

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Wednesday, March 23, 1955

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

Prayer by the Rev. Mr. Everett Pender of Friendship.

The journal of the previous session was read and approved.

The SPEAKER: It is called to the attention of the Chair that there are in the balcony of the House this morning thirty-one students from Lawrence High School in Fairfield, Maine, Problems in Democracy Class, accompanied by their teacher, Mrs. Beulah Henderson.

On behalf of the House, the Chair extends to you a hearty and cordial welcome, and we hope your stay with us will be profitable. (Applause)

Papers from the Senate

From the Senate:

Bill "An Act relating to Criminal Appeal Cases in Cumberland County" (S.P. 491) (L. D. 1358)

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

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

From the Senate:

Bill "An Act Amending the Charter of the Lewiston Gas Light Company" (S.P. 492) (L. D. 1359)

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

In the House, received by unanimous consent and referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act relating to Publication of State Financial Reports" (S. P. 473) (L. D. 1342)

Bill "An Act Providing for an Additional Assistant Attorney General" (S. P. 474) (L. D. 1343)

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

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

From the Senate:

Resolve relating to a Weighing Station in Southern Maine (S. P. 475) (L. D. 1344)

Resolve Designating Route No. 182 as a State Highway (S. P. 488) (L. D. 1357)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act Authorizing the Establishment of Private Game Preserves" (S. P. 476) (L. D. 1345)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

The SPEAKER: The Chair is informed that with us also this morning we will have forty ladies from the Westbrook Women's Club. Some of them are now present, the Chair believes, in the balcony of the House and to them the Chair extends on behalf of the House a hearty and cordial welcome. (Applause)

From the Senate:

Bill "An Act Requiring the Business of Loaning Money to be Conducted on Separate Premises" (S. P. 477) (L. D. 1346)

Bill "An Act Granting Powers to Federal Government Relative to Prospecting for Military Strategic Minerals" (S. P. 478) (L. D. 1347)

Bill "An Act relating to Commitment of Children Under 17 Years of Age" (S. P. 479) (L. D. 1348)

Bill "An Act relating to Hospitalization of the Mentally Ill" (S. P. 480) (L. D. 1349)

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 481) (L. D. 1350)

Bill "An Act relating to Organization of Certain Corporations Without Capital Stock" (S. P. 482) (L. D. 1351)

Bill "An Act Validating Joint Tenancy Deeds" (S. P. 483) (L. D. 1352)

Bill "An Act to Create a Central Register of Attorneys" (S. P. 484) (L. D. 1353)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to Minimum Wages" (S. P. 485) (L. D. 1354)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act Defining Malt Beverage Dispensing Parlors" (S. P. 486) (L. D. 1355)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Definition of 'Contract Carrier'" (S. P. 487) (L. D. 1356)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

House at Ease

Called to order by the Speaker.

Senate Reports of Committees

Ought Not to Pass

Tabled

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Compensation of Boards of Registration in Cities of 39,000 Inhabitants or More" (S. P. 349) (L. D. 958)

Came from the Senate read and accepted.

In the House: Report was read.

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

Mr. COTE: Mr. Speaker, I move that this bill lie on the table unassigned.

The SPEAKER: The Chair will inquire if the gentleman would care to set a date.

Mr. COTE: Mr. Speaker, we have other bills coming up for raises in the county and in the city so we are trying to get all these bills together so we can come to some compromise as to reasons for it.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that Bill "An Act relating to Compensation of Boards of Registration in Cities of 39,000 Inhabitants or More," Senate Paper 349, Legislative Document 958, lie on the table pending acceptance of the Report in concurrence and unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled.

Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act relating to Interstate Shipment of Clams" (S. P. 333) (L. D. 897)

Report of the Committee on Taxation reporting same on Bill "An Act Exempting Towns from Gasoline Tax" (S. P. 335) (L. D. 899)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass

Report of the Committee on Public Health reporting "Ought to pass" on Bill "An Act relating to Educational Requirements for Chiropractors" (S. P. 328) (L. D. 893)

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

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

The SPEAKER: The Chair is informed that there is still another body in the balcony of the House this morning, a group of thirty-eight students from the Hallowell High School, Government Class, accompanied by their teacher, Mr. Ernest Johnson.

On behalf of the House, the Chair extends to you a hearty and cordial welcome. (Applause)

Ought to Pass with Committee Amendment

Report of the Committee on Labor on Bill "An Act relating to Definitions and Administration of Bedding and Upholstered Furniture Laws" (S. P. 95) (L. D. 226) 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, the Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 95, L. D. 226, Bill "An Act relating to Definitions and Administration of Bedding and Upholstered Furniture Laws."

Amend said Bill by inserting after the underlined word "airplane" in the 11th line of section 2, the underlined punctuation and words:

‘, railroad equipment’

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

Non-Concurrent Matter

An Act to Incorporate the Town of Mechanic Falls School District (H. P. 619) (L. D. 626) which was passed to be enacted in the House on March 16 and passed to be engrossed on March 8.

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

In the House: On motion of Mr. Foster of Mechanic Falls, the House voted to recede and concur with the Senate.

The SPEAKER: Is there objection to taking up at this time a paper from the Senate not on the Advance Journal? The Chair hears none and the Clerk will read the communications.

From the Senate: The following Communications:

STATE OF MAINE OFFICE OF THE GOVERNOR AUGUSTA

March 23, 1955

The Honorable President
The Honorable Speaker of the House
Ninety-seventh Legislature
Gentlemen:

I consider it a privilege to transmit, herewith, a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 3,569 acres of land in the Baxter State Park for public purposes.

Mr. Baxter has, again, thoughtfully imposed no hunting restrictions within this latest gift.

I am especially happy that Mr. Baxter has pointed out that this new grant will be available for scientific forestry management experiments. Mr. Baxter believes, as I do, that our historic forest wealth can best be conserved by thorough study of intelligent cutting practices and reforestation.

I submit Mr. Baxter's generous offer and the accompanying legislation to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE
Governor

March Seventeenth, 1955

To the Honorable Edmund S. Muskie, Governor and the Honorable Senate and House of Representatives of the 97th Legislature of the State of Maine.

Since my communication of January 11th last in which I offered to donate to the State certain forest lands in Piscataquis and Penobscot Counties, which you graciously accepted, I have acquired additional acreage and now offer you 3,569 acres in township six (6) range nine (9) Piscataquis County. This gift if you accept it will complete the State's ownership of this township and Baxter State Park will contain slightly in excess of seven (7) entire wild land townships or 168,350 acres. This has been accomplished over the period of thirty years since I left the Governorship.

I now wish to testify to the fine public spirit of the corporations, trustees and other land owners centered in Bangor who have entered

into the spirit of my project and by the sale of their lands have made possible this Park.

