

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, January 26, 1949

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

Prayer by the Rev. Mr. Reagan of Augusta.

The journal of the previous session was read and approved.

**Papers From the Senate**

From the Senate:

Bill "An Act Relating to the Payment of the Cost of the Kennebec or Carlton Bridge" (S. P. 78) (L. D. 67)

Resolve Providing for Certain Improvement in the Property of the Maine Port Authority. (S. P. 79) (L. D. 68)

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

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

From the Senate:

Bill "An Act Relating to the Federal Employees' Credit Union of Maine" (S. P. 80) (L. D. 69)

Came from the Senate referred to the Committee on Banks and Banking.

In the House, referred to the Committee on Banks and Banking in concurrence.

From the Senate:

Resolve in Favor of Dana M. Bragdon of Franklin (S. P. 99)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act Relating to Citizenship to Hold Office. (S. P. 82) (L. D. 70)

Bill "An Act Creating a Merit Award Board to Encourage and Reward Efficiency and Economy in State Government" (S. P. 83) (L. D. 71)

Resolve Proposing an Amendment to the Constitution Changing the

Tenure of Office of Senators to Four-Year Terms. (S. P. 84) (L. D. 72)

Bill "An Act Relating to the Use of the Prefix "Dr." by Dentists" (S. P. 85) (L. D. 73)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Resolve Providing for State Pension for James A. Coombs, of West Bath (S. P. 104)

Came from the Senate referred to the Committee on Pensions.

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

From the Senate:

Resolve Relating to Unexpended Balances for Lobster Rearing Station (S. P. 88) (L. D. 74)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Relating to Territory Included in the Maine Forestry District" (S. P. 89) (L. D. 75)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the Committee on State Lands and Forest Preservation in concurrence.

**Senate Reports of Committees Ought to Pass**

From the Senate:

Report of the Committee on Welfare reporting "Ought to Pass" Bill "An Act Increasing Old Age Assistance and Aid to the Blind" (S. P. 37) (L. D. 9)

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

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

The SPEAKER: What time will the House assign for the third reading of the bill?

The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, I now move that the rules be suspended and this bill receive its third reading. This may seem a little bit irregular but in explanation, I would like to say that these are emergency measures; they concern an increase in Old Age and Aid to the Blind Assistance. In order to expedite the receipt of checks by the recipients, it seems that this procedure is logical.

The SPEAKER: The gentleman from Addison, Mr. Lackee, moves that the rules be suspended in order that the bill may be given its third reading at this time. Is this the pleasure of the House?

The motion prevailed and the bill was given its third reading and passed to be engrossed in concurrence.

#### **Ought to Pass with Committee Amendment**

From the Senate:

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Old Age Assistance and Aid to the Blind" (S. P. 30) (L. D. 5)

Reporting "Ought to Pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and adopted 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 was read twice.

The SPEAKER: What time will the House assign for third reading of the Bill?

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

Committee Amendment "A" to S. P. 30, L. D. 5, Bill "An Act Appropriating Moneys for Old Age Assistance and Aid to the Blind."

Amend said Bill by inserting in the next to last line of the next to last paragraph, after the date "June 30, 1949", the following: ', \$155,000 of such sum to be appropriated'.

Further amend said Bill by inserting at the end of the next to

last line of the next to last paragraph, after the word "and", the following: '\$10,000 of such sum to be appropriated for'.

Thereupon, Committee Amendment "A" was adopted and on motion by Mr. Lackee of Addison, the rules were suspended and the bill was given its third reading and passed to be engrossed in concurrence.

The SPEAKER: The Chair will announce that this being the morning assigned for the taking of the official picture of the House, that duty will be performed at this time. Will the Members kindly remain in their seats in order that the photographer may do whatever is necessary to take this picture?

#### **House at Ease**

Called to order by the Speaker.

#### **Bills and Resolves Requiring Reference**

The following Bills and Resolves were received, and upon recommendation of the Committee on Reference of Bills were referred to the following Committees:

##### **Agriculture**

Bill "An Act Relating to Bounty on Porcupines" (H. P. 352) (Presented by Mr. Merrill of Stetson)

(Ordered Printed)

Sent up for concurrence.

##### **Appropriations and Financial Affairs**

Resolve in Favor of the Town of Limestone (H. P. 416) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Sent up for concurrence.

##### **Claims**

Resolve to Reimburse Wallgrass Plantation for Support of the Family of Edward Berube (H. P. 417) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Resolve to Reimburse the Town of Fairfield for Support of Charles J. Richards (H. P. 418) (Presented by Mr. Woodworth of Fairfield) (Ordered Printed)  
Sent up for concurrence.

