

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, February 2, 1949

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

Prayer by the Rev. Mr. Stairs of Gardiner.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Resolve Providing for Completion of Medical and Surgical Building at the Augusta State Hospital (S. P. 157) (L. D. 225)

Resolve Providing for the Construction of an Employees Dormitory at the Augusta State Hospital (S. P. 158) (L. D. 226)

Resolve Providing for Completion of Dairy Barn at Augusta State Hospital (S. P. 159) (L. D. 227)

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 in Favor of Gilbert S. Floyd of Columbia Falls (S. P. 185)

Resolve in Favor of Everett L. Seavey, of Steuben (S. P. 186)

Resolve in Favor of Francis J. Byrne, of Cambridge, Massachusetts (S. P. 187)

Resolve in Favor of Forrest A. Dow, of Ellsworth (S. P. 188)

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 Interest Rates of Small Loan Agencies" (S. P. 169) (L. D. 228)

Bill "An Act Relating to Service Retirement Benefits for Airplane Pilots of Maine Forestry District" (S. P. 170) (L. D. 229)

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 to Clarify the State Library Law" (S. P. 171) (L. D. 230)

Came from the Senate referred to the Committee on Library.

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

From the Senate:

Bill "An Act Relating to Sirens on Automobiles of Department of Inland Fisheries and Game" (S. P. 172) (L. D. 232)

Bill "An Act Excluding Television for Use in Motor Vehicles" (S. P. 173) (L. D. 231)

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

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

From the Senate:

Bill "An Act Amending the Charter of Maine Public Service Company" (S. P. 175) (L. D. 235)

Bill "An Act Relating to Chief Inspector of Utilities" (S. P. 176) (L. D. 234)

Bill "An Act Relating to Suspension of Public Utilities Rates" (S. P. 177) (L. D. 233)

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

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

From the Senate:

Bill "An Act Relating to the Salary of the Clerk of Courts of Knox County" (S. P. 178) (L. D. 236)

Came from the Senate referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

From the Senate:

Bill "An Act Relating to Transportation of Clams" (S. P. 179) (L. D. 237)

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 Requiring the Portland Water District to Pay Taxes on Its Property in the Town of Standish" (S. P. 181) (L. D. 238)

Bill "An Act Relating to Exemption from Taxation of Certain Dependents of Veterans" (S. P. 182) (L. D. 239)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act Relating to Resident Auditor for University of Maine" (S. P. 183) (L. D. 240)

Came from the Senate referred to the Committee on University of Maine.

In the House, referred to the Committee on University of Maine in concurrence.

From the Senate:

Resolve in Favor of the Town of Freeman (S. P. 196)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

Senate Report of Committee Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Bill "An Act Relating to a Non-resident Fishing License" (S. P. 34) (L. D. 7) reporting same in a new draft (S. P. 126) (L. D. 147) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the new draft passed to the engrossed.

In the House, Report was read and accepted in concurrence, and

the Bill was read twice and tomorrow assigned.

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 Tabled

Bill "An Act Relating to Horse Pulling Contest" (H. P. 725) (Presented by Mr. Atherton of Bangor) (On motion by Mr. Atherton of Bangor, tabled pending reference and ordered printed.)

Banks and Banking

Bill "An Act Relating to Investments of Savings Banks" (H. P. 726) (Presented by Mrs. Fay of Portland)

(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in Favor of the Bath Water District (H. P. 727) (Presented by Mr. Larrabee of Bath)

(Ordered Printed)

Resolve in Favor of F. Errol Littlefield of Hampden (H. P. 728) (Presented by Mr. Thomas of Hampden by request)

(Ordered Printed)

Resolve Reimbursing the Eastern Maine General Hospital, of Bangor, for Certain Claims (H. P. 729) (Presented by Mr. Atherton of Bangor)

Resolve in Favor of Oscar Walker, of Bangor (H. P. 730) (Presented by same gentleman)

Resolve in Favor of Benjamin H. Jones, of Woodland (H. P. 731) (Presented by Mr. Brown of Baileyville)

Resolve in Favor of Joseph M. Martin of Van Buren (H. P. 732) (Presented by Mr. Burgess of Limestone)

