. 909)

Mr. Peirce from same Committee reported same on Bill "An Act relating to Taxation of Joint Bank Accounts and Joint Tenancies in Real and Personal Property" (H. P. 1601) (L. D. 1269)

Same gentleman from same Committee reported same on Bill "An Act relating to Injurious Substances Thrown in Highways" (H. P. 1502) (L. D. 1127)

Mr. Perkins from same Committee reported same on Bill "An Act relating to Marriage and Divorce" (H. P. 1183) (L. D. 850)

Same gentleman from same Committee reported same on Bill "An Act Providing for Equitable Apportionment of Estate Taxes and Collection and Payment Thereof" (H. P. 1506) (L. D. 1131)

Mr. Williams from same Committee reported same on Bill "An Act Amending the Uniform Veterans' Guardianship Act" (H. P. 1485) (L. D. 1086)

Mr. Berry from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Election of Commissioner of Sea and Shore Fisheries" (H. P. 1408) (L. D. 1203)

Same gentleman from same Committee reported same on Bill "An Act relating to the Shipment of Clams, Quahaugs and Mussels" (H. P. 1214) (L. D. 746)

Mr. Hanson from same Committee reported same on Bill "An Act relating to Revocation and Suspension of Lobster Licenses" (H. P. 1472) (L. D. 1076)

Same gentleman from same Committee reported same on Resolve Directing Commissioner of Sea and Shore Fisheries to Close Lobster Hatchery (H. P. 1488) (L. D. 1089)

Mr. Brown of Milford, from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Forest Commissioner to Convey Land in Plantation of Molunkus (H. P. 1220) (L. D. 833)

Mr. Moulton from the Committee on Towns reported same on Bill

"An Act to Provide for the Surrender by Plantation 14 of Its Organization" (H. P. 1329) (L. D. 922)

Mr. Chase from the Committee on Welfare reported same on Bill "An Act relating to Expense of Patients in Mental Hospitals" (H. P. 1136) (L. D. 741)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act Exempting from Taxation the Property of Indians" (H. P. 1660) (L. D. 1357)

Resolve Authorizing the State Assessor to Convey Certain Interest of the State in Lands in Washington County to Viola Grass, of Lambert Lake (H. P. 1659) (L. D. 1358)

Bill was read twice, Resolve read once, and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to the Salary of Register of Deeds in Knox County" (S. P. 112) (L. D. 230)

Bill "An Act relating to the Salaries of the Clerks in the County Offices of Knox County" (S. P. 114) (L. D. 232)

Bill "An Act Increasing the Salaries of the County Attorney and Assistant County Attorney of Cumberland County" (S. P. 134) (L. D. 280)

Bill "An Act relating to Salary of Governor" (S. P. 149) (L. D. 343)

Bill "An Act relating to Taxation of Various Corporations" (S. P. 244) (L. D. 664)

Bill "An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey" (S. P. 359) (L. D. 1028)

Bill "An Act relating to Restoration of Membership in Indian Tribes" (S. P. 360) (L. D. 1030)

Bill "An Act relating to Membership in Indian Tribes" (S. P. 361) (L. D. 1029)

Bill "An Act to Provide for the Creation of a Liquor Research Commission" (S. P. 363) (L. D. 1032)

Bill "An Act relating to Time for Registration of Voters" (S. P. 366) (L. D. 1034)

Bill "An Act Forbidding Impersonation of Liquor Inspectors" (S. P. 400) (L. D. 1149)

Bill "An Act to Permit Counties to Contribute for Advertising Resources" (S. P. 431) (L. D. 1219)

Bill "An Act to Clarify the Military Law" (S. P. 440) (L. D. 1233)

Bill "An Act relating to State Sealer of Weights and Measures" (H. P. 1655) (L. D. 1350)

Bill "An Act relating to Fishing for Salmon in Pleasant River" (H. P. 1656) (L. D. 1351)

Resolve Authorizing the State Tax Assessor to Convey Certain Land in Aroostook County to Maxime F. Albert, of Frenchville (H. P. 38) (L. D. 32)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Land in Aroostook County to Maxime J. Michaud, of St. Agatha (H. P. 134) (L. D. 90)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Ovila Picard of Guerette, (P. O. Stockholm)

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 Amending the Charter of the city of Lewiston" (S. P. 318) (L. D. 874)

Was 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

Bill "An Act Prohibiting Erection of Billboards Adjacent to Turnpikes" (S. P. 349) (L. D. 1161)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Mr. Mills of Farmington, tabled pending passage to be engrossed)

Bill "An Act Concerning Medical Examiners" (H. P. 1486) (L. D. 1087)

Was 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 relating to Penalties for Operating Motor Vehicles While Under the Influence of Intoxicating Liquor or Drugs" (H. P. 1602) (L. D. 1270)

Reported by the Committee on Bills in the Third Reading, read the third time, passed to be en-

grossed as amended and sent to the Senate.

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Anderson of New Sweden, tabled pending third reading and specially assigned for tomorrow morning)

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

Passed to Be Enacted

An Act relating to Driving Motor Vehicles on Divided Highways (S. P. 170) (L. D. 421)

An Act relating to Driving Motor Vehicles on Roadways Laned for Traffic (S. P. 171) (L. D. 422)

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

Tabled

An Act to Provide Liquor Licenses for Taverns (S. P. 303) (L. D. 790)

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

An Act relating to Purposes and Powers of Maine Port Authority (S. P. 315) (L. D. 877)

An Act relating to Burglary and Breaking and Entering (S. P. 387) (L. D. 1100)

An Act relating to Prohibiting the Use of an Airplane in Driving or Molesting Any Wild Birds or Animals (S. P. 464) (L. D. 1305)

An Act relating to Transportation of Deer Within State (S. P. 465) (L. D. 1304)

An Act Declaring Greater Portland Public Development Commission as a State Agency (H. P. 58) (L. D. 45)

An Act relating to the Licensing of Life Insurance Agents (H. P. 1026) (L. D. 666)

An Act relating to Licenses for 'On' Premise' Sale of Malt Liquor (H. P. 1103) (L. D. 678)

An Act Creating the Rockland School District (H. P. 1274) (L. D. 945)

Were reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act to Incorporate the Town of Gray School District (H. P. 1290) (L. D. 949)

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

An Act relating to the Licensing of Eating and Lodging Places (H. P. 1310) (L. D. 889)

An Act Providing for Payment of Personal Property Tax on Trailers Before Motor Vehicle Registration Permitted (H. P. 1512) (L. D. 1136)

An Act relating to Manufacture and Sale of Apple Cider (H. P. 1524) (L. D. 1117)

An Act relating to Revocation of Liquor Licenses (H. P. 1566) (L. D. 1195)

An Act relating to the Salaries of the Judge and Recorder of the Millicocket Municipal Court (H. P. 1635) (L. D. 1312)

An Act relating to Fire Insurance Policies (H. P. 1637) (L. D. 1317)

Finally Passed

Resolve to Correct Error in 1945-46 Road Resolve Appropriation (S. P. 74) (L. D. 1310)

Resolve Providing for an Increase in Retirement Pension for Oscar F. Williams (H. P. 500) (L. D. 321)

Resolve Authorizing Warren Worster of Greenville to Construct a Wharf (H. P. 1538) (L. D. 1168)

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.

The SPEAKER: Ladies and Gentlemen of the House: As you know, this is the fourteenth week of the session and the first week which has begun with a Monday session. Monday sessions indicate that most of the Joint Standing Committees have practically completed public hearings and that this body will soon be holding morning and afternoon sessions. Necessarily, this will lead to more lengthy debate, and each session will be of utmost

importance, including the opening session of the week and the closing session of the week.

The Chair compliments the Members on their faithful attendance to date and feels confident that you will give your constant attendance each day and every day for the remainder of the session, barring illness or other unavoidable real necessity. The Chair recommends to you at this time that you refresh your memories relative to all rules of the House as set forth in the Senate and House Register, together with the Joint Rules.