In offering this gift I provide that the land forever shall be held by the State IN TRUST for State Forest, Public Park and Public Recreational Purposes and shall be named BAXTER STATE PARK. I do not, however, provide that hunting be prohibited as in several of my former gifts, because I find that many citizens who live in northern Maine depend for their livelihood largely upon the business that hunters bring to them. This 3,569 area will be available both for recreation and for scientific forestry management and can be made to produce a continuing crop of timber to be harvested and sold as are potatoes or any other product of the soil.

It long has been my purpose to create in our forests a large area wherein the State may practice the most modern methods of forest control, reforestation and production under the management of our able Forest Commissioner Mr. Nutting and his associates. This new 3,569 acres is an excellent location for this purpose.

In my travels in foreign lands, I have seen beautiful great forests that for centuries have been producing a crop of wood without depletion. In Sweden, Norway, Finland, Germany, Chile, Russia and elsewhere what has been done by scientifically controlled forestry can be done in Maine. I now make it possible for the State to try a major experiment here at home, an experiment that can mean much for our future timber supply, which all admit is the chief natural resource of our State.

In the lobby between the Senate Chamber and the Hall of Representatives, I have placed a colored map showing Baxter Park in three colors. These three colored areas comprise the entire Park. Fishing is allowed throughout the Park but in the red portion hunting is prohibited. In the blue and orange areas, hunting is allowed. The new orange area of 3,569 acres is where I suggest that scientific forestry be practiced by the State.

When you inspect this map it will be difficult for you to visualize how

this has been accomplished, how my numerous purchases have been brought together into one solid area. I, myself, can hardly realize it. A map showing the different acquisitions both small and large over the years would remind you of your grandmother's patchwork quilt, which finally in some mysterious way came out of the confusion into one large piece.

The Park now is complete except for one additional township which I would like to acquire in order to square the lines. It is doubtful if this can be purchased.

With your acceptance of this gift of 3,569 acres I feel that my life work in creating this Park has been brought to a happy conclusion.

The creation of this Park has been an enlightening experience. The generous approval given my efforts by the present Governor and by the Ninety-seventh Legislature as well as by former Governors and Legislatures has touched my heart.

To close, I give you a few words of my own that express the spirit of this Park project.

Man is born to die

His works are short-lived
Buildings crumble, monuments decay,
wealth vanishes

But Katahdin in all its glory
Forever shall remain the mountain
of the People of Maine.

Respectfully,

(Signed)

PERCIVAL PROCTOR BAXTER

The Communication from the Governor and accompanying copy of letter from former Governor Baxter came from the Senate read and ordered placed on file.

In the House, the two Communications were read and ordered placed on file in concurrence.

From the Senate:

Bill "An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Three Thousand Five Hundred Sixty-nine (3,569) Acres in Township Six (6) Range Nine (9) W. E. L. S., Piscataquis County, State of Maine" (S. P. 502)

Came from the Senate received this morning by unanimous consent and, under suspension of Senate

and Joint Rules, was given its two several readings and passed to be engrossed in the Senate without reference to a committee.

In the House: The Bill was received by unanimous consent in concurrence and out of order and under suspension of the rules given its two several readings without reference to a committee.

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

Mr. McGLAUFLIN: Mr. Speaker and Members of the House: I have been asked to give a brief description of this land that is being given to the State of Maine today.

If you can use your imagination a little and imagine a strip of land two townships wide, five townships long on one side and four townships long on the other side, you will get a picture of the entire tract that has been given to the State. The ordinary township is six miles square or thirty-six square miles. Of these eight sections, as it was pointed out to me, all of them are restricted from hunting or for cutting timber. That leaves one township at the end of this tract which I have tried to describe in which this 3500 acres is located. Through this so-called township, there is a river that crosses the township which cuts off perhaps a third of the township and the lowest third, the part below this river, is also restricted land. That would leave perhaps approximately twenty-four square miles that include this particular tract given today, which will be free for hunting and fishing and for cutting timber and reforesting the land.

The shape of this particular 3500 acres would be—perhaps you could get a picture of it with this description: Imagine a tract of land two miles long, two miles wide with a mile-square bite taken right out of the left-hand side, you will get some idea of the shape of this lot. Or I will try with another description. If you could imagine that you were looking at a big table two miles long, two miles high with a rectangular leaf turned over that was one mile wide, with the legs half a mile wide, you would get a picture.

In other words, this blue tract was purchased before; this white tract is the new lot.

Now, Mr. Speaker, I move that under suspension of the rules, the bill be given its third reading and engrossed and immediately thereafter passed to be enacted and sent to the Senate.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that out of order and under suspension of the rules this bill be given its third reading at this time. Is this the pleasure of the House?

The motion prevailed and the Bill was then given its third reading out of order and under suspension of the rules.

On further motion of the same gentleman, out of order and under suspension of the rules, the Bill was passed to be engrossed without reference to a committee.

The SPEAKER: The House may be at ease while the engrossing is being performed.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair understands that the gentlewoman from Rockland, Miss Lawry, moves that House Rule 25 be suspended for the remainder of today's session in order to permit smoking. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair will inquire if there is objection to taking up at this time out of order and under suspension of the rules a bill on its passage to be enacted. The Chair hears no objection.

Passed to Be Enacted

An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Three Thousand Five Hundred Sixty-nine (3,569) Acres in Township Six (6) Range Nine (9) W. E. L. S., Piscataquis County, State of Maine (S. P. 502)

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate

and having been passed to be engrossed and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

House at Ease

Called to order by the Speaker.

On motion of Mr. McGlaufflin of Portland, by unanimous consent the Bill was sent forthwith to the Senate.

The SPEAKER: At this time, the Chair will request the Sergeant-at-Arms to kindly escort the gentleman from South Portland, Mr. Fuller, to the rostrum.

The gentleman was escorted to the rostrum by the Sergeant-at-Arms.

The SPEAKER: The Chair welcomes you and asks you to preside as Speaker pro tem this morning.

Thereupon, Mr. Fuller assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Trafton retired from the Hall.

Messages and Documents

The following Communication:

STATE OF MAINE DEPARTMENT OF HEALTH AND WELFARE AUGUSTA

March 18, 1955

House of Representatives
Ninety-seventh Legislature
State House
Augusta, Maine

In compliance with House Order passed March 10, 1955 requesting from the Department of Health and Welfare information on the number of fathers in Aid to Dependent Children families making payments under court orders, I submit the information in the attached tabulation.

(Signed) Dean Fisher, M.D.

Commissioner

Tabulation Submitted by the Commissioner of Health and Welfare in Compliance with House Order passed March 10, 1955.

Information on Court Orders Placed on Absent Fathers in ADC Families.