Resolve in Favor of Prentiss Plantation (H. P. 733) (Presented by Mr. Cobb of Lee)

Resolve in Favor of Stanley Crawford of Albion (H. P. 734) (Presented by Mr. Faas of Benton)

Resolve in Favor of Leslie W. Wildes, of No. Kennebunkport (H. P. 735) (Presented by Mr. Gerrish of Old Orchard Beach)

Resolve in Favor of Katherine E. Marshall, of York Village (H. P. 736) (Presented by same gentleman)

Resolve in Favor of Eugene Jorgensen of South Windham (H. P. 737) (Presented by same gentleman)

Resolve in Favor of the Town of Phillips (H. P. 738) (Presented by Mr. Jennings of Strong)

Resolve in Favor of the Town of Phillips (H. P. 739) (Presented by same gentleman)

Resolve in Favor of Lawrence L. Felt, of Whitefield (H. P. 740) (Presented by Mr. Johnston of Jefferson)

Resolve in Favor of the Town of Waterford (H. P. 741) (Presented by Mr. McKeen of Lovell)

Resolve in Favor of Ralph A. Gallagher of Damariscotta (H. P. 742) (Presented by Mr. Stevens of Boothbay)

Sent up for concurrence.

Counties

Bill "An Act Relating to Business Hours for Certain County Offices" (H. P. 743) (Presented by Mr. Atherton of Bangor)

(Ordered printed.)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Relative to Transportation of Fish, Game and Fur-Bearing Animals by Airplane" (H. P. 744) (Presented by Mr. Bearce of Caribou)

(Ordered Printed)

Bill "An Act Relative to Certain Implements and Devices Prohibited in Fishing" (H. P. 745) (Presented by same gentleman)

(Ordered Printed)

Resolve Closing Kennebago Stream to All Fishing (H. P. 746) (Presented by Mr. Carville of Stratton)

(Ordered Printed)

Resolve Regulating Fishing in

Porter Lake (H. P. 747) (Presented by Mr. Jennings of Strong)

(Ordered printed.)

Sent up for concurrence.

Judiciary

Bill "An Act to Establish the Vinalhaven Municipal Court" (H. P. 748) (Presented by Mr. Ames of Vinalhaven)

(Ordered printed.)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the City of Westbrook School District" (H. P. 749) (Presented by Mr. Larabee of Westbrook)

(1,000 copies ordered printed)

Sent up for concurrence.

Pensions

Resolve Providing for an Increase in State Pension for John Wells, Sr., of Castle Hill (H. P. 750) (Presented by Mr. Dudley of Castle Hill)

Resolve Providing for State Pension for Gladys Bean of Clinton (H. P. 751) (Presented by Mr. Faas of Benton)

Resolve Providing for an Increase in State Pension for Ethel Merry, of Waldoboro (H. P. 752) (Presented by Mr. Johnston of Jefferson)

Resolve Providing for State Pension for Clara Nye, of Newburg (H. P. 753) (Presented by Mr. McGown of Carmel)

Resolve Providing for State Pension for James Bickford, of Newburg (H. P. 754) (Presented by same gentleman)

Sent up for concurrence.

Public Utilities

Bill "An Act Relating to the Ashland Water and Sewer District" (H. P. 755) (Presented by Mr. Dudley of Castle Hill)

(Ordered Printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Relating to Compensation for Members of the Boxing Commission" (H. P. 756) (Presented by Mr. Palmer of Nobleboro)

(Ordered Printed)

Bill "An Act Relating to the Salary of the Clerk of Courts in

Sagadahoc County" (H. P. 757) (Presented by Mr. Larrabee of Bath) (Ordered Printed)

Bill "An Act Relating to Licenses Issued by Boxing Commission" (H. P. 758) (Presented by Mr. Palmer of Nobleboro)

(Ordered Printed)

Resolve Relating to Increase of Salaries of Certain County Officials of Knox County (H. P. 759) (Presented by Mr. Burgess of Rockland) (Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Relating to the Digging of Clams in the Town of Vinalhaven" (H. P. 760) (Presented by Mr. Ames of Vinalhaven) (Ordered Printed)