Rule 2 of the House Rules provides in part: "The Speaker may address the House on points of order." With that in mind, the Chair calls to your attention at this particular time the following House Rules:

House Rule 6. "One monitor shall be appointed for each division of the House, whose duty shall be to see to the observance of the rules of the House, and on demand of the Speaker, to return the number of votes and members in his division."

Rule 7. "If any member shall transgress any of the rules of the House, and persist therein, after being notified thereof by any monitor, it shall be the duty of such monitor to give information thereof to the House."

Rule 12. "When two or more members rise at the same time, the Speaker shall name the person to speak, but in all cases the member who shall rise first and address the Chair shall speak first."

The Chair points out that if you simply rise and do not address the Chair, or if you do not address the Chair sufficiently loud enough to be heard, another member may be recognized who rises after you and who does address the Chair.

Rule 13. "No member shall interrupt another while speaking, except to call to order or correct a mistake."

Rule 14. "No member shall speak more than twice to the same question, without first asking leave of the House."

Rule 15. "No member shall speak out of his place without leave from the Chair, nor without first rising and addressing the Speaker; and he shall sit down as soon as he has done speaking."

In connection with this rule, the

Chair points out that you are entitled to turn and face in any direction you choose, as long as you remain at your desk. This applies whether you are in the front, middle, side or back row. You are not entitled to stand in an aisle or to come to the well of the House. You may, upon occasion, if you wish, request permission to approach the rostrum.

During the course of a debate, a member may ask, but always through the Chair, a question of a previous speaker. The question should be as briefly stated as may be possible, and the member who has asked the question should be seated before receiving an answer. The Chair will then grant permission to the other member to answer if he wishes. If the member elects to answer, the remarks should be concise and confined solely to the question in particular. After a member has twice spoken upon a question before the House, in asking a question or in answering a question, the question or answer should not be used as a means of additional debate to the pending question.

Rule 17. "No member shall be allowed to stand up to the interruption of another while any member is speaking, or pass unnecessarily between the Speaker of the House and the person speaking; or stand in an alley, or sit or stand covered, during the session of the House."

Rule 32. "When a motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the Speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: Shall the main question be put now? No member shall speak more than five minutes on the motion for the previous question, and while that question is pending a motion to lay on the table shall be decided without debate. A call for the yeas and nays, or for division of a question, shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendments, and then upon the main question."

The object of this motion is to close debate on the pending question and to vote immediately without further discussion on the subject

matter. As stated in the rule, the consent of one-third of the members shall be necessary to authorize the Speaker to entertain the motion. Those in favor of authorizing the Chair to entertain the motion must rise and remain standing until counted. When more than one-third have consented, the pending question is: Shall the main question be put now? As stated in the rule, this question is debatable, and no member shall speak more than five minutes on this question. You are entitled to debate whether or not it is proper at the time to close debate on the main question; you are not entitled to debate further on the main question until the issue is settled. In other words, a member may address the House in opposition to the motion for the previous question so that he may be again in a position to address the House upon the merits of the main question or may address the House in support of the motion for the previous question, so that the main question may be put without further debate.

Rule 40. "When a vote having been declared by the Speaker, is doubted, the members for and against the question, when called on by the Speaker, shall rise and stand until they are counted, and the vote made certain without further debate. But a call for the yeas and nays shall be in order at any time before such a vote is made certain and declared."

In other words, if the Chair requests those in favor to say aye and those opposed no, and then proceeds to announce that the ayes or the nos have it, if, in your judgment, the Chair is in error, you may immediately doubt it, which will result in a standing vote. In fact, the Chair urges you to doubt any such vote when you believe the Chair is in error. Upon any matter, before a vote has been made certain and declared, a call for the yeas and nays is in order; in fact a call for the yeas and nays is in order before a vote has been taken. The yeas and nays means that you are requesting a roll call vote which is entered into the record and, under the Constitution, before the yeas and nays shall be ordered, one-fifth of the members present must indicate their consent.

Also, in this connection, the Chair will quote a part of Rule 22, which provides as follows: "... when the yeas and nays are ordered, no mem-

ber shall leave his seat until the vote is declared ..."

The Chair is not presuming to instruct you in parliamentary rule or to intimate that the rules referred to are the only important rules. Every rule is important; otherwise it would not have been adopted.

The Chair does feel that this brief review of these few items at this time, in anticipation of the debate which may follow during the closing days of this session, may be of mutual benefit to all and of particular benefit to the new members. (Applause)

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 Majority Report "Ought not to pass" and House Minority Report "Ought to pass" of the Committee on Banks and Banking on Bill "An Act Permitting Closing of Banks on Saturday" (H. P. 970) (L. D. 628) tabled on March 25th by Mr. Morison of Wilton, pending acceptance of either report.

The Clerk will read the committee reports.

(Committee reports read by the Clerk)

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Morison.

Mr. MORISON: Mr. Speaker and Members of the House: I rise for the main purpose of moving the acceptance of the majority report of the committee. I think, in doing that, perhaps I should explain the reasons for my position, although it is not my purpose to enter into any extensive debate, because I am not a debater. However, this question of the closing of the banks on Saturday is of particular importance to me for I have been one of those down-trodden bank employees for nearly forty-three years. I have worked many Saturday forenoons and many Saturday afternoons. True, my bank is in a small country town. I realize the problems of some of my friends in the cities, especially in Portland, and I sympathize with them, but I believe the present is not the time for this particular legislation. I do not believe the State of Maine is quite ready for it. We cannot keep up with the procession. Certainly the

fact that other states have adopted it does not mean much to me because I can remember when Maine and Vermont were the only two states that voted differently than the rest of the country. We did not go back to them, but they came back to us.

The banks in the cities do have their problems, and these problems are somewhat different than the problems of the country bankers, but I cannot believe that the problem is so serious as they would lead us to believe, for I know what it would mean in the country if you tried to close the banks on Saturday morning. That is the day when the farmers come into the town from long-established custom. They have been doing it for generations, and I hope they will be able to continue doing it for the time being, at least. Many of our shop workers are now on a five-day week—I will grant that. Saturday morning is the only time they have to get into a bank. If you do not think a bank has anything to do on a Saturday morning, you go into a bank in the State of Maine—I do not care where it is—and you will find on Saturday morning there is a waiting line before every window practically all of the forenoon.

The country banks—and, after all, every bank in the State of Maine is a country bank, although they do not like to admit it—but Maine is a rural state—do not forget that—two-thirds of our population live outside of the cities.

For nearly forty-three years I have been trying to build up public relations in my institution, and I do not feel like telling my customers that I am going to close the bank on Saturday morning and that they can make other arrangements. I want my bank to be open.

You may say that this particular bill has a permissive clause. It does. I heard one of our distinguished statesmen the other day in this House say that it was like dangling bait before a fish. If ever there was a sweet morsel of bait, that same permissive clause is it—that is what they are dangling before us, because, mind you, on this bill there is attached a clause making it an emergency measure, and the principal reason that was given by the bankers of Portland for that emergency was not the fact that they liked to go fishing on Saturday the same as I do, but because the banks in

Boston and New York, where they do business and where the rest of us do business, were going to be closed on Saturday. They say the Portland banks would be helpless to do any business; they could not clear through Boston and New York money centers, and they would be forced to close. If that is true, the same is true of the country banks throughout the State of Maine; they clear through Boston or New York or through Portland. Many use Portland entirely. If the closing of the banks in Boston or New York forces the closing of the banks in Portland, it is certainly true that the closing of the banks in Portland would close the banks of the rest of the State.