Resolve in Favor of Stanley Paul, of Brooks (H. P. 419) (Presented by Mr. Brown of Unity)

Resolve in favor of Donald A. Pooler, of Augusta (H. P. 420) (Presented by Mr. Campbell of Augusta)

Resolve in favor of Bertram Ouellette, of Augusta. (H. P. 421) (Presented by same gentleman)

Resolve in favor of William L. Graves of Brownville Junction (H. P. 422) (Presented by Mr. Campbell of Guilford)

Resolve in favor of Philip H. Cummings, of Lockes Mills. (H. P. 423) (Presented by Mr. Carter of Bethel)

Resolve in favor of Richard S. Waldron, of Bethel. (H. P. 424) (Presented by same gentleman)

Resolve in favor of Henry Hastings, of Bethel. (H. P. 425) (Presented by same gentleman)

Resolve in favor of Clayton Sweatt, of Bethel (H. P. 426) (Presented by same gentleman)

Resolve in favor of Rodney Eames, of Bethel (H. P. 427) (Presented by same gentleman)

Resolve in favor of Samuel T. Smith of North Newry (H. P. 428) (Presented by same gentleman)

Resolve in favor of Mrs. Bertha Holman of Kingfield. (H. P. 429) (Presented by Mr. Carville of Stratton)

Resolve in favor of Milford Goodwin, of Hudson. (H. P. 430) (Presented by Mr. Chaples of Hudson)

Resolve in favor of William A. Swett, Jr., of Howland. (H. P. 431) (Presented by same gentleman)

Resolve in favor of Spencer M. Benner, of Belfast. (H. P. 432) (Presented by Mr. Clements of Belfast)

Resolve in favor of Charles M. Clements, of Belfast. (H. P. 433) (Presented by same gentleman)

Resolve in favor of Edward H. Beale, of Belfast. (H. P. 434) (Presented by same gentleman)

Resolve in favor of Raymond Ryan Jr., of Belfast. (H. P. 435) (Presented by same gentleman)

Resolve in favor of Francois D. Roy, of Belfast. (H. P. 436) (Presented by same gentleman)

Resolve in favor of Maurice E. Gray of Belfast. (H. P. 437) (Presented by same gentleman)

Resolve in favor of Stephany Hughes of Rumford. (H. P. 438) (Presented by Miss Cormier of Rumford)

Resolve in favor of Thomas Kelly of Rumford (H. P. 439) (Presented by same member)

Resolve in favor of Leon E. Wilbur of Rumford (H. P. 440) (Presented by same member)

Resolve in favor of Norman A. Young of Rumford (H. P. 441) (Presented by same member)

Resolve in favor of Nellie R. Gibbons, of Dover-Foxcroft (H. P. 442) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in favor of Cecil P. Chase of Dover-Foxcroft. (H. P. 443) (Presented by same gentleman)

Resolve in favor of Herbert Amidon of Dover-Foxcroft. (H. P. 444) (Presented by same gentleman)

Resolve in favor of O. E. Weymouth of Lincoln. (H. P. 445) (Presented by Mr. House of Lincoln)

Resolve in favor of Richard Radcliffe of Manchester (H. P. 446) (Presented by Mr. Jewett of Manchester)

Resolve in favor of Harlow E. Powers, of St. Albans. (H. P. 447) (Presented by Mr. Laughton of Ripley)

Resolve in favor of Roy W. Giebertson, of Hartland. (H. P. 448) (Presented by same gentleman)

Resolve in favor of Rex St. Ledger, of Winthrop. (H. P. 449) (Presented by Mr. Marsans of Monmouth)

Resolve in favor of Leonard Ford, of Winthrop. (H. P. 450) (Presented by same gentleman)

Resolve in favor of Bradford F. Rand of Portland. (H. P. 451) (Presented by Mr. McGlauffin of Portland)

Resolve in favor of Frank E. Little, of Waterville. (H. P. 452) (Presented by Mr. Pullen of Oakland)

Resolve in favor of Leonard G. Wheeler of Perkinsville, Vermont. (H. P. 453) (Presented by Mr. Sargent of Bucksport)

Resolve in favor of Frank D. Miller of Orland (H. P. 454) (Presented by same gentleman)

Resolve in favor of Merle Bowden of Orland (H. P. 455) (Presented by same gentleman)