Bill "An Act Relating to the Digging of Clams in the Town of St. George" (H. P. 761) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to the Digging of Clams in the Town of North Haven" (H. P. 762) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Revocation of Licenses Issued by Department of Sea and Shore Fisheries" (H. P. 763) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act Relating to Wholesale Lobster Dealer's License" (H. P. 764) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act Relating to Canning of Quahogs" (H. P. 765) (Presented by Mr. Prince of Harpswell)

(Ordered Printed)

Bill "An Act Relating to Lobster and Crab Fishing Licenses" (H. P. 766) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act Relating to Old Age Assistance" (H. P. 767) (Presented by Mr. Bubar of Blaine)

(1000 copies ordered printed)

Sent up for concurrence.

Ways and Bridges

Bill "An Act relating to Maintenance of Bonny Eagle Bridge in the town of Standish" (H. P. 768) (Presented by Mr. Fitch of Sebago) (Ordered Printed)

Resolve in favor of the town of Caribou (H. P. 769) (Presented by Mr. Bearce of Caribou)

Resolve in favor of the town of New Limerick (H. P. 770) (Presented by Mr. Benn of Smyrna)

Resolve in favor of the town of Littleton (H. P. 771) (Presented by same gentleman)

Resolve in favor of the town of Oakfield (H. P. 772) (Presented by same gentleman)

Resolve in favor of the town of Ludlow (H. P. 773) (Presented by same gentleman)

Resolve in favor of the town of Smyrna (H. P. 774) (Presented by same gentleman)

Resolve in favor of the town of Merrill (H. P. 775) (Presented by same gentleman)

Resolve in favor of the town of Dyer Brook (H. P. 776) (Presented by same gentleman)

Resolve in favor of the town of Mars Hill (H. P. 777) (Presented by Mr. Bubar of Blaine)

Resolve in favor of the town of Mars Hill (H. P. 778) (Presented by same gentleman)

Resolve in favor of the town of Dexter (H. P. 779) (Presented by Mr. Campbell of Garland)

Resolve in favor of the town of Windham (H. P. 780) (Presented by Mr. Chute of Harrison)

Resolve in favor of the town of Benton (H. P. 781) (Presented by Mr. Faas of Benton)

Resolve in favor of the town of Clinton (H. P. 782) (Presented by same gentleman)

Resolve in favor of the town of Albion (H. P. 783) (Presented by same gentleman)

Resolve in favor of the town of Benton (H. P. 784) (Presented by same gentleman)

Resolve in favor of the town of Standish (H. P. 785) (Presented by Mr. Fitch of Sebago)

Resolve in favor of the town of Standish (H. P. 786) (Presented by same gentleman)

Resolve in favor of the town of Old Orchard Beach (H. P. 787) (Presented by Mr. Gerrish of Old Orchard Beach)

Resolve in favor of the town of York (H. P. 788) (Presented by same gentleman)

Resolve in favor of the town of York (H. P. 789) (Presented by same gentleman)

Resolve in favor of the town of North Kennebunkport (H. P. 790) (Presented by same gentleman)

Resolve in favor of the town of Orrington (H. P. 791) (Presented by Mr. Gray of Orrington)

Resolve in favor of the town of Greenfield (H. P. 792) (Presented by same gentleman)

Resolve in favor of the town of Orrington (H. P. 793) (Presented by same gentleman)

Resolve in favor of Moose River Plantation (H. P. 794) (Presented by Mr. Hill of Bingham)

Resolve in favor of the town of Bowdoin (H. P. 795) (Presented by Mr. Jones of Bowdoinham)

Resolve in favor of the town of Georgetown (H. P. 796) (Presented by same gentleman)

Resolve in favor of the town of Litchfield (H. P. 797) (Presented by Mr. Marsans of Monmouth)

Resolve in favor of Winterville Plantation (H. P. 798) (Presented by Mr. Martin of Eagle Lake)

Resolve in favor of the town of Eagle Lake (H. P. 799) (Presented by same gentleman)

Resolve in favor of the town of Nobleboro (H. P. 800) (Presented by Mr. Palmer of Nobleboro)