There is another angle of that permissive feature. The employees in my institution are only human. Like the rest of us, they are entirely contented at the present time, because we are arranging, and have for a year now, to close on Wednesday afternoons as well as Saturday afternoons, because the stores quite generally, in our town, close Wednesday afternoon. But if the banks should close in the city—and it is admitted that they probably will if this bill passes—it is not going to be long before my employees are coming to me some Saturday and say: "How does it happen we have to work Saturdays? We understand there is a State law permitting the banks to call a holiday on Saturdays. Other banks are closing, so why should we not close?"

Ladies and Gentlemen of the House, there is some merit in their claim. I do not know what I will answer to that—I have not figured that one out—but I will tell you that if this bill should pass, I would like to see an amendment attached to it making the closing mandatory rather than permissive.

Just another thing to clear the records. You, like me, have probably been told—and, mind you, this is no reflection on anyone, either their integrity or their knowledge—I do not feel that lack of knowledge is a sin if it does not cause too much trouble. I think there is more trouble caused by people who know too much which is not so.

Some time ago, the report came out in the newspapers that the Maine Bankers' Association favored this bill. At the time, the records of the Maine Bankers' Association,

showed that the Executive Committee and the Legislative Committee had voted to oppose the bill because there was a great majority of the banks, the commercial banks, which belong to that association, in the State of Maine, which opposed it.

However, under some pressure, about a week after that announcement came out in the paper, the Maine Bankers' Association did rescind its previous vote to oppose the measure, but never took any vote to support it or in favor of it.

Again, there seems to be a trend of circumstances which may be just incidental, but, when the report of the action of the committee came out in the paper that reported that the committee was divided, that they brought in a report of seven "Ought to pass" and three "Ought not to pass" which, as you all know, if you read the report, was exactly wrong — the committee reported seven "Ought not to pass" and three "Ought to pass."

Only last week I saw a report in the newspaper which said that bankers of the State, at a meeting at Poland Spring, had voted in favor of the Saturday closing bill. Ladies and Gentlemen of the House, that meeting was a study conference sponsored by all of the banking organizations of the State. The membership and attendance was composed principally of minor officers and employees of banks who, to begin with, have no authority to commit their banks to anything. It was not a business conference. The vote which was taken was taken at the very end of the conference, when many of those present had gone home. While it was reported as the unanimous action, there were about forty who voted in favor of it, and I think there were about forty there from Portland, and there were about fifty who either had gone home or did not vote at all, knowing they had no authority so to do.

Those things might mislead you if you followed them because most of us are likely to believe more or less what we read in the newspapers. The newspapers attempt to make their reports correct, but they could only act on the information given them.

Those are the facts, Ladies and Gentlemen of the House, as I know them. I think, beyond all the other reasons is this one: That you have a majority report of seven of the

Committee on Banks and Banking, reporting "Ought not to pass", and if committees in this Legislature mean anything, if they are of any use, I think they are deserving of support.

Mr. Speaker, if I did not make it clear, I wish to move the acceptance of the "Ought not to pass" report, and, when the vote is taken, I would ask for a division.

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

Mr. McGLAUFLIN: Mr. Speaker and Members of the House: This bill provides for the closing of banks on Saturday. The question that may come to your mind as to why it is necessary for the banks to come to this Legislature in order to determine whether or not they shall close on Saturday. It is due to two reasons at least. One is the negotiable instrument law that provides that if a note falls due on Saturday if the bank is open it shall be there to take care of that note, but if that day is made a bank holiday that note becomes due on Monday. The other reason is that the federal government requires banks, National Banks, to be open every day that is not a holiday, and therefore, in order for them to close, it is necessary that it should be a bank holiday.

Now the trend of the times is towards closing these banks on Saturday. Some states have closed banks on Saturday in the past, especially during the summer months. This very year several of the eastern states have passed laws to make Saturday a bank holiday. In New York, when it reached the New York Senate, they passed the bill 51 to 1 in favor of closing the year round. That happened this very winter. Also in the State of Connecticut and in the State of Massachusetts and in the State of New Hampshire they have passed laws to close either during the summer months or the year round. Rhode Island already had such a law.

Now this law provides that it is permissive only. Banks that want to close can close and those that do not want to close do not have to close.

The gentleman from Wilton, Mr. Morison, has expressed the opinion that if Portland banks close they will all want to close. Perhaps that would be the natural tendency. But in the State of New York, where it

is permissive, a little over four hundred banks have closed and one hundred and fifty at least have not closed.

Now in the City of Portland we want to close the banks. The City of Portland has 370 employees in the various banks, and they have 36 in the various loan and building associations of Portland, making 406 persons who are affected by this act.

Now it has been stated to me that there are some men in the country who do not want to close their banks. Very well, they do not have to close their bank. Any bank in the city or country, if the officers find it is not for the benefit of the bank to close, they will keep it open. But why, when you can try to persuade your own bank to keep open in your own town if you can show the necessity, should you keep all these people in the cities and larger towns at work, at their desks, when they could have this day off?

Now there seems to be a general impression that it is sort of a cinch to work in a bank. That is far from being the truth. The bank help, compared with many other vocations, is poorly paid. They had no big raises during the time when everyone else was getting an increase in salary. Their day's work is not done when the bank is closed to the public; they are working behind closed doors for hours in work that is more or less drudgery, in work that is very exacting, in work that requires responsibility, care and skill. They have to do a great deal of figuring, and those figures must be correct.

Now what does it mean to these people to have a day off on Saturday? It means to some of them, some of the women especially, a chance to do their washing; it means to some a chance to visit a sick friend or call upon a neighbor; it means to some an opportunity to go to the movies or go for an automobile ride; it means for some of them an opportunity to go to the seashore, to the beach, to some lake nearby, or some mountain camp for a week-end; and it means to all of them greater pleasure, greater health, greater happiness, and an increase in their morale.

It was reported to me a few days ago in this House by a banker who happened to be here that they had found in New York State that the morale of the help had improved

vastly by having this additional day.

I attended the hearing before the Banking Committee, and while I was there at any rate, every person spoke in favor of it, and one banker from Bangor or Portland told of how they lost many good employees, especially women, who had no time off at all, not even Saturday afternoons, and who preferred to resign their jobs. I will state here that many of the women who work in the bank are young married women who feel it is necessary to continue work. They have practically no time off at all.

Now at the hearing that I mentioned I did not even hear any opposition at all, and I did not hear a question asked by the committee that indicated that there were any opposed to it.

You remember the story of the man that went down into Jericho and fell among thieves and got into trouble, and you remember how the first man came along and failed to help him. The reason was that it was Saturday and he had a check to cash. Then came along a Levite, or possibly it may have been a Levi. Did he help the poor clerks that were working so hard, that were living a life of drudgery, putting in seven or eight hours a day that was unnecessary? No, he had a check to cash and it was Saturday. What did he care about the one hundred and six poor clerks in Portland and the fifteen hundred others, if you allow for a hundred that would close? Then came along the Samaritan. The Samaritan said, "If these banks are closed there are 2000 clerks and helpers in the State of Maine who can have a day off." And he remembered that the soldier sacrificed for his home, his family and his country, and he remembered that the parents sacrifice for their children, and he remembered that teachers sacrifice for their pupils, and he said, "I can sacrifice a little, I can cash my check at the store or I can get credit until Monday. I am going to help those two thousand clerks to have a day off at the end of the week." And that is why he was called the good Samaritan.

I may tell you a story. There was a rich man in New York who died and he went up to St. Peter for examination to determine where he should go, and St. Peter asked him if he had ever done any good

in the world, if he had ever helped anybody, and he said, yes, he met a woman crossing the Brooklyn Bridge one time and she was in distress and he gave her a penny. St. Peter said to the recording angel, "Give him credit for the penny." And St. Peter asked him if he did anything more. "Yes," he said, "once I met a newsboy on the streets of New York who was crying, and I gave him a penny." St. Peter said to the angel: "Give him credit for that penny." "Anything more?" He couldn't think of anything more, and St. Peter said to the angel: "Give him back his two cents and send him to Hell." (Laughter)

The moral is that if you have a chance to do some good go ahead and do it.