Resolve in favor of Howard G. Treadwell of Bucksport. (H. P. 456) (Presented by same gentleman)

Resolve in favor of Aaron LaBree, of Bucksport. (H. P. 457) (Presented by same gentleman)

Resolve in favor of Arthur Tempesta, of Norridgewock. (H. P. 458) (Presented by Mr. Sharpe of Anson)

Resolve in favor of Walter J. Hayes, of Augusta. (H. P. 459) (Presented by Mr. Spear of South Portland)

Resolve in favor of Kenneth H. Bunker of Norridgewock. (H. P. 460) (Presented by Mr. Woodworth of Fairfield)

Resolve in favor of Winfred A. Kelley of Fairfield. (H. P. 461) (Presented by same gentleman)

Resolve in favor of Theresa Arnold, of Fairfield. (H. P. 462) (Presented by same gentleman)

Sent up for concurrence.

#### **Inland Fisheries and Game**

Bill "An Act Relative to Night Hunting" (H. P. 490) (Presented by Mr. Chaples of Hudson)

(Ordered Printed)

Bill "An Act Limiting Hunting of Wild Animals or Birds" (H. P. 463) (Presented by Mr. Pullen of Oakland)

(Ordered Printed)

Bill "An Act Relative to Game Preserve on Monroe Island" (H. P. 464) (Presented by Mr. Winchenpaw of Friendship)

(Ordered Printed)

Sent up for concurrence.

Resolve Regulating Fishing in Whetstone Pond, in the County of Piscataquis (H. P. 465) (Presented by Mr. Campbell of Guilford)

Resolve Opening Horseshoe Pond in West Gardiner to Ice Fishing

(H. P. 466) (Presented by Mr. Jewett of Manchester)

Resolve Regulating Trapping in East Pond Stream and Bog in the Town of Smithfield, County of Somerset (H. P. 467) (Presented by Mr. Pullen of Oakland)

Resolve Regulating Fishing in East Pond Stream, in the Town of Smithfield, County of Somerset (H. P. 468) (Presented by same gentleman)

Resolve Closing Messalonskee Lake and Tributaries in Kennebec County to the Taking of Smelts (H. P. 469) (Presented by same gentleman)

Resolve Closing Hatchery Brook in the Town of Belgrade to all Fishing (H. P. 470) (Presented by same gentleman)

Resolve Regulating Ice Fishing in Messalonskee Lake in the Towns of Oakland, Belgrade and Sidney, Kennebec County (H. P. 471) (Presented by same gentleman)

Resolve Regulating Ice Fishing in Salmon and McGraw Ponds in the Towns of Oakland and Belgrade (H. P. 472) (Presented by same gentleman)

Resolve Closing Little Pond in the Town of Rome to Ice Fishing (H. P. 473) (Presented by same gentleman)

Resolve Regulating Ice Fishing in North and East Ponds and East Pond Stream in Kennebec and Somerset Counties (H. P. 474) (Presented by same gentleman)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act Providing for the Study, Treatment and Care of Alcoholics" (H. P. 476) (Presented by Mr. Bubar of Blaine)

(Ordered Printed)

Bill "An Act Permitting Certificates of State Tax Assessor to be Recorded Without Acknowledgment (H. P. 477) (Presented by Mr. Campbell of Augusta)

(Ordered Printed)

Bill "An Act Relating to the Inheritance Tax" (H. P. 478) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Granting Powers to Portland University" (H. P. 479) (Presented by Mr. Chapman of Portland)

(Ordered Printed)

Bill "An Act Relating to the Deposit of Fish Waste in Waters of the State" (H. P. 480) (Presented by Mr. Phillips of Southwest Harbor)

(Ordered Printed)

Bill "An Act Creating the Department of Public Safety" (H. P. 481) (Presented by Mr. Woodworth of Fairfield by request)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act Relating to Financing Community School Districts" (H. P. 482) (Presented by Mr. Campbell of Guilford)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Tremont School District" (H. P. 483) (Presented by Mr. Phillips of Southwest Harbor)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Southwest Harbor School District" (H. P. 484) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Mount Desert School District" (H. P. 485) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Town of South Thomaston School District" (H. P. 486) (Presented by Mr. Winchenpaw of Friendship)

(Ordered Printed)

Sent up for concurrence.

#### Mines and Mining

Bill "An Act Relating to Mining" (H. P. 487) (Presented by Mr. Maxwell of Wilton)

(Ordered Printed)

Sent up for concurrence.