Resolve in favor of the town of Dresden (H. P. 801) (Presented by same gentleman)

Resolve in favor of the town of Temple (H. P. 802) (Presented by Mr. Tyler of Farmington)

Resolve in favor of the town of Woolwich (H. P. 803) (Presented by Mr. Williams of Topsham)

Resolve in favor of the town of Phippsburg (H. P. 804) (Presented by same gentleman)

Resolve in favor of the town of West Bath (H. P. 805) (Presented by same gentleman)

Resolve in favor of the town of Arrowsic (H. P. 806) (Presented by same gentleman)

Resolve in favor of the town of Woolwich (H. P. 807) (Presented by same gentleman)

Resolve in favor of the town of Phippsburg (H. P. 808) (Presented by same gentleman)

Sent up for concurrence.

Orders

On motion by Mr. Burgess of Limestone, it was

ORDERED, that the Speaker of the House be authorized to appoint not exceeding two Messengers for the purpose of extending the use of the public address system for the members.

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

Mr. BURGESS: Mr. Speaker, before the vote is taken on this Order, I would like briefly to call the attention of the members of this House to the efforts that are being made to gradually extend this public address system for the convenience of each member of the House. From time to time there will be additions made which it is believed will please you, and I hope that you will understand as these conveniences are extended that some additional expense will be added, but I also want to express my personal opinion that any expense that has so far been incurred or will be incurred for this purpose will be very well worth while.

Thereupon, the Order received passage.

On motion by Mr. Benn of Smyrna, it was

ORDERED, that "Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Land with Buildings thereon in Newcastle, in the county of Lincoln," (H. P. 194) be printed.

House Reports of Committees Ought to Pass in New Draft

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of New Sweden School District" (H. P. 57) (L. D. 20) reported same in a new draft (H. P. 809) (L. D. 264) under same title and that it "Ought to pass."

Mr. Martin from same Committee on Bill "An Act to Incorporate the Town of Burnham School District" (H. P. 54) (L. D. 17) reported same in a new draft (H. P. 810) (L. D. 263) under same title and that it "Ought to pass."

Reports were read and accepted and the new drafts, having already been printed, were read twice under suspension of the rules, and tomorrow assigned.

Ought to Pass Printed Bill

Mr. Campbell from the Committee on Salaries and Fees reported "Ought to pass" on Bill "An Act relating to Travel Reimbursement for Members of the Legislature" (H. P. 312) (L. D. 92)

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

Ought to Pass with Committee Amendment

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Create the Ellsworth School District" (H. P. 56) (L. D. 19) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 56, L. D. 19, Bill, "An Act to Create the Ellsworth School District."

Amend said bill by striking out in line 3 of section 4 the words "district is" and inserting in place thereof the words 'trustees are'.

Further amend said bill by striking out in the 8th line of the 3rd paragraph of section 5 the figure "40" and inserting in place thereof the figure '30'.

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

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act relating to the Board of Trustees of Maine Wesleyan Seminary and College" (H. P. 136) (L. D. 42) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 136, L. D. 42, Bill "An Act Relating to the Board of Trustees of Maine Wesleyan Seminary and College."

Amend said bill by adding at the end the following underlined sentence:

Said tradition shall be maintained by including on the board of trustees the resident bishop of the Methodist church with jurisdiction in Maine, and at least three other members of the Methodist church, one in each class elected.

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

Mr. Hayes from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Lisbon School District" (H. P. 58) (L. D. 21) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 58, L. D. 21, Bill, "An Act to In-

corporate the Town of Lisbon School District.”

Amend said bill by striking out the last sentence in section 2 thereof and inserting in place thereof the following sentence: “The board of trustees, acting for said district, shall have and exercise all the powers and authorities necessary to carry out the purposes of this act and the powers and authorities granted herein; provided, however, that the trustees shall issue no bonds nor shall they expend a sum in excess of \$5,000 unless expressly authorized by a vote of the town.”

Further amend said bill by striking out the first sentence of section 4 and inserting in place thereof the following sentence: “To procure funds for the purpose of this act, and for such other expenses as may be necessary to carry out said purposes, the said trustees are hereby authorized from time to time to borrow money and to issue the district’s bonds and notes therefor, subject to the limitations contained in section 2 hereof, but shall not incur a total indebtedness exceeding the sum of \$300,000.”