What are we here in this Legislature for anyway? We are here to make laws that are more just or to prevent the making of laws that would make our conditions worse. We are here to try to improve the condition of the people of the State of Maine. Here is an opportunity to help two thousand clerks and their families, and St. Peter will give you credit for a big day's work if you vote favorably for this bill.

The SPEAKER: The Chair recognizes the gentleman from Augusta Mr. Fowler.

Mr. FOWLER: Mr. Speaker and Members of the House: With your kind permission, I would make just a few brief remarks in regard to this bill.

I have personally canvassed the various banks in Kennebec County and I find them unanimously in favor of this bill. Right here in the State House we close on Saturday. Have any of you members tried to come in here and do business on Saturday with any department, the Insurance Department, the Taxation Department, have you tried to get your car registered on Saturday? If you have tried to I am afraid you were just out of luck.

It seems to me that there is a little difference of opinion between the country banker and the city banker. I have nothing against the country banker and I can well understand the problem that my friend, the gentleman from Wilton, Mr. Morison, has in that community, which is wholly rural. It is tremendously different than the condition

that we have here in Augusta and Portland, I believe.

I checked this morning and I find that one bank in the city of Augusta has lost nine employees from that bank for the simple reason that they went to work for State departments for more money and less hours of work. Do you blame them? Would you not do it yourself.

This bill is optional; they do not have to close the bank in Wilton or the bank in Caribou if they do not desire to. I do believe that if they are going to do efficient work in some of these banks that this bill will help tremendously.

You may think I am crazy when I make this remark, but we have in many industries a five-day week, and I think many of us are going to see the day when people work four days a week in order to spread the work over more people to allow them to earn their livelihood. I think many of you members will see that come.

I understand there was a conference of Maine bankers at Poland Spring some time ago, and representatives of commercial banks and trust companies voted unanimously in favor of this bill. I would move adoption of the "Ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House: I do not think we need to be much alarmed if this bill passes. You all know it is optional; if a bank does not want to close it has not got to close, so I do not see why we should worry if some of them want to close.

Let us look into the facts a little deeper and see why a bank should close if it has the privilege. Practically all of the commercial banks in the State of Maine are members of the Federal Reserve System. They transact their business between each other and route through the Federal Reserve Banks. These banks clear their checks which customers deposit for collection through the Federal Reserve banking system, and banks in Maine obtain their cash from the Federal Reserve Banks. In fact, the Federal Reserve Bank is the artery and veins, just like in the human body.

Now it is up to the board of directors, as I see it; if they want to close they can close. If they go ahead and close and they find it is inconvenient for their patrons they can open again. There is no law that says they cannot do so. I do not see why we should worry and debate this question, as we are doing here, when it is something that is optional. You all know that the banker goes to work at nine and closes his bank at three. That is what we see on the door, but you know that his hours are longer than that. Sometimes they work late in the day and into the night getting their books cleaned up. It is a nervous job. You cannot get away from it. Their health depends on it. Just to show what it does to some of them: Look at my colleague, the gentleman from Wilton, Mr. Morison. He looks much better now than he did when he came here. He has had a good vacation. Why would it not benefit the rest of the employees of the bank the same way? I hope, Mr. Speaker, that we accept the "Ought to pass" report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Caribou.

Mr. COLLINS: Mr. Speaker and Members of the House: One of the speakers, the gentleman from Augusta (Mr. Fowler) mentioned the fact that it might make some difference in Caribou. I want to go on record as saying the directors of the Caribou Bank and the Aroostook Trust Company do not favor the closing of the banks on Saturday. They do believe the permissive feature will cause unrest and that a bank is designed to serve the best interests of the public. It is the public whom we want to consider, and if in a community the keeping-open of a bank will serve the best interests of the public then it should be kept open.

The permissive feature of it is quite important. They say you can decide for yourself, but I think you will find it is very true that with other banks closing the pressure will be put on to have all the banks closed.

I have talked also with other banks in the county. The largest bank in the county is not in favor of Saturday closing. I think that, generally speaking, the banks up that way feel they would be depriving the public of an opportunity to do their business on a day that is

the busiest in the commercial activity of that section. For that reason, I wish to go along with the gentleman from Wilton, Mr. Morison, in urging the adoption of the "Ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Legard.

Mr. LEGARD: Mr. Speaker and Members of the House: As I see this bill, it is simply a permissive bill which permits the banks to choose whether they should or should not close on Saturday. Members, to my way of thinking this is democracy fully and clearly whereby an industry or a business has the opportunity or right to choose for themselves their methods of procedure. I should not feel like going along with this if it was mandatory. I should say that if it was mandatory it would be far from democracy, but under this permissive act I feel it is following along the lines of democracy, and therefore I hope that the "Ought not to pass" report is not accepted.

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

Mr. MELOON: Mr. Speaker and Members of the House: I was one of the signers of the minority "Ought to pass" report. I feel that it was rather justified by some of the facts which were brought out here, and I have a few more facts I would like to give you at this time.

The legislation was put in by the gentleman from Brewer, Mr. Thompson, at the instigation of the savings banks which are unanimously for Saturday closing. Together with them are the Loan and Building Associations and the Savings Associations. I have on record here letters from half of the commercial banks of the State that they endorse the Saturday closing. These are from such communities as Saco, Biddeford, Portland, Auburn, Lewiston, Augusta and Bangor. There is an overwhelming desire for this on the part of those banks. There is nothing to keep any bank from staying open if they wish. Under this bill we have an opportunity, in all probability, a necessary opportunity for a period of adjustment. This calls for closing four months in the summer: June, July, August and September. That will bring about a period of adjustment among our thinking customers.

I think you can agree that the officers and directors of any bank will do what is best for the customers of their community. Other states have found that not all the banks closed, although a large number of them did in the larger centers. I think this should be on a permissive basis, and I would like to very briefly give you my reasons for that. One of the reasons was brought out by Chester Dewey, President of the Chase National Bank of New York, who said:

"I am, of course, fully aware that a substantial number of our banks this year, as well as last, favored a bill which would compel the closing of banks on Saturdays, but the legislative committee decided against approving such a measure for various reasons. The most impelling of these was an opinion by our counsel, Leo Dorsey, and also by the counsel of the Massachusetts Bankers Association, that a mandatory bill would probably be unconstitutional, since it would discriminate against a particular class of business enterprise. Furthermore, it seemed to our committee that the desired result could be accomplished by permissive legislation without running the risk of illegality."

There was an aspect of that brought out by my friend, the gentleman from Wilton (Mr. Morison) that the bill as originally presented by Mr. Thompson had the emergency clause. I think it was the unanimous opinion of the members of the Committee on Banks and Banking that this did not call for an emergency measure. If this motion which has been made this morning should not prevail, as I hope it will not, the minority of the committee have prepared an amendment which simply strikes out the emergency clause, which I think we all agree should be stricken out, so that we can go along on a permissive basis. Other states have found it very desirable. I do not feel that any community would find it a hardship. You know at the time four-wheel brakes came in many of us were against them. I know Dad said he never would have a car with a closed-in top, but many dollars have been saved and many lives have been saved, and they have been beneficial to us all. I think this bill will be beneficial to all of us, and I hope that the motion of the gentleman from Wilton (Mr. Morison) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Elliott.