#### Motor Vehicles

Bill "An Act Relating to Registration of Motor Vehicles by Minors" (H. P. 488) (Presented by Mr. Grant of South Portland)

(Ordered Printed)

Bill "An Act Relating to Over-taking and Passing School Buses" (H. P. 489) (Presented by Mr. Taylor of Lyman)

(Ordered Printed)

Sent up for concurrence.

#### Pensions

Resolve Providing for State Pension for Eugenie Boivin, of Rumford (H. P. 491) (Presented by Miss Cormier of Rumford)

Resolve Providing for an Increase in State Pension for Raymond Longway, of Rumford (H. P. 492) (Presented by same member)

Resolve Providing for State Pension for Frank Van Horn, of Charleston (H. P. 493) (Presented by Mr. Chaples of Hudson)

Resolve Providing for State Pension for Hugh O'Riley, of Howland (H. P. 494) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Grace Ingham, of Winthrop (H. P. 495) (Presented by Mr. Marsans of Monmouth)

Resolve Providing for an Increase in State Pension for Arthur D. Sawtelle, of Oakland (H. P. 496) (Presented by Mr. Pullen of Oakland)

Sent up for concurrence.

#### Salaries and Fees

Bill "An Act Relating to Salaries and Clerk Hire for Certain Public Offices in Piscataquis County" (H. P. 497) (Presented by Mr. Hayes of Dover-Foxcroft)

(Ordered Printed)

Bill "An Act Relating to Salaries of Judge and Recorder of the Town of Lincoln Municipal Court" (H. P. 498) (Presented by Mr. House of Lincoln)

(Ordered Printed)

Sent up for concurrence.

#### State Lands

##### and Forest Preservation

Resolve Authorizing the Forest Commissioner to Lease Certain Land in Washington County to Eastern Pulp Wood Company (H. P. 499) (Presented by Mr. Brown of Baileyville)

(Ordered Printed)

Sent up for concurrence.

The **SPEAKER**: The Chair at this time notes the presence in the Hall of the House of the young lady designated as Maine Apple Annie for 1949, and would request the Assistant Sergeant-at-Arms to escort Apple Annie to the rostrum. (Applause)

Members of the House: It is my privilege, and it is a privilege, to present to you at this time Miss Arlene L. White of Clinton, who is Maine Apple Annie for 1949 and who is here and will be in other places in behalf of the Maine apple industry. (Applause)

Maine Apple Annie has requested the assistance of the pages in order that each member may receive a gift of some of these apples. I am sure that this will be of interest to you, and the House may be at ease for a moment for this purpose.

#### House at Ease

Called to order by the Speaker.

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

Mr. **BURGESS**: Mr. Speaker and Members of the House: I would like at this time in your behalf to thank the people who so generously donated to our happiness these gifts of apples, and also to pay tribute to the young lady who is known as "Apple Annie." (Applause)

#### Ways and Bridges

Resolve in favor of the town of Gray (H. P. 500) (Presented by Mr. Bennett of Raymond)

Resolve in favor of the town of Gray (H. P. 501) (Presented by same gentleman)

Resolve in favor of Township 10, Range 3 (H. P. 502) (Presented by Mr. Brown of Baileyville)

Resolve in favor of the town of Brownville (H. P. 503) (Presented by Mr. Campbell of Guilford)

Resolve in favor of the town of Parkman (H. P. 504) (Presented by same gentleman)

Resolve in favor of the town of Guilford (H. P. 505) (Presented by same gentleman)

Resolve in favor of the town of Abbot (H. P. 506) (Presented by same gentleman)

Resolve in favor of the town of Guilford (H. P. 507) (Presented by same gentleman)

Resolve in favor of the town of Maxfield (H. P. 508) (Presented by Mr. Chaples of Hudson)

Resolve in favor of the town of Corinth (H. P. 509) (Presented by same gentleman)

Resolve in favor of the town of Bradford (H. P. 510) (Presented by same gentleman)

Resolve in favor of the town of Alton (H. P. 511) (Presented by same gentleman)

Resolve in favor of the town of Windham (H. P. 512) (Presented by Mr. Chute of Harrison)

Resolve in favor of the town of Roxbury (H. P. 513) (Presented by Miss Cormier of Rumford)

Resolve in favor of the town of Roxbury (H. P. 514) (Presented by same member)

Resolve in favor of Wallagrass Plantation (H. P. 515) (Presented by Mr. Cyr of Fort Kent)