Further amend said bill by striking out in the 21st line of section 4 the words “district is” and inserting in place thereof the words ‘trustees are’.

Further amend said bill by striking out in the 6th line of section 5, the figure “2½%” and inserting in place thereof the figure ‘3½%’.

Further amend said bill by striking out in the 8th line of the 3rd paragraph of section 5 the figure “40” and inserting in place thereof the figure ‘30’.

Committee Amendment “A” was adopted and the Bill was assigned for third reading tomorrow morning.

The SPEAKER: At this time, the Chair notes the presence in the balcony of the Hall of the House of members of the Junior and Senior classes of Westbrook High School, with Mr. Robinson as their advisor. In behalf of the House, we bid you welcome. (Applause)

Passed To Be Engrossed

Resolve in favor of the town of Medway (H. P. 74) (L. D. 207)

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

Passed to be Enacted

Emergency Measure

An Act to Amend the Charter of the City of Bath. (H. P. 55) (L. D. 18).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 140 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.

ORDERS OF THE DAY

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Report “Ought not to be passed” of the Committee on Rules and Business of the House on House Order relative to amending House Rule 25 (Smoking Rule) tabled on January 28 by the gentleman from Fairfield, Mr. Woodworth, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WOODWORTH: Mr. Speaker and Members of the House: I rise in opposition to the motion to accept the “Ought not to be passed” report of the committee.

This rule has stood on the books for many years. Apparently it was in the beginning based upon gallantry; the legislators seemed to think that they ought not to smoke in the House without the permission of the lady members. Today, we have in the House three ladies, three gentlewomen, who are members of the House. One of them has made the motion that this rule be abolished, one other is willing to have the rule abolished; she does not smoke and does not mean to

take an active part in the discussion. It is therefore apparent that the rule need no longer be continued on the books because of gallantry. If two-thirds of the lady members are ready to abolish the rule, there is no reason why two-thirds of the men should not feel and vote likewise.

It has been said at times that we have members who are distressed by smoking. I have no doubt that is true, but under the present rule suspension is an almost daily occurrence; in other words, we habitually suspend the rule, and if we habitually suspend the rule, whose fault is it? Who takes the blame? Upon whose shoulders does the responsibility rest? At the present time we wait until some gentlewoman moves to suspend the rules; in other words, she takes the rap. If there is any distress caused, it is caused by one of the women, not by the House as a whole. The rest of us hide behind the woman's skirts. The question is: Shall the House now assume responsibility for the smoking in the House?

For many years we had on the books of the State, our statute books, laws which forbade the manufacture, transportation and sale of intoxicating liquors, and in those days it used to be said that, if our legislators voted the way they drank, prohibition would never have come to Maine. (Laughter) As you know, prohibition has gone by in Maine, but the old smoking rule is still with us, and one of the questions which you will be called upon to decide today is: Are the members of the House going to vote the way they smoke or not?

If elections, as we have learned, were placed upon an honest footing when prohibition disappeared in Maine, there is only one answer: That Rule 25 should be abolished.

Of course, we all have some personal interest. I smoke most of the time when I can, but I think a great majority, more than two-thirds of the members of the House, smoke and all that I ask is that the members of the House vote as they

smoke, and I hope the House will reject the report of the committee and abolish Rule 25.

The SPEAKER: The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker and Members of the House: I wish to tell you at the beginning there is no personal issue in what I have to say. To begin with, for the benefit of the new members of this House, I would like to explain a little bit about Rule 25.

From what information I have been able to glean, Rule 25 was first adopted by the House of Representatives in 1917. It was first sponsored by the former Governor Percival P. Baxter, who was then a member of the House. After its adoption, it was suspended only during long and protracted sessions, usually when the House was waiting for business to come to it for action. Approximately ten years ago the practice of daily suspension of this rule started and has since grown.