Mr. ELLIOTT: Mr. Speaker and Members of the House: Reference was made by my colleague from Wilton (Mr. Morison) to the down-trodden bankers and down-trodden farmers. I am a farmer and I know our banks in Bangor would very much like permission to close, at least some of the time. I am very sure that we farmers do not necessarily pick Saturday to go into town to do our banking because everything is closed but the banks and there would not be any object for us to go down. I happen to live on the main road that connects Bangor and Moosehead Lake, and I think everyone except the bankers goes by my place Saturday night to go fishing. I hate to see the bankers not have that privilege. I realize that personal matters should not enter into this, but a good, fat president of a bank in Bangor has agreed that if this matter should go through he would come down and help me hay Saturdays. I hope the motion of the gentleman from Wilton, Mr. Morison, does not prevail, and I will gamble that after three Saturdays that banker will come back to Bangor and attend to his bank. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: As a member of the Committee on Banks and Banking signing the majority report, I do not hesitate to say to you that I am probably the only member of the committee who knows nothing about banking except that part of it which the small town business man or the farmer knows as he comes in contact with his banker and the employees of the bank, so I rise at this time to express the opinion of those people rather than the opinion of the employees of the bank or the bankers themselves.

The economy of our State, in my opinion, in each city and town greatly depends upon the type of service rendered by the entire banking institutions. I have no grievance against them. The service which they are giving us is excellent. I do believe that the banks of the State of Maine owe to every individual, the farmer, small business man, large business man, the best type of service which they can

render, and that, in my opinion, is keeping open the same days that their patrons are open and doing business. Ladies and Gentlemen of the House: I hope the motion of the gentleman from Wilton (Mr. Morison) will prevail.

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

Mr. McCLURE: Mr. Speaker, I just want to agree with my colleague from Bath, Mr. Legard, who has covered this matter. We have four banks in Bath, and the majority of them favor this bill. I would also like to say that for once I am able to agree with another colleague of mine, the gentleman from Gardiner, Mr. Tabb, at least on one thing. From a selfish motive, I would like to say if the banks close on Saturday at least it is going to give me one more day to balance my checking account.

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

Mr. JORDAN: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from South Portland, Mr. Jordan, moves the previous question. In order for the Speaker to entertain the motion for the previous question the consent of one-third of the members present must be expressed. All those in favor of the Chair entertaining the motion for the previous question will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having risen, the Chair will entertain the motion for the previous question. The pending question now is: Shall the main question be put now? As previously stated, Members may debate this matter for a period of not exceeding five minutes.

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

Mr. ROLLINS: Mr. Speaker, I arose on this question the other day when I was not at all interested in the matter. Today I am rising in defense of my own position. I trust that the members of the House will well consider what they are doing when they shut off debate.

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

Mr. MILLS: Mr. Speaker, I only wish to point out that a member was on his feet ready to address the Chair on the merits of this bill when the motion was made, therefore I certainly hope that it will not prevail.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I do not wish to speak on the merits of this bill so I feel free to get up and express my opinion at this time. I do believe that there are members of the committee who heard this bill that want very much to speak on it, so I hope the motion does not prevail.

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

Mr. THOMPSON: Mr. Speaker, at our hearing we had no—

The SPEAKER: The gentleman must confine his remarks to the matter of: Shall the main question be put now?

Mr. THOMPSON: Mr. Speaker, I think we should be heard.

The SPEAKER: Is the House ready for the question? Shall the main question be put now? All those in favor will please rise.

Mr. JORDAN of South Portland: Mr. Speaker, I would like to ask for a division.

The SPEAKER: The pending question is: Shall the main question be put now? All those in favor of the main question being put now will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Twenty-eight having voted in the affirmative and eighty-five in the negative, the motion does not prevail.

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

Mr. THOMPSON: Mr. Speaker and Members of the House: When we held our committee hearing we had no opposition to this bill whatsoever. We went into session with the understanding we had a pretty good bill here, but when we sat down we found that there was plenty of opposition from one or two members of our committee. I have letters here from sixteen loan and building associations and twenty-seven mutual savings banks. I hope the "Ought to pass" report will be accepted.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: First may I say that I thank the members for an opportunity to speak.

Mr. Speaker and Members of this House: I rise on this question as a member of the Banks and Banking Committee who signed the majority "Ought not to pass" report. In going over this subject, as about everything has been said on it I will go very lightly and take very little of your time. My friend and colleague, the gentleman from Brewer, Mr. Thompson, said there was no opposition to the bill at the hearing. That, as many of you know, is many, many times the case. On how many bills do you sit in committee and just hear one side presented? That does not mean, gentlemen, that the members of that committee have to go with these proponents or minority faction who represent the bill in question.

The gentleman from Augusta, Mr. Fowler, said he thought it would facilitate more efficient work. Now at this time I may say that it came out at that hearing that one of our members asked the proponents if there would be any less work. They said, "No." In other words, they would have to do what work they have to do in five days and a half in the five days. I do not know but perhaps they would be more efficient, but they would certainly have to do their work more hurriedly if they did the same amount of work in less time.

The gentleman from Bath, Mr. Legard, says that industry should be able to choose what they should do. That, gentleman, is the focal point. This is not an industry, not an ordinary industry; it is a monopoly by the charter, from the authority vested in it by this Legislature, and there is no opposition.

As members of the Banking Committee we realized we had a bill before us in regard to another bank, I think it was in the City of Portland or in the City of Lewiston, which wished to do certain things. Was there opposition? I will say there was opposition from the bankers because they did not want them to infringe upon their monopoly. This, gentlemen, is a monopoly, and, by the power of their monopoly in their charter, they are supposed to serve the people of Maine. It would

be just as sensible for the Central Maine Power Company, which is another monopoly, to say, "We are going to stop Friday as far as service to the people of Maine."

It has been brought out here many times in regard to the permissive part of this bill. Now we in the committee heard that permissive part, we heard the pros and cons, and we all know and fully realize that the permissive part is just a wedge to get in, as Mr. Meloon said: they did not want it mandatory because they felt it was unconstitutional, not legal. But they get in under the permissive part in the bill, and, as every man knows, if your bank across the street closes what is the president of the bank on the other side of the street going to say when his employees say to him, "They are not working across the street." He is going to close too. So it really is a monopoly bill.

Behind that all, gentlemen, there is one other thought: that was the reason that the emergency clause was on it. As the gentleman from Portland, Mr. Meloon says, he agreed with the ten members that it was not an emergency as we should deem an emergency act for the good of the people of the State of Maine. And the reason for the emergency was the fact that behind this whole thing they are afraid that the union is going to come in and make the banks pay for that Saturday's half day of work. Members, I have heard for years the noted commentator Gabriel Heatter, shouting for the white-collar man. Now we have all been for labor, all been helping them. I, for one, stand here and say now is the chance to help the white-collar man. If he is doing his work, why make him do it in five days without paying him for it. Let him do the work and serve the people according to the bank's charter and get his pay. I hope that the motion of the gentleman from Wilton, Mr. Morison, prevails.

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

Mr. RANKIN: Mr. Speaker and Members of the House: I confess ignorance about one feature of this bill until this morning. It is difficult to keep informed upon all bills, at least that is true in my case. Perhaps my ignorance was inexcusable. I had made up my

mind I was opposed to this bill, but I have received some enlightenment upon its purpose, and I call attention to one feature that has been stressed very lightly this morning, and that is the fact that this bill applies only to Saturdays four months in the year. Now if it did apply to all of the twelve months I am inclined to think I should be against it.

It seems to me we are not acting in the spirit of Maine; we are not giving our Maine people who are employed in the banks a fair deal and a square deal if we do not allow them to take advantage of the glorious summers of Maine. Most of us do take holidays on Saturdays in Maine, or many of us at least, and we have great numbers of people who come here from other states. It seems to me we ought to give the employees of the banks an opportunity during these four months to have a Saturday holiday. For that reason I shall vote "Ought to pass."

The SPEAKER: The Chair recognizes the gentleman from Portland. Mr. Meloon.

Mr. MELOON: Mr. Speaker and Members of the House: Most of us have had experiences the same as I have of putting in bills at one time or another, and I submit if the opposition is very strong it will be there and oppose the bill. We had no opposition when we heard this bill.