Active cases, February 1955	4,461
Cases of Divorce or separation	2,121
Percent	47.5
Cases with court orders	1,375
Percent of divorced or separated cases with court orders	64.8

	Number	Percent
Cases with court orders	1,375	100.0
Payments currently being made	732	53.2
Payments not currently being made	643	46.8
Court action pending—out of State or in State	82	6.0
Other action in process	68	4.9
Trying to locate	90	6.6
Pending investigation	198	14.4
Unemployed or in institution	62	4.5
Referral closed — inadequate income or for other reason	68	4.9
Cases not referred to Attorney General	75	5.5

The Communication was read and with accompanying tabulation ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bills (transmitted by the Director of Legislative Research pursuant to Joint Order S. P. 25) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Business Legislation

Bill "An Act Defining and Regulating the Collection Agency Business and the Budget Planning Business" (H. P. 1157) (Presented by Mr. Browne of Bangor)

(750 copies Ordered Printed)

Sent up for concurrence

Inland Fisheries and Game

Bill "An Act relating to Hunting of Raccoons" (H. P. 1159) (Presented by Mr. Elwell of Brooks)

(Ordered Printed)

Sent up for concurrence.

Agriculture

Bill "An Act providing for a Bounty on Porcupines" (H. P. 1158) (Presented by Mr. Elwell of Brooks)

The Committee on Reference of Bills suggested that the Bill be referred to the Committee on Taxation, ordered printed and sent up for concurrence.

The SPEAKER pro tem: Is it the pleasure of the House that the report of the Committee be accepted?

The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: With all due respect to the Committee on Reference of Bills, I would like to point out that inasmuch as a similar bill which would place a bounty on porcupine which would be financed from the same source of revenue presented by the gentleman from Charleston, Mr. Rich, has already been referred to the Committee on Agriculture and inasmuch as the dog license fees involved are administered by the Commissioner of Agriculture rather than through the Bureau of Taxation and inasmuch as the Chairman of the Committee on Agriculture has expressed the desire that this bill be referred to his committee, and last but not least, out of sympathy for the Committee on Taxation, I move you that this bill be referred to the Committee on Agriculture.

The SPEAKER pro tem: The gentleman from Brooks, Mr. Elwell, moves that this bill be referred to the Committee on Agriculture. Is this the pleasure of the House?

All those in favor will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Bill was referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

The SPEAKER pro tem: It has been brought to the attention of the Chair that there are seventy-five

children from Grades 6, 7 and 8 of St. Mary's School in Lewiston accompanied by Brothers of Sacred Heart, Brother Joseph, Brother Louis Alexander and Brother Francis.

On behalf of the House, the Chair extends to you a cordial welcome and hopes that your stay will prove very valuable. (Applause)

House Reports of Committees Ought Not to Pass

Mr. Evans from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Conveyance of School Children" (H. P. 349) (L. D. 387)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Denbow from the Committee on Highways reported "Ought not to pass" on Bill "An Act Authorizing the Purchase of the Westport-Wiscasset Bridge" (H. P. 410) (L. D. 457)

Report was read.

(On motion of Mr. Hilton of Bremen, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 7.)

Mr. Ferguson from the Committee on Highways reported "Ought not to pass" on Bill "An Act Repealing the Law Providing for Controlled Access Highways" (H. P. 647) (L. D. 724)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I move on the next two items, Items 4 and 5 be laid on the table unassigned.

The SPEAKER pro tem: The Chair will inform the gentleman that these items will be taken up one at a time. The Chair will inquire if the gentleman has any request on Item 3.

Mr. CROCKETT: Item 3 as recommended, Mr. Speaker.

The SPEAKER pro tem: Does the Chair understand that the gentleman wishes the report accepted on Item 3?

Mr. CROCKETT: On Item 3, yes, Mr. Speaker.

Thereupon the Report "Ought not to pass" of the Committee on Highways on Bill "An Act Repealing the Law Providing for Controlled Access Highways" (H. P. 647) (L. D. 724) was accepted and sent up for concurrence.

Mr. CHILDS (of Portland): Mr. Speaker—

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. CHILDS: Mr. Speaker, is there a motion before the House now?

The SPEAKER pro tem: The Chair will state that there is presently no motion before the House.

Tabled

Mr. Nadeau from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Service Roads on Controlled Access Highways" (H. P. 648) (L. D. 725)

Report was read.

The SPEAKER pro tem: The Chair understands that the gentleman from Freeport, Mr. Crockett, moves that Item 4 lie on the table pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

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

Mr. CHILDS: Mr. Speaker, through the Chair I request the gentleman to specially assign this to some particular day and at that time if he wishes to retable it, he could go ahead and do so.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, makes a request through the Chair to the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, due to the fact that this bill was put in —

The SPEAKER pro tem: The Chair will state that the gentleman is out of order. Does the gentleman care to assign a definite date?

Mr. CROCKETT: I do not, Mr. Speaker.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Freeport, Mr. Crockett, that the Report of the Committee on Highways re-

porting "Ought not to pass" on Bill "An Act relating to Service Roads on Controlled Access Highways," House Paper 648, Legislative Document 725, be tabled pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

All those in favor will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Report and Bill were so tabled.

Tabled

Mr. Nadeau from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Frontage Roads on Controlled Access Highways" (H. P. 649) (L. D. 726)

Report was read.

(On motion of Mr. Crockett of Freeport, the Report and Bill were tabled pending acceptance of the Committee Report and unassigned.)

Mr. Albert from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve providing for an Increase in State Pension for Merle Merrill of Liberty (H. P. 219)

Same gentleman from same Committee reported same on Resolve providing for an Increase in State Pension for Mrs. Therese Jacques of Van Buren (H. P. 220)

Same gentleman from same Committee reported same on Resolve providing for State Pension for Wilfreda Cyr of Van Buren (H. P. 221)

Same gentleman from same Committee reported same on Resolve providing for State Pension for Annette Cyr of Van Buren (H. P. 222)

Same gentleman from same Committee reported same on Resolve providing for State Pension for George W. Tuttle, Jr. of Norridge-wock (H. P. 797)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Stilphen from the Committee on Correctional Institutions reported "Ought to pass" on Bill "An Act relating to Age of Commitment to State School for Boys" (H. P. 643) (L. D. 720)

Mr. McGlaulin from the Committee on Judiciary reported same on Resolve Requesting Judicial Council to Study Problem of Common Law Pleading and Procedure (H. P. 989) (L. D. 1137)

Mr. Needham from same Committee reported same on Bill "An Act to Incorporate Maine Oil and Heating Equipment Dealers' Association" (H. P. 913) (L. D. 1021)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Browne from the Committee on Judiciary on Bill "An Act relating to the Reporter of Decisions" (H. P. 826) (L. D. 918) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 826, L. D. 918, Bill "An Act relating to the Reporter of Decisions."