Six years ago when I first became a member of this House I sat on the west side. There were two other lady members in the House whom I very much respected. They came to me about the second day and said, "Would you like us to assist you in any way in gleaning a little information about the conducting of the business of this House?" Of course, I thanked them and was very glad to listen to anything they had to tell me. I remember definitely the first information I had was from my cohort, Jean Bangs, who said to me, "Never wear your hat in the hall of this House while it is in session;" she laughed and so did I, and I thanked her for it. The next thing she said was: "There is a rule known as Rule 25, and as this session begins to lengthen more than fifteen or twenty minutes it is customary for we women to suspend Rule 25." I was told that we would receive notes from the gentlemen when they felt that this House had been in session long enough to have this rule granted.

During the three terms that I have been here there have always been women in the House; we have always cooperated with the men and were glad to do so at all times. I do feel that this rule lends a great deal of dignity to this House. I am proud of the way that the business is conducted and the dignity that we have here, and when a higher body enters the hall of this House I am sure that it becomes us not to have the room full of smoke. Now I am quite sure that you gentlemen will not suffer in any sense of the word, and you will be allowed to smoke and you won't have to hide behind our skirts because it is a rule, and we are only too glad to grant it at any time, at least I am quite sure that we always will. I, for one, would like to see this honorable body still continue to exercise all of the dignity possible so that we can all be proud of it as we always have been. Thank you. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: Now we are busy men, time is precious, so precious, and the demand for time is so great and desperate that we cannot spare even one minute and a half to listen to the National Anthem.

Now I will consume but a few moments of your time, but I want to register my disapproval of any attempt to have Rule 25 abolished. That is my constitutional right. Now the reason why, or some of the reasons why, I am against it is because smoking is an ally of Killer No. 1 in the American nation, working hand in hand with the greatest killer which we have today. So I will read to you: "Cigaret Smoking Causes Lung Cancer." "Doctor W. H. Dobson, M.D., of Berkeley, California, a former medical missionary in China, sends most interesting data from a careful study which he has made of the following subject. The following data are taken from his paper. The smoke tar from cigarets is the factor which causes

cancer. Applied to the ears of rabbits it causes 100 per cent cancer. Cancer of the lung has increased 300 per cent during the last thirty years. It comes on as age advances, being most highly fatal from 40-60 years. Lung cancer has grown as smoking has spread as shown by the following United States statistics table." I will not read that table, but here it is, and I can multiply this by many, many other such reports.

Now then, I am against abolishing this order because it works hand in hand with America's greatest killer, and I do not want to die with cancer. You hear it over the radio, and in almost every town there is a cancer society established to fight this killer, and if smoking is going to cause cancer in my body or in my neighbor's body, I am against it.

Now then I am against it because it is an ally of Killer No. 2 — and I will read to you. I am now reading from "Science Digest" on "Tobacco Heart": "One kind of heart disease is caused by smoking, and by nothing else but smoking," asserts Dr. Samuel Silbert of New York in a recent issue of the Journal of the American Medical Association." "Dr. Silbert has personally studied over 1,400 cases, one hundred of them for more than ten years. All, without exception, were smokers. In every one of the hundred cases the disease was arrested after the patient had stopped smoking."

Now, I might multiply this by many others, but I am against the abolishing of Rule 25 because it is an ally of the American Killer No. 2.

How few men die in bed today! They drop by the roadside, in their office chairs, sitting at their tables. Crash go the walls of the heart and bang they go, and they are dead. The American Medical Association says that it is caused by smoking.

Now, furthermore, I am against the killing of this order because second-hand smoking is more injurious than first-hand smoking. (Laughter) Now then, I will read

from a Harvard health talk given to the Harvard students, and I will read very briefly: "It will be noted that the amount of irritating materials escaping from the burning end are greater than the irritating material drawn into the mouth. It is these irritating materials that prove annoying to the eyes and the nose of those not smoking in a room where smoking is going on. Such a person may with each breath draw in these irritating materials, whereas the smoker escapes some of the irritation by drawing smoke through the cigarette, thereby being relieved of some of the irritation. This may, at least, form a partial explanation of why a person says that in a room where many are smoking, it is best to smoke with the rest, if not for the pleasure of the smoking, at least as a matter of self-defense."