The SPEAKER: The Chair recognizes the gentleman from Garland. Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: I think if we pass this bill we will be doing the people of Maine a great injustice. People in rural communities, you all know, come into town on Saturdays and do their trading, and the merchants in those towns take in a great deal of money, and I think they should have some chance to deposit it. Some of the smaller merchants do not have facilities like a safe to deposit their money in and they must either take it home with them or leave it in cash registers. This puts a great temptation on people to break and enter. Therefore I hope that the motion to accept the "Ought not to pass" report prevails.

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

Mr. BREWER: Mr. Speaker and Members of the House: This bill seems to be rural districts vs. cities. There are twenty-one cities in the State of Maine. I happen to come from the twenty-first and last. In our city we have one bank which has branches in the other towns. They are very much opposed to this bill, and the merchants, especially in my community, are opposed to this bill. If closing is permissive, it means that many of these people will have to carry large payrolls which, under existing conditions they do not have to do. Our potato industry is an industry of over sixty million dollars and involves more money than the entire business of the State of Maine. Of course we are supposed to have money up there. But that is not what counts. We handle it but we keep it rolling. For that reason, as I say, it involves having large sums of money around that we do not care to have any longer than we have to. We really put up some payrolls there.

Now although this is permissive and although it is June, July, August and September, I would recall to you the fact that in June and especially in September is when we have to carry these huge payrolls. For that reason we are opposed to it. We feel it can only cause agitation. But I will make this prediction: Inside of ten years we may have it.

The SPEAKER: The Chair recognizes the gentleman from Fairfield. Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House, I would like to go on record myself as in favor of permitting a bank to close its doors on Saturday if it sees fit. We cannot have the same rule for everyone. What is satisfactory in one community will be unsatisfactory in another community, and the only way to find out which is the better way is to try it. If in a given community a bank decides to close on Saturday and that is unsatisfactory to its customers, the bank will probably lose business, and I feel that the nature of banks and bankers is such that if they lose business they will immediately resume Saturday openings. I will say that I think that the members who have spoken the sentiments of their own communities are well justified in voting the way their people want them to vote.

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

Mr. **SLEEPER**: Mr. Speaker and Members of the House: I hesitate to say much on this question. The only thing I wonder is why the thing has to be put up to us, and Judge McGlauffin has explained that due to some charter arrangements the financial institutions have to ask permission of the Legislature to close. I am very cognizant of the desires of the rural districts and I believe they are justified, but certainly the larger towns are justified in asking for permission to close. As a merchant, I will say it would not make a bit of difference to me because all of our cash that comes in on Saturday comes in late in the afternoon and we cannot deposit it in the afternoon.

I took the risk of asking the various bankers in my community how they felt, and they all wanted the permissive clause and they felt if they wanted to close they should be able to close. I do not think it is a question for the Legislature whether the banks should close or not; it is just a question of whether we should allow them to close if they wish. If I want to close on Saturday, I can. If an insurance company wants to close on Saturday, they can close on Saturday. The Central Maine Power Company itself closes on Saturday, at least it closes its offices. So I say: if these banks want to close let them close, and if they want to stay open let them stay open.

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

Mr. **ROLLINS**: Mr. Speaker and Members of the House: I hate to oppose my friend and colleague from Rockland, but I thought I made it clear that this was not the coal business and was not a grocery store. They normally have competition. This is a business which is a monopoly and has no competition. Why should they have to come to the Legislature and ask permission to close? There is no merchant on the street that has to ask the Legislature for permission to close. It is the fellow who keeps his door open across the street that keeps him open.

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

Mr. **BICKFORD**: Mr. Speaker and Members of the House: I just want to correct one proposition that seems to be in the mind of the gentleman from Presque Isle, Mr. Brewer. Most of the banks have a night deposit box placed so that if the gentleman wants to get rid of his money any time Saturday he can easily stick it in that box.

The **SPEAKER**: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Wilton, Mr. Morison, that the House accept the majority "Ought not to pass" report of the Committee on Banks and Banking on Bill "An Act Permitting Closing of Banks on Saturday," and the same gentleman has requested a division.

All those in favor of the motion will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Forty-six having voted in the affirmative and eighty-six in the negative, the motion fails.

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

Mr. **PEIRCE**: Mr. Speaker, I move that the House adjourn.

The **SPEAKER**: The gentleman from Augusta, Mr. Peirce, moves that the House do now adjourn. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

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

The **SPEAKER**: The Chair recognizes the gentleman from Portland, Mr. Meloon. The House will please be in order.

Mr. **MELOON**: Mr. Speaker, I now move acceptance of the minority "Ought to pass" report, and ask permission to present this amendment thereto at the proper time.

The **SPEAKER**: The gentleman from Portland, Mr. Meloon, moves acceptance of the minority "Ought to pass" report of the Committee. Is this the pleasure of the House?

The motion prevailed, and the minority "Ought to pass" report was accepted. This being a printed bill, under suspension of the rules it was given its two several readings.

Mr. Meloon of Portland presented House Amendment "A" and moved its adoption.

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

"House Amendment "A" to H. P. 970, L. D. 628, Bill "An Act Permitting Closing of Banks on Saturday."

Amend said bill by striking out of the bill all of the emergency preamble and all of the emergency clause."

The SPEAKER: Inasmuch as this amendment has not been reproduced, the whole matter will be laid on the table for reproduction of the amendment and will be tomorrow assigned. (Pending motion being adoption of House Amendment "A")

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Majority Report "Ought to pass in a New Draft as (H. P. 1652) (L. D. 1346) under a New Title of Bill "An Act Protecting the Right of Members and Non-members of Labor Organizations to the Opportunity to Work." and House Minority Report "Ought not to pass" of the Committee on Labor on Bill "An Act Protecting the Right of Non-members of Labor Organizations to the Opportunity to Work." (H. P. 448) (L. D. 242) tabled on March 27th by the gentleman from Unity, Mr. Brown, pending acceptance of either report. The Clerk will read the reports of the committee.

(Committee reports read by the Clerk)

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

Mr. BROWN: Mr. Speaker and Members of the House: I now move acceptance of the Majority "Ought to pass" report of the committee.

It is the purpose and intent of this new draft to go as far as this Legislature can go to make the closed shop illegal in Maine, and in no way affects a union shop. A closed shop, as I understand it, is an arrangement requiring that the employees in the bargaining unit must be members of the Union in good standing, and no employee may be hired unless he is a member of the Union. The closed shop, therefore, makes it mandatory for every worker to become a member of the union to secure or hold a job. Now you members of this Legislature have only one question on this bill to answer. Do you believe that you or your children should have the right to obtain employment without first belonging to a

union? This bill, if passed, would give you that right.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House; Undoubtedly, a great many of you were here at the hearing. I am not going to repeat very much of what I said at the hearing but there are one or two things that I do want to call to your attention in regard to a closed shop which comes under the merchants of labor. The union then, becomes a merchant of labor, as in the hiring halls in ocean shipping. As a merchant of labor, it is in a position to grant the favor of a job to one and deny it to another. No one can hope to get a job at his trade unless he is already in good graces of the labor boss.

Second, is the Union Shop. This differs from the Closed Shop in that the employer can hire either a union or a non-union member, but when hired, the man must then join the union and remain a member as a condition for keeping his job. If he gets in wrong with the union, the employer must discharge him from his job no matter how satisfactory he is.

Thirdly, there is "Maintenance of Membership." Under it, a man need not either be a union member when hired, or join a union after he is hired, but if he does join, he must maintain his membership during the life of the union's contract, and if he does not do so, again the employer must discharge him.

Worst of all members, is the Closed Shop with the Closed Union. Here a union limits its membership, and, by doing so, gives its members a complete job monopoly. Members, that is "Merchants of Labor."