Amend said Bill by inserting after the word "publish" in the 4th line the underlined words 'periodic advance sheets and'

Further amend said Bill by inserting after the word "volume" in the 4th line thereof the underlined words 'of Maine reports'

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

Mr. Browne from the Committee on Judiciary on Resolve Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine (H. P. 914) (L. D. 1022) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 914, L. D. 1022, Resolve Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Lee-

man and Oscar Bradstreet, all of Palermo, to Sue the State of Maine.

Amend said Resolve by striking out the figures "1953" in the 8th line thereof and inserting in place thereof the figures '1955'

Further amend said Resolve by striking out the last sentence and inserting in place thereof the following sentence 'Hearing thereon shall be before 3 Justices of the Superior Court, without a jury; said justices to be assigned by the Chief Justice of the Supreme Judicial Court.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Tabled and Assigned

Mr. McGlaulin from the Committee on Judiciary on Bill "An Act relating to Parking Meter Fines" (H. P. 908) (L. D. 1016) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, before making a motion, may I request permission of the Chair to make one or two remarks off the record before making the motion?

The SPEAKER pro tem: The Chair will inquire if the gentleman's remarks pertain to the bill.

Mr. TOTMAN: Yes, Mr. Speaker.

The SPEAKER pro tem: The Chair will inquire if the gentleman does not want them on the record?

Mr. TOTMAN: Mr. Speaker, well, I think it would be better off the record just for purposes of the —

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, requests unanimous consent to make off the record remarks pertaining to this bill. Does the Chair hear objection? The Chair hears none and the gentleman may proceed.

(Off Record Remarks by Mr. Totman)

Mr. TOTMAN: Mr. Speaker, I would like to move that this bill, Legislative Document 1016, pending acceptance of the committee report lie on the table and be specially assigned for next week, Thursday, March 31.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that the Report of the Committee on Judiciary on Bill "An Act relating to Parking Meter Fines", House Paper 908, Legislative Document 1016, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith lie on the table pending acceptance of the committee report and be specially assigned for Thursday, March 31. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled and assigned.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to Provide for the Observance of Legal Holidays" (H. P. 911) (L. D. 1019)

Report was signed by the following members:

Messrs. SILSBY of Hancock
WEEKS of Cumberland
— of the Senate.
Messrs. DAVIS of Calais
McGLAUFLIN of Portland
EARLES of South Portland
MacDONALD of Rumford
— of the House.

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

Report was signed by the following members.

Mr. REID of Kennebec
— of the Senate.
Messrs. NEEDHAM of Orono
HANCOCK of York
BROWNE of Bangor
— of the House.

Reports were read.

(On motion of Mr. Ross of Bath, the two Reports with accompanying papers were tabled pending acceptance of either Report and specially assigned for Tuesday, March 29.)

At this point, a message came from the Senate borne by Secretary Winslow of that body proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of inviting His Excellency, Governor Edmund S. Muskie, and his guest, the Honorable Merton

Tice of South Dakota, Commander in Chief of the Veterans of Foreign Wars of the United States, with his official party, to attend and address the Convention.

On motion of Mr. Childs of Portland, the House voted to concur in the proposal for a joint convention and the Clerk was instructed to convey the message to the Senate.

House at Ease

Called to order by the Speaker pro tem.

The Clerk subsequently reported that he had discharged the duty assigned him.

At this point Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from South Portland, Mr. Fuller, to his seat on the floor, amid the applause of the House, the members rising, and Speaker Trafton resumed the Chair.

The SPEAKER: The Chair wishes to thank the gentleman from South Portland, Mr. Fuller.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Robert N. Haskell, assumed the Chair and called the Convention to order.

On motion of Mr. Farris of Kennebec, it was

ORDERED, that a Committee be appointed to wait upon his Excellency, Governor EDMUND S. MUSKIE, and his guest, the Honorable MERTON TICE of South Dakota, Commander in Chief of the Veterans of Foreign Wars of the United States, with his official party, inform them that the two branches are in Convention assembled, and extend an invitation to attend and address the Convention.

The Chair appointed:
Senator

FARRIS of Kennebec
Representative
JENNINGS of Strong

Convention at Ease

Called to order by the Chairman.

The Committee subsequently reported that it had discharged the duties assigned it, and that the Governor and his guests would forthwith attend the Convention.

Whereupon, His Excellency, Governor Edmund S. Muskie, and his guest, the Honorable Merton Tice of South Dakota, Commander in Chief of the Veterans of Foreign Wars of the United States, and the members of the Executive Council, announced by 1st Lt. Robert N. Packard, entered the Hall of the House amid prolonged applause, the audience rising.

The CHAIRMAN: Members of the Convention: I present to you the Governor of the State of Maine, the Honorable Edmund S. Muskie.

(Prolonged applause, Convention rising)

Governor Muskie then addressed the Convention as follows:

Mr. President and Members of the 97th Legislature: It is a pleasure to appear before you this morning to present to you a distinguished guest and a distinguished American. The gentleman I am about to present to you is a resident of the State of South Dakota, a graduate of the University of South Dakota Law School, and has a distinguished war record. I understand that he is also something of an athlete. While in college, he was selected all-state and all Central Conference in basketball and football. I am a little puzzled as to how that happened because I understand that at the time he weighed only 148 pounds so he must have had a lot of fight wrapped up in his relatively small frame.

I learned this morning that he and I share a rare distinction. He was elected municipal judge in an almost exclusively Republican area although he, himself, I understand, is of that other party (Laughter) and I assure you I just learned it this morning.

It is a pleasure, ladies and gentlemen, to present to you, the Honorable Merton B. Tice, Commander in Chief of the Veterans of Foreign Wars of the United States. (Prolonged Applause, Audience Rising)

Honorable MERTON B. TICE, Commander in Chief of the Veterans of Foreign Wars of the United

States: Thank you very much Governor, thank you very much.

Your Excellency, Governor Muskie, and Mr. President and Mr. Speaker, and Ladies and Gentlemen of this Legislature, and Friends: Perhaps no greater honor could come to a lawyer from that little city of Mitchell, South Dakota, than to have this privilege of being with you today perhaps to share a few thoughts, to become better acquainted, and as we are all striving to do, make this just a little bit better place in which to live and to bring up our children.