Now I am against abolishing this order because a second-hand smoke is more injurious to the body than a first-hand smoke, and if I am in a room where men are smoking I must smoke it second-handed, therefore I am against the abolishing of this order.

Now then, I am against the abolishing of this order because Ex-Governor Baxter, back in 1917, as the lady from Crystal, Miss Longstaff, has stated, sponsored this measure. It was adopted, and Ex-Governor Baxter is a living example today of what happens and takes place in the body of a non-smoker. I met him in the hall of the House during the inaugural ceremonies and I looked at him. I know his age. He is not ashamed to tell it. He is past sixteen, of course, and therefore he does not mind if you do know his age. But I looked at him, and, in amazement, I said: "Governor, how is it that you look so young and fair and vigorous; why, you look like you did forty years ago!" I said, "Give me your recipe. How do you do it?" He paused for a second and he said this: "Clean living and a good conscience toward God and Man." I was so impressed with

that that I immediately wrote it to all my children, and I had it placed in our county paper, the Mars Hill View, only I made this amendment: "Clean living and a good conscience toward God and man produces health." Work, peace, happiness and long life—Governor Baxter.

Now if non-smoking will do that to the body of Governor Baxter, I want to live like he lives, and I want to continue on with strength and vigor as long as my Creator wishes me to, and if smoking second-handed is going to injure me I hope that my neighbor will refrain from smoking, because I am not going to vote for anything—and I have all the respect in the world for these men, they are better legislators than I am and they are as good as I am and we will be neighbors just the same—but I am not going to vote for any measure in this House that is going to injure my neighbor physically, mentally, morally or spiritually; I will not vote for it at any time.

Now I am against this measure because it lowers the dignity of the House of Representatives. Do you want it to go out over the wires to the nation and the world that the House of Representatives in Maine has voted to turn this assembly hall into a smoking room? No, you do not want to! I appeal to you to keep Rule 25 and obey it. Thank you.

The SPEAKER: The question before the House is on the acceptance of the report of the committee.

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

Mr. McCLURE: Mr. Speaker and Fellow Members: We have in our House today in our balcony many future members, I hope, and I feel this is too trivial a matter for us to waste the time we have with so many bills of importance coming up, and I do not believe we should waste our time, when, as Representative Bubar said, we cannot spare the time to sing our National Anthem once a week this session. Let us not waste any more time.

Let us look after our government and try to save our taxpayers some money and get down to business.

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

Mr. BROWN: Mr. Speaker, no member of this House enjoys a smoke better than I do, but I believe that during the time the House is in session smoking should be prohibited. I shall vote to accept the report of the committee.

The SPEAKER: The question before the House is on the acceptance of the report of the committee. Is the House ready for the question?

The Chair recognizes the gentleman from Orient, Mr. Maxell.

Mr. MAXELL: Mr. Speaker, I am perhaps one of the members of this House who does not smoke, but, due to a throat irritation, or rather a bronchial trouble that I am troubled with at the present time, smoking is very irritating and at the same time objectionable to me. But that is neither here nor there. I do not wish that one member of this legislative body should try to control or sway or influence the action of any other members or deny them any privileges and rights which they do enjoy. I do believe though, in a spirit of fairness, that we as members who do not smoke should at least enjoy part of these sessions in smokeless rooms rather than repealing this ruling altogether. I believe it is really below the dignity of this organization to try to work out the problems of our State in the maze of a smoke-filled room. I believe that our efforts and our minds would be clearer and our actions would be better if we would refrain from this habit.

We go to church and we go to many other places and we spend much time there and we never think of smoking. Why should we do it here? Pure air never killed anybody, but people have been

caused to suffer, and suffer much, because of smoke, and I sometimes think that this room is causing suffering. I, for one, would be for abolishing smoking entirely.

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

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

The SPEAKER: The gentleman from Bangor, Mr. Wight, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the acceptance of the "Ought not to be passed" report of the committee. As many as are in favor of the acceptance of the committee report will say aye; those opposed no.

A viva voce vote being taken, the report of the committee was accepted.

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

On motion by Mr. Duquette of Biddeford,

Adjourned until ten o'clock tomorrow morning.