Resolve in favor of the city of Ellsworth (H. P. 516) (Presented by Mr. Dunham of Ellsworth)

Resolve in favor of the town of Surry (H. P. 517) (Presented by same gentleman)

Resolve in favor of the town of Bluehill (H. P. 518) (Presented by same gentleman)

Resolve in favor of the town of Searsport (H. P. 519) (Presented by Mr. Foley of Winterport)

Resolve in favor of the town of Burlington (H. P. 520) (Presented by Mr. House of Lincoln)

Resolve in favor of the town of Lowell (H. P. 521) (Presented by same gentleman)

Resolve in favor of the town of Bowdoinham (H. P. 522) (Presented by Mr. Jones of Bowdoinham)

Resolve in favor of the town of St. Albans (H. P. 523) (Presented by Mr. Loughton of Ripley)

Resolve in favor of the town of Monmouth (H. P. 524) (Presented by Mr. Marsans of Monmouth)

Resolve in favor of the town of Monmouth (H. P. 525) (Presented by same gentleman)



Resolve in favor of the town of Monmouth (H. P. 526) (Presented by same gentleman)

Resolve in favor of the town of Litchfield (H. P. 527) (Presented by same gentleman)

Resolve in favor of the town of Winthrop (H. P. 528) (Presented by same gentleman)

Resolve in favor of the town of Winthrop (H. P. 529) (Presented by same gentleman)

Resolve in favor of the town of Rockport (H. P. 530) (Presented by Mr. Payson of Union)

Resolve in favor of the town of Washburn (H. P. 531) (Presented by Mr. Philbrick of Woodland)

Resolve in favor of the town of Washburn (H. P. 532) (Presented by same gentleman)

Resolve in favor of the town of Woodland (H. P. 533) (Presented by same gentleman)

Resolve in favor of the town of Harpswell (H. P. 534) (Presented by Mr. Prince of Harpswell)

Resolve in favor of the town of Belgrade (H. P. 535) (Presented by Mr. Pullen of Oakland)

Resolve in favor of the town of Oakland (H. P. 536) (Presented by same gentleman)

Resolve in favor of the town of New Sharon (H. P. 537) (Presented by Mr. Tyler of Farmington)

Resolve in favor of the city of Auburn (H. P. 538) (Presented by Mr. Williams of Auburn)

Resolve in favor of the town of Fairfield (H. P. 539) (Presented by Mr. Woodworth of Fairfield)

Sent up for concurrence.

The following communication from head of department was taken up out of order and under suspension of the rules:

#### STATE OF MAINE

#### OFFICE OF SECRETARY OF STATE

January 26, 1949

To Harvey R. Pease, Clerk of the House of Representatives of the Ninety-fourth Legislature:

In compliance with Section 1 of Chapter 9 of the Revised Statutes, I hereby certify that in accordance with the provisions of Section 74 of Chapter 5 of the Revised Statutes, a special election was held in the class towns of Belmont, Freedom, Knox, Liberty, Lincolnville, Montville, Morrill, Northport, Palermo and Searsmont on January 24, 1949 for the purpose of electing a representative to the Ninety-fourth Legislature to fill the vacancy caused by the death of William A. Thompson of Freedom; that at said election William R. Cole of Liberty, having received a plurality of all votes cast in said election according to a canvass of the returns received from the class towns of Belmont, Freedom, Knox, Liberty, Lincolnville, Montville, Morrill, Northport, Palermo and Searsmont made by the Governor and Council under date of January 26, 1949, appears to have been elected a representative to the Ninety-fourth Legislature.

In Witness Whereof, I have caused the Seal of the State to be hereto affixed this twenty-sixth day of January in the year of our Lord one thousand nine hundred and forty-nine and of the Independence of the United States the one hundred and seventy-third.

( Seal )

(Signed) HAROLD I. GOSS  
Secretary of State

The communication was received and placed on file.

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

Mr. BROWN: Mr. Speaker, I note the presence in the Hall of the House of Representative-elect William R. Cole of Liberty.

The SPEAKER: The Chair will appoint the gentleman from Unity, Mr. Brown, as a committee to escort Representative-elect Mr. Cole to the Governor and Council in order that he may take and subscribe the necessary oaths to enable him to serve in this House.