You know the Veterans of Foreign Wars under no circumstances engage in partisan politics, the good Governor having put a label on me that has happened before, I feel that I must tell you, however, under those circumstances a story. When that happens to me, and it has since the last election, I said I can recall when I was in New York City the day before the last election, at which time I saw two men, one of whom was vocally really arguing his candidates and party to the other, the other was silent. At last the vocal one said to the silent one "Aren't you even interested in this election? You aren't saying anything." and he said "Yes, I am, I am interested, but I have been thinking the past few weeks, that after all, under the Republicans you can't earn your keep, and under the Democrats you can't keep what you earn, so I am just a little confused." (Laughter)

This is a great pleasure, particularly because I have been advised you have not been in a position or has the opportunity presented itself, to have the leader of any of our great veterans' organizations come before you, so I could say well, having known, and I have known, each of the great leaders this year of other veterans' organizations as well as my own, that we have a lot in common, and I know that here today, they would want me to thank you on their behalf as well as on my own for the Veterans of Foreign Wars, for the fact that you have given this particular notice to organized veteranism and what we stand for.

I would like to give you about one and a half to two minutes of what my own organization has done and stands for. Fundamentals. First, we

were organized in 1899 by the Spanish American War Veterans who brought a new concept of war, remember, to the world, that they were a volunteer army, and that they, when they captured real estate, they held it for the rightful owners, when they captured prisoners of war they didn't desecrate them and they didn't defile them in the dignity of man. And they brought back to the United States that which was inside of them and they put it and personified it into an organization of christian concepts and christian principles such as we actually have written into our Constitution and our Declaration of Independence.

We are very proud of the fifty-six-year history of ours, that we feel we have been a conservative organization seeking progress, that we are composed of men who fought overseas and they represent every single segment of our citizenry in the United States, and you must keep in mind that our citizenry in the United States is made up of all kinds of people, races, colors and creeds, and consequently I feel so good about it that we have carried out through democratic processes resolutions and mandates which have stood up under the test of time. Not anything of a radical nature, of a revolutionary nature, but of evolution to build into our communities, and our State and Nation a little bit more strength. Our fundamental programs are based upon you might say our legislation that we do seek. We seek it from this body, and I do not want of course to impose upon your time, or your presence here today, about what the Veterans of Foreign Wars or other organized veteranism may want you to do, but I will say this, that across the board, you will find out that we will never ask for, certainly never demand, anything except that which is just and right and is within the economy of whether it be a state or of a nation, that of course we are going to justify our existence by fighting in the legislative fields for a disabled veteran and a widow and the orphan of fallen comrades and buddies and loved ones. And then we do have a national home at Eden Rapids, Michigan, where that widow might go, where the children might go and have a wonderful life. One thing that

I am justly proud of, and when I did have a chance to present formally our program at first instance in audience to the great President of the United States, Dwight D. Eisenhower, as I carry it on through the leaders of our government, to hear their words about our community service work that may have been overlooked even by you. It is work where our ten thousand posts and seven thousand ladies auxiliaries last year accomplished and evidenced 504,000 completed community service projects, making a contribution to their communities, and you see what that does, ladies and gentlemen, when you make that contribution, you are helping that community, but you are strengthening the state, you are adding in the words of the President "to the general welfare of the Nation, and of course strengthening our national security."

But the big thing that is really overwhelming us this year and which I made my program, and I do feel, as I have had an opportunity to address some eight other joint sessions of legislatures, that it is tremendously important and it is in your bailiwick and on your responsibility that it may come to pass, and that is national security. And particularly this week when I have been able to be up here in the New England States, citadel of democracy, and where the strength of our entire United States of America came from, that you have got a great responsibility now that the founders had originally.

We seem to have drifted. We seem to have fallen into an era which is not in keeping with the founding of this great United States of ours. We have gone into an era of aginsternism in the first place, where we seem to be against everybody and everything. We see farmer against the businessman, and businessman against the farmer, and we see the labor against management and management against labor. We have seen political parties tearing each other asunder and so that they are both partially or totally destroyed. That is destruction, criticism and condemnation, and I know from the rebirth of my study that I am getting this past week

right here, that that is not in keeping with the creation and building and the helping hand and the patting on the back that came originally out of this very area. When they did meet as we are meeting today, exchanged ideas, and said "Now how can I get into the picture and take the responsibility upon my shoulders to help you along which will in turn help me and give us a better life?" We have got to think in those terms, we cannot destroy any longer, we can't afford that luxury. And then in the course of this era of what I call "against-ism" has come another era, when we have not set down a pattern such as we always have in the past, and it is carved in the hearts and minds and eyes I assure you, from seeing it on a personal basis in these past few months, and as I told the good Governor, I will have travelled around 140,000 miles, so I am getting an opportunity to see this great country of ours. But to see in the eyes and hearts and minds of our people this uncertainty, this unrest, and they don't know where they are going, and then go to Europe and see it there with our allies and our friends, looking to us because we are the leaders of the free world whether we like it or not. We are those leaders, and we are a dynamic democracy that can never hold a status quo, we have to go forward or we go back, and consequently, everybody with this uncertainty do not know where they are going; it means we are going no place whatsoever. But more disheartening than that is the fact that we have seen something else take place, and that is a fundamental principle that this country was not founded by cowards and it will never be preserved by cowards. We have seen a lack of teaching of history in our own schools, American history and heritages that have come to us and made us strong. Yes, many things have taken place that must be corrected, and I think this body, as individuals in their communities, as the leaders of their communities, are the ones that can go back into those communities as their leaders and get a reaffirmation of faith back to the people, back to God and government and country and themselves, and it is

going to be a tremendous task. We never again, in my books, want to be in a position such as we found ourselves when Dag Hammarskjöld, our representative, Secretary General of the United Nations, had to go on bended knee to murderers and kidnappers Red China, and beg them in our behalf to return eleven airmen. We can never have that face us again. Our entire heritage, all these stood for, is at stake ladies and gentlemen, everything in the world, and I believe we can strengthen and that is what we are going to have to do, we will have to strengthen the backbone of the country's leadership, we will have to give encouragement to it and courage. We are going to have to tell them that you are going to have to treat Red China, you are going to have to treat Russia and all her satellites, those communist countries, treat them as Stephen Decatur treated the Barbary Coast pirates. When they came in and exacted tribute, there we said in general words almost as George Washington "millions for defense and not one cent for tribute," and George Washington: "The most effectual way to preserve a peace is to be prepared for war." We have got to raise up and bring out these so-called trite phrases of history back and make them ring through the classrooms and in these bodies, those statements such as "Give me liberty, or give me death." Strength to the whole world. Yes, and that is why we say, we have given every encouragement possible in the Veterans of Foreign Wars to the United Nations. We were there at the writing of the Charter. We have had a representative there every day, and our prayers and our hopes, like yours, are there. But that is why we have taken a position that we say we have watched and stood by while Russia and Red China and the satellites have nibbled away at the world until they have got over 800,000,000 people under their control and subjugated, where they have got a third of the earth's surface, and that is why we say we have got to tell them and mean it without bluster or bluff, "You have gone too far, you can't go another step further, you can't take one more inch of real estate, you can't grab one

more freedom loving people." That's why we say that this giving up of things which we have never done before must stop. Why we cannot allow them to walk into Indo-China and to walk into Korea and have a little escapade and exploitation and then have a peace conference and then through appeasement or otherwise let them end up with some more real estate and some more people. That's why we say we cannot do it, we did it at Tachen, we can't do it again with Quemoy and the Matsus. We can't give up because they are going to keep on eating up, a blackmailer always keeps biting you as long as you have got anything left.