Now there is a great deal to say on both sides of this story, I have to admit it. The greatest cry that my colleagues have, and perhaps union members, is that we do not need it in the State of Maine. That is their cry: "We do not need it in the State of Maine." And then they go one step further by saying it is unconstitutional: anything in labor that does not agree with labor is unconstitutional. They can pick the Constitution apart and show you where it fits into labor, but they can not, and I challenge labor to show when the bill of rights is unconstitutional. I challenged them at the hearing, and I have yet to find

anybody who has taken up that challenge. So that is the main issue here today, gentlemen.

To be sure, I have not been terribly used by Labor, perhaps a little rough in some respects, with a lot of beautiful mail written in labor language which you all understand. I do not mind that as long as I am not shot. I have been told by letter that if I was wise I would withdraw this bill, if I knew what was good for me. I have been told by labor that they would see to it that I was not reelected in 1948 if I did not withdraw this bill, and that challenge I accept. I will be a candidate in 1948 if it is nothing more than for that reason.

I do want to say here now in regard to the closed shop:

The American people are coming to grips at last with tyranny and monopoly that lies behind the innocent words "closed shop." The law dealt with the former evil 40 years ago. It must deal with the latter evil now. Through the recent hearings on labor legislation in the Committee on Education and Labor, the American people are getting a true picture of the lawlessness and the unconstitutional and bloody facts of the working of the closed-shop monopoly throughout the land.

What do we find behind the bolted doors of the closed shop? First, an unAmerican atmosphere of Socialist totalitarianism, personal intimidation, and freedom-killing compulsion. The closed shop means that an American worker is required to become a union member before he can hope to get a job. For the right even to work, he is compelled to pay an initiation fee ranging from \$2 to \$2,000. I repeat—\$2,000.

Next, to keep his job he must pay all his dues, fines, and assessments. He is dependent upon his union boss for his promotion, seniority, and union rights.

From Stalinism our union bosses have learned the trick of denying a worker the right to union vote by denying him membership and giving him instead merely a permit to work. This device keeps down the number who, by their loyal voting, dominate the union and keep the leaders in office year after year. Thus, the noose is drawn around the liberty and dignity of the individual workman.

We did not realize what was hap-

pening to the freedom of the workingman until many of our boys came back from the battlefields and reported that they were expected to bow down at home before labor commissars as rough and tough as those they fought abroad. They had to pay homage for the right to make a living. And this in a Nation which proclaims the policy of the open door in China, Greece, Palestine, and Korea, in the air, on the seas, and in world trade.

When the inalienable rights of free Americans are taken away the whole society loses its freedom; and so it is happening. For example, our carpenters, masons, plumbers, painters, our most respected and most skilled workers in the greatest of all trades—the building trade—have thrown around themselves the closed-shop ring. In a whole State, for example, in the State of New Jersey right now, no industrial building can go on—\$34,000,000 is stopped now—and very little home building, because wages range from \$17.50 per day of 7 hours to \$21.50. That means farmers, veterans, schoolteachers, preachers, the white-collar workers, or retired persons cannot afford to build at all. The real low-income groups fall into slum conditions.

Apprentices are prevented from learning the trades. Non-union men cannot work because of mass picketing and strikes. So the vise is tight! The next and last and inevitable step in such monopoly conditions is threatened, namely, the Government itself takes over.

The cry goes up from all over the country, "We want houses; shame on us that our veterans are without homes."

For the moment, before the Government takes over, as some want, and others do not suspect, labor enjoys a monopoly and high wages. Wages that only a monopoly provides makes labor feel a degree of false power and temporary prosperity. No Government has ever tolerated such private exercise of monopolistic power. To illustrate, the public outcry for houses compels the Government even now to threaten to destroy the union security in favor of the greater public needs for a vaster group whose votes exceed by far those of the closed-shop workers. Government must itself either become that monopoly, or it must free the individual workers and the public from

the domination of the closed-shop monopoly. It must make all forms of monopoly illegal for the sake of freedom. There is no other choice.

It is either freedom, the great source of houses, or collectivism, socialism, or communism, if you will, via Government monopoly housing. That is the stake the individual union-worker, as well as the non-union worker and the whole public, has in this legislation.

We can only rejoice that in spite of the cries against restoration of equality before the law for all alike, the American people are rising to demand an end to this new type of tyranny.

A Gallup poll of January 20, 1947, reported that a mere 8 percent of the American public favored the closed shop. Among union members, only 19 percent voted favorably on it.

Again, a recent opinion research poll showed only 7 percent of the public voting for the closed shop, while a poll by Factory Management proved that no less than 70 percent of the union members themselves advocate the outlawing of the closed or union shops. Hundreds of letters and telegrams received by members of the House Labor Committee from the rank and file of various labor unions support these facts.

They must have made a lot of money in the Western Union from labor, and they must have used a lot of postal cards. It is amazing to me to see the postal cards sent in here. The biggest part of them, I understand, were given to a union member in the hall. That is how these postcards have come into this House.

However, over 4,000,000 jobs have already fallen under control of the dictators of a closed-shop arrangement. Employment opportunities, wages and prices for food and shelter, and services are thus monopolized by the union under the absolute veto of labor bosses and very often with the consent of employers. Even so, these cover but a fraction of our 140,000,000 citizens. Unfortunately, this fraction is able, by the device of the closed shop, to take whatever they want from the other 136,000,000 in higher wages and decreased hours, all the while leading themselves and the rest of us farther from traditional Americanism to Government-directed collectivism. Meantime, food and

houses grow more scarce, rent, and farm machinery and automobiles go out of reach for most of us, and for exactly the same reasons—the excessive costs of monopolistic labor.

Let us examine the effect which a system of fear and threat has on the individual, on his capacity to invent and produce. Threats of arbitrary expulsion from a closed shop effectively discourage him from voicing any opposition to union policy or to a union leader.

Under our American system of freedom and democracy we have always believed that a man is entitled to protest against what he sincerely believes to be wrong. In his heart, the average union member is still a freedom-loving American. He doesn't like to be forced to support union policies which do not express the will of the majority of the members. He does not like to be pushed around. He does not want to be herded into a strike when he does not want to strike; he balks at having to submit to rules which he has had no part in making and has no power to alter. But what does the closed shop do? The closed shop 'n and of itself tends to make union bosses dictators. These bosses permit no opposition to themselves as commissars. From them there is no effective appeal. For leaders drunk with power are never known to be considerate of their followers' convictions or liberties. Workers become known as "my people."

The closed shop under the one-sided Wagner Act has shackled American labor. It has come close to wrecking the American economic system, as literally hundreds of employers and representatives of public bodies have testified.

The main objections to the closed shop, expressed by these witnesses, are:

First. It deprives management of the opportunity to employ the most competent people available, regardless of their membership or non-membership in a union.

Second. It compels industry to discharge faithful employees, who have served the company long and well, at the mere request of the union, often on trumped-up charges.

Third. It destroys discipline by making the employee more responsive to the wishes of his union officers than to the instructions of his foreman.

Fourth. The closed shop encourages slow and inefficient production.

The combined effects of all these characteristics of the closed shop are to place a premium on inefficiency, to discourage honest service, to decrease production, and to greatly increase the cost of living.

It must now be apparent to all that the primary concern of some labor leaders, particularly in closed shops, is to keep the greatest number of union members employed at the highest possible wages. To achieve this objective, unions have resorted to spread-the-work methods, chief of which have been limitations on output per worker. Under this system, more employees are required to turn out a given volume, with the resultant increase in unit cost. Furthermore, full and efficient production is impossible when a worker has no incentive to excel. Under a closed shop, many workers are satisfied to do only enough to get by because their opportunity for promotion is no longer related to a man's ability, but depends solely on his length of service and his union leader's favor. We have been forced to witness how a mere handful of men are able to imperil the health and safety of millions and to bring great cities to their knees.

I think we have had a recent example in the case of John L. Lewis, what he has done in the coal industry, especially last week. We all agree we feel sorry for what happened to these men, but you know and I know why he has declared a week's holiday. It is not that he has great love for these people; he is simply defying the government again by having a strike on April 1st. This is the only way he can get out of it, and he has taken it out on these poor unfortunates by declaring a holiday for six days. Think that over, gentlemen. It is quite a lot of food for thought.