The following communication was taken up out of order and under suspension of the rules:

STATE OF MAINE

DEPARTMENT OF STATE

Augusta, January 26, 1949

To The Honorable Nathaniel M. Haskell Speaker of the House of Representatives of the Ninety-fourth Legislature:

In compliance with the constitutional laws of the State of Maine I have the honor to transmit herewith the returns of the votes cast for representative to the Legislature in the class towns of Belmont, Freedom, Knox, Liberty, Lincolnville, Montville, Morrill, Northport, Palermo and Searsmont at a special election held January 24th, 1949 to fill the vacancy caused by death of William A. Thompson of Freedom.

Respectfully,

(Signed) HAROLD I. GOSS  
Secretary of State

The communication was referred to the Committee on Elections.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker, I present an order and I move that it be referred to the Committee on Rules and Business of the House.

The SPEAKER: The gentlewoman from Portland, Mrs. Fay, presents an order. The Clerk will read the order.

ORDERED, that the rules of the House be amended by striking out Rule No. 25 thereof which reads as follows:

"Smoking is prohibited in the Hall of the House of Representatives while the House is in session."

The SPEAKER: The gentlewoman from Portland, Mrs. Fay, now moves that this order be referred to the Committee on Rules and Business of the House. Is this the pleasure of the House?

The motion prevailed and the order was so referred.

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

Mr. JOHNSON: Mr. Speaker, I wish to present an order at this time and after it has been read by the Clerk, I move that it be referred to the Committee on Rules and Business of the House.

The SPEAKER: The Clerk will read the order.

ORDERED, that House Rule No. 4 be amended by adding at the end thereof before the period the following words:

"followed by the National Anthem and the Pledge of Allegiance".

The SPEAKER: The gentleman from Gardiner, Mr. Johnson, moves that the order be referred to the Committee on Rules and Business of the House. Is this the pleasure of the House?

The motion prevailed and the order was so referred.

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, being Joint Order relative to Telegraph Service for Members and Officers of the Senate and House (S. P. 76) tabled on January 25th by the gentleman from Bangor, Mr. Wight, pending passage.

The Chair recognizes the gentleman from Bangor, Mr. Wight.

Mr. WIGHT: Mr. Speaker, I present House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Bangor, Mr. Wight, presents House Amendment "A" and moves its adoption.

The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to S. P. 76, Relating to Free Telegraph Service to Members of the Legislature.

Amend said Order by striking out the words "of reasonable length" in the 3rd and 4th lines thereof, and inserting in place thereof: 'not exceeding 50 words if a day or night letter and not exceeding 10 words if a regular telegram'.

(At this point, Mr. Brown of Unity reported that he had performed the duty with which he was charged and that Representative Cole had taken and subscribed the oaths required by the Constitution to qualify him to serve as a Member of the Ninety-fourth Legislature.)

Mr. Cole was then conducted to Seat No. 149 amid the applause of the House.)

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "A"? As many as are in favor of the adoption of the amendment will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was adopted.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This order now having been considered on three separate legislative days and having been duly amended, I now move its indefinite postponement.

So far as I have been able to determine, there is no member of this Legislature who really desires this telegraph service. If there is such a member, he of course, should speak at this time. Unless we really desire and intend to use the service, it seems to me an idle gesture and improper for us to pass an order that creates the impression that we intend to spend a thousand or perhaps two thousand dollars on telegraph service.

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

Mr. MCGLAUFLIN: Mr. Speaker, I presume that I myself will use very few if any telegrams, but I take it that there is somebody in this Legislature that thinks that it would be beneficial to them to have this order in order that they may carry on their business while they are in this Legislature. While I myself am not concerned at all, I think if there are some members that want this privilege of sending these telegrams they should have

it. I am against the indefinite postponement of this order.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the order be indefinitely postponed.

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

Mr. PAINE: Mr. Speaker and Members of the House: I agree with the gentleman from Portland, Mr. McGlaufflin. I will not, myself, probably use the telegraph service, but I can imagine situations where a member would want to notify people in other parts of Maine, his constituents, of a hearing where the people did not have a phone, and he could send a telegram and get them down here in time. It might conceivably save expense for the Legislature by using the telegraph instead of a telephone message. So I am against indefinitely postponing this order.

The SPEAKER: Is the House ready for the question? As many as are in favor of the motion of the gentleman from Auburn, Mr. Williams, that S. P. No. 76 as amended by House Amendment "A" be indefinitely postponed will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Fifty-five having voted in the affirmative and fifty-seven having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon the order as amended by House Amendment "A" received passage in non-concurrence and was sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. If there be no further business to come before the House, the Clerk will read the notices.

On motion by Miss Cormier of Rumford,

Adjourned until ten o'clock tomorrow morning.