And then Senator Knowland, he comes out and tells us that he believes that there are some eight hundred more in the same position as those eleven prisoners of war of ours. We know of our own personal knowledge that there are 526 if they want to run through, like they have run through these eleven if they can get away with it. They put on the auction block the eleven. They will listen, ladies and gentlemen, I feel sure of it, if you as Americans want to appease them once more and give up the frozen assets of Red China in this country. It won't be the end of it. No, because then the 800 are going on that block, and when those 800 go on the block I know as you do from conjecture what that will be. They will want the Matsus, they will want Quemoy, they will want Formosa, because at that time Formosa is going to be so surrounded that she has got to fight, just like we can drift into a war and be so surrounded pretty soon we're going to have to fight, that is why I think a firm policy will avoid war, and so when they get to that point on the 800 block are we then going to say to them well, you had better take those so we can avoid war, and of course they are going to want another little thing: a seat on the United Nations, and as we supported the United Nations, we will contend to the last breath we have in our bodies in two-fisted fashion that as we have supported them, and we have called upon the President and Secretary of State, John Foster Dulles, and we certainly will

Mr. Lodge and the rest of the Representatives, if they can't keep them out through every means possible including the veto, and if they get into there through appeasement or otherwise, if Red China ever gets a seat in the United Nations, we feel the effectiveness of the United Nations has been destroyed and lost, and at that point we say we have to pull out, the United States of America has got to pull out of the United Nations, surround ourselves with our own friends and then we will look at the thing with a realistic fashion like you look at your budgets when legislation is before you, and we will say there can't be peaceful coexistence with Russia, we will exist because we have to on the same planet, and that's going to take courage.

I do believe with all the sincerity at my command that that is the only way we will avoid a war. If we keep on as we are going, we will have drifted into a war we have to fight to protect our own coast. But if we take a firm stand now and put it down so it is in no uncertain terms, it will give encouragement to our own people, it will remove the uncertainty so our allies will follow our dynamic leadership in this democracy of ours, and perhaps will have a chance.

Now in closing, the one thought that we have got to couple up with all of this hard work of rolling our sleeves up and letting the chips fall where they may. We have got to look at our enemies and see what they do about a philosophy. You know when you and I have Fourth of July speeches, we clap and applaud and we raise the flag and then we go home and we forget about when we say Americanism we do not work at it. Well, I'll tell you, Karl Marx threw it down to them on their communistic philosophy, he said our philosophy is real, it is tangible, he said if you can just get a man's mind, you'll get his body, and he passed that on down to Lenin and Stalin, and Malenkov and they have all got the text book, and we have got in this country 24,000 according to J. Edgar Hoover, who are working every minute of the day to break this country up, to subjugate it, and they are working at it. We have got to work in Americanism, we have

got to have it as a real thing and a positive thing, something we can put our teeth into and we couple it up with positive action of philosophy then we have got a chance.

Now I would like to let you know what our philosophy is, and perhaps the best way to do it is how I have done it on another occasion, and that is with our flag. We believe in positive action instead of this negative approach as I pointed out. Now you remember the communists used to have a May Day Parade, and they got a lot of publicity, and we overplayed them, that's what we did, we saw them for what they weren't, and we got these fuzzy thinkers in the country following them. We have got to see them for just what they are and no more, and we broke that May Day Parade with a positive action, not wasting our time and energy criticizing them but we did something else, and the Veterans of Foreign Wars I think took justifiable pride in that one down in the metropolitan New York and New Jersey. They decided seven years ago that when they have their May Day Parade we will have a Loyalty Day Parade, and they had it. Same time, same general vicinity. And in that communist May Day Parade, according to the Police Commissioner of New York, there were some 20,000 commies who participated in it, and in that Loyalty Day Parade there were one and a half million Americans. And you know the commies they can't stand the light of day, they can't stand comparison with these God given things that we know about and have that they can't get, they can't stand ridicule, so we don't hear much about that May Day Parade any more because the Loyalty Day smashed it out. Well any way, seven years ago they did have a parade, and that was one of their last in this country, and they had a man named Foster heading them up. Foster is a man who headed them up that wasn't imported from Moscow or Russia. Foster is a man who was born, reared and educated in the great state of Kansas. He took everything that was American, and then he desecrated it and threw it away to lead up this bunch of murdering bandits. But that day Foster gave them a speech, and I am going to quote part of his speech, and

perhaps in answer to that, tell you of our philosophy. Foster that day in New York seven years ago had the audacity to point to that great American Flag of ours and say these words; he said "I want to tell you about that flag." He said: "That flag, the red in it stands for revolution, and the white in that flag, that stands for surrender, and the blue in that flag, that stands for despair." Well, I would line Mr. Foster up and Malenkov and the fuzzy thinkers and I would say I am not going to waste my time and energy on you, I'll try to educate you, I'll tell you in positive tones because I have asked you to leave this country or love it and you won't do it, I'll tell you about that flag. The red doesn't stand for revolution, that stands for valor. That's the valor of men who fought and died and bled at Valley Forge. That's the valor of men who fought in the Spanish-American War. He said the white stood for surrender. No, the white stands for the christian concepts and the christian principles, the christian ethic by which every one of us try to lead our daily American lives, and you said the blue stood for despair. How wrong can you be? The blue, that's for courage, that's the courage of men of World War I and World War II, it's the courage of men, young American men who only months ago and hours ago fought, died and bled out there in Korea so that we could remain free, so that freedom-loving peoples all over the world could remain unshackled and off their knees. And he said nothing about the stars. I would tell him about the stars. Tell him in positive tones that the stars in that flag, they are symbolic of the stars in Heaven, where we look to Him for comfort and guidance and wisdom, and end up telling that whole crew, that as long as there are stars in the Heavens there are going to be stars in that flag, and as long as there are stars in that flag there is going to be a living, breathing, dynamic, christian democracy here on earth, the United States of America. If we will get that type of philosophy, couple it up with this positive action which you can do so well as leaders in your own communities, I do believe the chance will come of firming up this backbone, reaffirming the faith of the people

in God and government, in country and in themselves, and maybe then that wish that is really in our hearts and on our lips will come through that we will penetrate the bamboo curtain, that we will penetrate the iron curtain, and we will bring about a just, lasting, world-wide peace, and security for our children.