The closed shop by teamsters is being used to prevent farmers from bringing their own produce to market. It is a hold-up weapon used by racketeers who fasten their clutches on a labor union. They fight among themselves, even the best of them, in jurisdictional strikes, the secondary boycott, and industry-wide bargaining. Construction of a whole million dollar building may be stopped while the carpenters dispute with common labor about who may unload boards from a railroad car. As many as four locals belonging to the same

international fight and strike against each other over who shall handle a load of ordinary building material.

The closed shop removes any incentive for union officials to develop understanding among the workers of the legitimate purpose of a union, by making it unnecessary for unions to sell themselves to workers on their merits of services. Present-day closed-shop unions have substituted dictatorial power over the worker for services to the worker.

The right to work at an available job of a man's own choosing and under conditions which he himself considers satisfactory is a precious American human right which Americans have always valued highly. The closed shop of modern unionism has destroyed this right. Any worker should have the clear right to join any union he wants to, as surely as he should also have the legally protected right not to join a union, if this is his desire.

Unions today have full and adequate protection under the law. But the monopolistic and unfair and unjust privileges of the closed shop are not needed, and they must go. To the contrary, employees and the public alike need to be protected against the evil of the closed shop. In the interests of the American public, it is clear that this Legislature must act decisively, and at once, to outlaw the closed shop, if the arbitrary power of un-American labor leaders, rooted in the closed shop, is to be prevented from further robbing us as individuals of our freedom.

I pick up a newspaper and I find out where one or two of my colleagues say we do not need Tabb's bill at this time. They admit there is a possibility we may need it later. That is what this bill is for, to put it onto the books in case we do need it, so we have it. It reminds me of the town meeting where they want to appropriate money for fire apparatus, and someone gets up and says they do not need it, but the next week their house burns down, and they are the very people who go out and ask to have a special meeting so they can get a piece of fire apparatus to put their fire out. That is what this bill is for, to put the fire out if we want to do it.

A great many of you have heard them quote Abraham Lincoln. They

did quote him at the hearing. They said that he said that labor had a right to strike. They did not go any further; they did not tell you that Lincoln said, "Free the slaves, every man is born free and equal." They did not get into that part. They love to tell you what the late Justice Brandeis said, one of the biggest labor supporters they ever had. What does he say about the closed shop? He says that you cannot run it down the throats of the American people and the quicker you leave it alone the better. They do not tell you that part of it; they tell you what Justice Brandeis said outside of the closed shop.

A great many of you members were at the Lincoln Club dinner. You heard our Congresswoman from the Second District speak at that dinner. You all know she is one of the biggest supporters of labor, and she admitted at that dinner she was one of the biggest supporters of labor and one of the best friends labor ever had. What does she say now? "It is time labor cleaned their house." How are you going to clean it with the closed shop? You cannot do it, gentlemen. It is time that the closed shop went, and it must go if the unions are to preserve themselves.

Many union men have stopped me in this State House and told me: "Mr. Tabb, we believe that your bill is right and it is a protection to labor, there is no question about it; it is a good insurance for the laborer to get rid of the closed shop."

Now some of you people perhaps will say, "Well, I don't agree with all Tabb says. These things couldn't happen in Maine." Two or three weeks ago in Portland a union meeting was held and they took a vote on the Red Cross. They voted that they would not give any money to the Red Cross for the simple reason that their building was painted by non-union members. Think of that, gentlemen. If that is not getting pretty narrow I do not know what is.

Now you heard in the hearing room of the Twitchell-Champlin argument they had, and how they boycotted Reddy diners. This article says, "Local No. 340 at a union meeting on March 9th was informed Reddy's Diner and the State Diner were using products sold by Twitchell-Champlin Company, therefore the union voted to place these

diners on its unfair list and notified all truck drivers and unions who come into this territory. Also the motion was carried that members of Local 340 who were found patronizing these diners beginning Wednesday, March 12th, shall be called before the executive board." You can't eat where you want to. I suppose it will get so, gentlemen, that they will be so closed up pretty soon that when a union man gets married he will have to sign off his children to join the union so the union will be able to carry on. That is what it is coming to, gentlemen, but still they will tell you that we do not belong here in the State of Maine.

Now you may not agree with me on lots of things I have told you, but I do not believe there is a member in this House but will believe with me on the Communist issue. I do not believe there is. There is one thing, gentlemen, that should govern us on this bill and that is the Communist party. You cannot tell me it is not in the State of Maine; you know it is here. You heard a man appear against this labor question before this committee. You heard a member of the committee question my other two colleagues, the gentleman from Cape Elizabeth, Mr. Chase, and the gentleman from Portland, Mr. Haskell. You heard them question us three, but you didn't hear them question the Communist. You know why: because they dared not question him because they know the Communists are in the ranks of labor.

Are we going to let the Communists into the State of Maine through labor. That is where their aid is, in the closed shop, and their instructions are from Russia; that they must get into the unions, get a closed shop, get rid of the heads of unions and get in control and that they will control the bread of life. You read it in the papers; they are full of it every day. They have four thousand agents directly that we know of who are receiving enormous salaries for the work that they are doing. We know a great deal of money has been put into this party to lick this government. Everybody knows that. The evil is in the closed shop, and by doing away with the closed shop in the State of Maine, Members, we are going to stop that movement from overthrowing our government.

I was very much interested to pick up a piece in the paper: "Union leader plans war on wreckers. President Robinson announced to the International Union of Mine and Smelter Workers, C.I.O., that he wanted to resign and go back into the ranks as a mere laborer to fight what he claims the union was destroying: union within themselves."

You see, Members, they admit they have a lot of trouble; they know there is a lot of fight amongst themselves, but they are trying to make you and I believe that there is no such thing because the people of the State of Maine are different than in any other state. The people of the State of Maine, I hope, are different, but it is the riff-raff and racketeers they bring in from outside that does the damage, the same as they brought them into Portland. That is what happens when they get into trouble. They even picketed one of our colleague's places for no reason other than he was in the Council in Portland. They had no grievance against him but because he was in the Council they picketed his place. I ask you, gentlemen, in all sincerity, is that fair?

I could go on for the next two hours filibustering on this closed shop business, but I am getting hungry and I know a great many of you are.

Members, there is just one other thing I want to call your attention to before I quit. You hear so much about Florida. I believe a representative there, a Portland lawyer, claimed in Florida it would not pass the courts. That bill was tried before a three-man court and they ruled it constitutional. They passed it on to the higher court and the higher court pushed it aside. That was in 1944 that that happened, not now. It was in 1944 when bill went

to referendum that they were defeated. Sixteen states have put in this closed shop law, and every state where that has gone to a referendum it has been defeated. The closed shop is out in those places. I understand in Massachusetts a bill is either going to be filed or has been filed by this time on the same proposition.

Now, Members, if you do not agree with me on the policy of closed shop I do not see why you cannot agree with me on this communistic proposition. You and I stand up before the flag and pledge our allegiance to it. Time and time again we have done it. And what happens? We sit here and are absolutely what we do not claim we are. This pledge says, "Liberty and Justice for all." Show me where there is any liberty or justice in a closed shop. It is only for the union bosses. I hope, Members, that this bill, An Act Protecting the Right of Non-members of Labor Organizations to the Opportunity to Work will pass in the new draft.

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

Mr. MILLS: Mr. Speaker, I know there are at least half a dozen more speakers on this bill, and I believe it will be impossible to complete this debate at this time. I do hesitate to make a motion which would interrupt debate, but I think it is impossible to complete it before the committee hearings which will take place at 1:30, therefore I move that we do now adjourn.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the house do now adjourn. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the House adjourned until tomorrow morning at ten o'clock.