It is a great challenge, and I can think of no one who can carry it out better than you. Again I thank you for this great honor you have given me. (Applause)

At the conclusion of the address, the Governor, his distinguished guest and his suite then withdrew amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

The SPEAKER: The Chair is informed that the House has not yet had the items of Orders, which was skipped over. If there is no objection, Orders will be taken up at this time. The Chair hears no objection and it is so ruled.

Orders

Order Tabled

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, I have an order and move its passage. I would like to speak briefly on it.

The SPEAKER: The gentleman from Durham, Mr. Bowie, presents an order and moves its passage. The Clerk will read the order.

ORDERED, the Senate concurring, that a Committee consisting of 2 on the part of the Senate, and 3 on the part of the House, be appointed to study and survey the operation of the Milk Control Law as it applies to price fixing at the retail level. The Committee shall collect information concerning the application, operation and violations of the law and

report to the Legislature not later than April 20, 1955.

The Committee shall have authority to employ counsel and an investigating staff and there is hereby allocated from the Legislative appropriation a sum not exceeding \$800.00 to defray the expenses of the Committee. Payments shall be made on account of expenditures and obligations of the Committee upon voucher approved by the Chairman of the Committee and the Committee on Appropriations and Financial Affairs.

The Committee shall have authority to meet and conduct hearings in any part of the State and may act through sub-committees of not less than two members. The Committee or any sub-committee thereof may hold either public or private hearings. At any public hearing, witnesses who testify, whether summoned or not, shall be subject to cross-examination at the will of any interested party or his attorney. In such public hearings, at the request of any interested party or his attorney, common law or statutory rules of evidence shall apply and the attorney general or any attorney in his department designated by him shall, at the request of the committee on such interested party or his attorney, be present at such public hearings and shall rule on the admissibility of any evidence.

In the discharge of any duty herein imposed the committee shall have the authority to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by law for taking depositions in civil actions in the superior court. Subpoenas and orders shall be signed by the Chairman of the committee or any other member authorized therefor by the committee. Each witness who appears before the committee by its order, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and ap-

proved by the secretary and chairman of the committee.

Violations of any law that may be discovered by the committee shall be reported by it to the proper enforcement officials. (H. P. 1160)

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, for a long time I have consistently feared that there have been irregularities on milk enforcement in Maine and the matter has come to my attention regarding the Maine Milk Commission, which I think calls for action on the part of this Legislature. On March 4, the Attorney General was asked to give a ruling on the legality of the method of sales promotion used by a certain dealer. The ruling has been in the hands of the Commission for more than a week and says that the scheme used by said dealer is a direct violation of the law. While it is not stated in the ruling, it is generally known that the dealer who is deliberately violating the law is one Donald Grant, a member of the Milk Commission for many years. Can we be so innocent as to assume that the Milk Commissioner did not know that he was acting illegally when he cooked up this premium scheme to increase his sales and then advertised it on television?

To my knowledge so far the Milk Commissioner has taken no action against Grant possibly because they hesitate to drag one of their own kind into court for fear of further illegal practices which might be brought to the attention of the public. When a member of the Milk Commission who is charged with enforcing the law can publicly disobey a law and not be called upon to account for his actions, I think it is time for the Attorney General to investigate the present policies and the enforcement of the whole Commission.

I now present a House Order to have the Attorney General carry out such an investigation. I call your attention to a few facts. The accused dealer represents the dealer membership on the board and is sponsored by the Maine Milk Dealers Association. To this date, I have heard that they have not asked for his resignation. Further, it is a clear-cut

example of law violation. How much of this is going on we know nothing about. Because of the fact that I am asking for a sum of money and in fairness to the members of the Legislature, I ask that this order be tabled until the next legislative day.

The SPEAKER: The Chair understands that the gentleman from Durham, Mr. Bowie, moves that the order presented by him lie on the table pending passage, be reproduced and be specially assigned for tomorrow.

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

Mr. CHILDS: Mr. Speaker, I rise on a question of timing of the tabling. I believe where it is going to be reproduced and some time should be taken to study this matter, it is my thinking it should be given at least a week before it is brought before the House again and through the Chair I request the gentleman if he would table it and specially assign it for a week from today.

The SPEAKER: The gentleman from Portland, Mr. Childs, makes a request of the gentleman from Durham, Mr. Bowie. The gentleman from Durham, Mr. Bowie, may reply to the gentleman from Portland, Mr. Childs, if he so chooses.

Mr. BOWIE: Mr. Speaker, if the gentleman from Portland (Mr. Childs) thinks that the extra time is needed, I will withdraw my motion and say that I wish the matter to be tabled for a week from today.

The SPEAKER: The gentleman from Durham, Mr. Bowie, now moves that the order lie on the table pending passage, be reproduced and be specially assigned for Wednesday, March 30. Is this the pleasure of the House?

The motion prevailed and the Order was so tabled and assigned.

The SPEAKER: The Chair will inquire if there is any other business to come up under orders.

Is it the pleasure of the House, at this time, to take up out of order and under suspension of the rules a paper from the Senate? The Chair hears no objection and the Clerk will read the paper.

Senate Order Out of Order

ORDERED, the House concurring, in order that the records of the Gifts by Percival Proctor Baxter to the State of Maine as Trustee in Trust of three thousand five hundred sixty-nine (3,569) acres in township six (6) range nine (9) Piscataquis County, State of Maine, be complete and in enduring form, the Communication dated March 17th, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the Ninety-seventh Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1955 (S. P. 495)

Came from the Senate read and passed.

In the House, the Order was received out of order and under suspension of the rules and read and passed in concurrence.

Communication Out of Order

The SPEAKER: At this time, out of order and under suspension of the rules, the Chair wishes to read a communication from Mrs. Allan M. Butler.

"I wish to gratefully acknowledge and thank the 97th Legislature for the beautiful tribute and flowers and the kind expression of sympathy and understanding in my recent bereavement.

(Signed) Mrs. Allan Butler"

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

Mr. JACOBS: Mr. Speaker, I present an order and move its passage.

The SPEAKER: The Chair is informed that the document is not an order. The gentleman from Auburn, Mr. Jacobs, requests unanimous consent that since tomorrow is Welcome Back Day all former members and officers of the House be invited to occupy seats inside the rails during tomorrow's session.

Does the Chair hear objection? The Chair hears none and it is so ruled.

Passed to Be Engrossed

Bill "An Act Increasing Salary of the Judge of the Newport Municipal Court" (S. P. 359) (L. D. 968)

Bill "An Act Increasing the Salary of the Judge of the Dexter Municipal Court" (S. P. 361) (L. D. 970)

Bill "An Act Increasing Salaries of the Judge and Recorder of the Millinocket Municipal Court" (S. P. 362) (L. D. 971)

Bill "An Act Increasing Salaries of the Judge and Recorder of the Old Town Municipal Court" (S. P. 363) (L. D. 972)

Bill "An Act Increasing Salaries of the Judge and Recorder of the Bangor Municipal Court" (S. P. 364) (L. D. 973)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County" (S. P. 381) (L. D. 1077)

Bill "An Act Increasing Salaries of the Judge and Recorder of Eastport Municipal Court" (S. P. 382) (L. D. 1078)

Bill "An Act relating to Disposal of Wild Animals" (H. P. 415) (L. D. 462)

Bill "An Act relating to Nonresidents Kindling Fires in Unorganized Territory" (H. P. 419) (L. D. 504)

Bill "An Act relating to Bows for Hunting Carried in Motor Vehicles" (H. P. 532) (L. D. 589)

Bill "An Act relating to Hunting of Partridge and Pheasants" (H. P. 533) (L. D. 590)

Bill "An Act relating to Taking, Having in Possession and Selling Oysters" (H. P. 611) (L. D. 659)

Bill "An Act relating to Inheritance and Estate Tax Law" (H. P. 687) (L. D. 755)

Bill "An Act Repealing the Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River, in the Towns of Hancock, Franklin and Sullivan, Hancock County (H. P. 721) (L. D. 785)

Bill "An Act relating to Age of Apprentice in Practice of Hairdressing and Beauty Culture" (H. P. 753) (L. D. 834)

Bill "An Act Exempting Towns from the Use Fuel Tax" (H. P. 763) (L. D. 839)

Bill "An Act Repealing the Law Closing Certain Clam Flats in Lubec,

Washington County" (H. P. 848) (L. D. 934)

Bill "An Act relating to Surrender of Property by Academies" (H. P. 909) (L. D. 1017)

Bill "An Act relating to Exemption of Registration Certificates Under Aviation Laws" (H. P. 951) (L. D. 1054)

Bill "An Act Creating the Baileyville School District" (H. P. 965) (L. D. 1091)

Bill "An Act relating to Permits for Towing Unregistered Motor Vehicles" (H. P. 973) (L. D. 1099)

Bill "An Act relating to Investment of Municipal Trust Funds" (H. P. 988) (L. D. 1136)

Bill "An Act relating to Bonds for Slum Clearance and Redevelopment Authority of Portland" (H. P. 999) (L. D. 1147)

Resolve Defining Upper Dam Pool in Township 4 Range 1, Oxford County (H. P. 474) (L. D. 519)

Resolve relating to Taking of Smelts from Georges River, Knox County (H. P. 852) (L. D. 938)

Resolve Officially Naming Echo Lake, Penobscot County (H. P. 1005) (L. D. 1152)

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.

Tabled and Assigned

Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Fifty-five and Nineteen Hundred Fifty-six (H. P. 1154) (L. D. 1338)

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

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

Mr. WADE: Mr. Speaker, I move that this Resolve, Item 27, lie on the table and be specially assigned for tomorrow, March 24, in order that it may be amended with reference to Androscoggin County.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the Resolve lie on the table pending second reading and be specially as-

signed for tomorrow. Is this the pleasure of the House?

The motion prevailed and the Resolve was so tabled and assigned.

Amended Bills

Bill "An Act relating to Powers of State Fire Inspectors" (H. P. 363) (L. D. 451)

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

Tabled

Bill "An Act relating to Instruction in Schools of Barbering" (H. P. 549) (L. D. 606)

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

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

Mr. HANSON: Mr. Speaker, I would like to table Legislative Document 606 unassigned until another bill comes out of committee relating to this bill indirectly.

The SPEAKER: The gentleman from Gardiner, Mr. Hanson, moves that the Bill lie on the table pending third reading and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Bill "An Act relating to Compensation and Inspections of State Board of Barbers and Hairdressers" (H. P. 550) (L. D. 607)

Bill "An Act relating to Trespass by Cattle and Other Domestic Animals" (H. P. 708) (L. D. 776)

Bill "An Act relating to Taxation of Television and Radio Transmitting Equipment in Town Where Situated" (H. P. 722) (L. D. 786)

Bill "An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only" (H. P. 799) (L. D. 873)

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

Passed to Be Enacted Emergency Measure

An Act Providing Additional Facilities at Piscataquis County Court House (S. P. 336) (L. D. 900)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Gouldsboro School District (H. P. 618) (L. D. 625)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Financing by Brunswick Sewer District (H. P. 623) (L. D. 629)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Biennial Assessment of State Property Taxes (H. P. 723) (L. D. 787)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and none against,

and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The next group of enactors will be taken up together. They are not of an emergency nature. The Chair would call to the members' attention that there is a resolve to apportion 151 representatives within this group.

Passed to Be Enacted

An Act relating to Speed Regulations for Passenger Buses (S. P. 236) (L. D. 572)

An Act relating to Maine Sardine Tax Committee and Suspending Sardine Tax on Certain Cases of Sardines (S. P. 258) (L. D. 687)

An Act Regulating Natural Gas Pipe Lines (S. P. 331) (L. D. 903)

An Act relating to Rabbit Hunting in Oxford, Knox, Franklin, Somerset, Penobscot, Piscataquis, Aroostook and York Counties (H. P. 8) (L. D. 7)

An Act Creating a Sewer District in the Town of Kennebunk (H. P. 67) (L. D. 72)

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.

Enactor

Tabled and Assigned

An Act relating to Height of Letters on Signs on School Buses (H. P. 283) (L. D. 267)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Evans of Cornish, tabled pending passage to be enacted and specially assigned for Tuesday, March 29.)

An Act Regulating the Taking of Marine Worms (H. P. 312) (L. D. 289)

An Act Amending the Charter of York Sewer District (H. P. 380) (L. D. 423)

An Act Permitting Municipalities to Raise Money for Christmas Decorations (H. P. 457) (L. D. 492)

Finally Passed

Resolve to Apportion One Hundred and Fifty-one Representatives

Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (H. P. 22) (L. D. 37)

Resolve in favor of the George Green Estate (H. P. 290) (L. D. 303)

Resolve Designating New Bridge at Dresden as "Dresden Memorial Bridge" (H. P. 528) (L. D. 587)

Resolve Designating Certain Bridge in Oxford County as "Mar-

tin Memorial Bridge" (H. P. 586) (L. D. 642)

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.

On motion of Mr. Childs of Portland.

Adjourned until tomorrow at one-thirty o'clock in the afternoon.